



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

DEBATES
and
PROCEEDINGS

31-32 Elizabeth II

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Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

Members, Constituencies and Political Affiliation

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, 27 May, 1983.

Time — 10:00 a.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. J. Walding: Presenting Petitions
. . . Reading and Receiving Petitions . . .

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

MR. SPEAKER: The Honourable Member for River East.

MR. P. EYLER: Mr. Speaker, the Committee of Supply has adopted certain resolutions, directs me to report the same and asks leave to sit again.

I move, seconded by the Member for Wolseley, that the report of the committee be received.

MOTION presented and carried.

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

MR. SPEAKER: The Honourable Minister of Community Services.

HON. L. EVANS: Mr. Speaker, I'm pleased to table the Interim Report of the Review Committee on Indian and Metis Adoptions and Placements prepared by Senior Judge E.C. Kimelman.

I also have a few copies of a news release which is going out accompanying the report, for members of the Legislature.

MR. SPEAKER: 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 where we have 22 students of Grade 6 standing from the La Verendrye School. They are under the direction of Mr. Mel Hanna. The school is in the constituency of the Honourable Minister of Economic Development.

There are 25 students of Grade 4 standing from the Buchanan School, under the direction of Miss Monique Huppe. The school is in the constituency of the Honourable Member for Assiniboia.

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

ORAL QUESTIONS

Western Power Grid

MR. SPEAKER: The Honourable Leader of the Opposition.

HON. S. LYON: Mr. Speaker, a question to the First Minister. In view of the disturbing statements that we've been reading in the papers in the last two or three days, purporting to quote the Minister of Mines and Energy to the effect that the Western Power Grid would not have been a great economic stimulator for Manitoba and for the prairie provinces, Mr. Speaker, will the First Minister give this House an undertaking that he will move the Minister of Mines and Energy to some other portfolio and place the negotiations for the Western Power Grid, which is one of the greatest economic leaps forward that this province could hope to have, in the hands of some Minister on that side of the House - if indeed he has one on that side of the House qualified - who will move ahead with these negotiations and try to revitalize them from the loss that has occurred in the last 18 months under the Minister of Mines and Energy, and get that extremely important project back on track for the benefit of all Manitobans?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, as you're no doubt aware this same question was asked yesterday by the Member for Turtle Mountain, a very similar kind of question. Obviously there is a lack of understanding on the part of the Leader of the Opposition and the Member for Turtle Mountain as to some of the statements that have been made by the Minister responsible for Energy and Mines.

I think it would therefore be only appropriate, Mr. Speaker, for the Minister of Energy and Mines to rectify what appears to be a misunderstanding or a misapprehension on the part of some honourable members across the way, as to the actual content of the Minister's statement.

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

HON. W. PARASIUK: Mr. Speaker, I am very pleased to have this opportunity to answer questions on this. I notice that the opposition have asked questions about my supposed statements to everyone in the House but myself and this gives me the opportunity to clarify the record; that I had spoken to a reporter who asked me questions. That report was put in the Free Press, the reporter indicates - and that's true - that they don't write the headlines; and secondly, they don't cover the entire content of the story; and certain portions of that story, possibly for space purposes, were taken out of the story or edited out.

What I did say was that for a short period, and that is up to a six-year period, there would be a big stimulus in terms of jobs, in terms of job creation. That the figures of 50,000 person years was high, in that the study was a three-year old study, that was predicated on firm sales of 1,000 megawatts to Alberta, and 500 megawatts to Saskatchewan. Later negotiations by the previous government, and the other governments,

reduced that to run-of-the-river output from a station in Manitoba, or its equivalent, and that the figures were therefore changed. I indicated that, over the long run, that one had to measure both the short-term benefits of job creation which we were interested in, and also the longer-term implications, because you do give up power for a 35-year period. The Hydro officials do indicate that there are something in the order of 40-50 long-term jobs in that facility, in terms of operating it, and if you go up to Long Spruce that's how many people you'll see involved in the operation of Long Spruce, so it's important for everyone to have this in proper perspective.

We were in favour of an export sale to the west of us; we are in favour of export sales to other places; I think all options should be considered. We certainly would like to proceed Western Power Grid discussions; we've made that offer, it's open to both Saskatchewan and Alberta. Saskatchewan, as you can recall, Mr. Speaker, indicated that they were interested in discussing this when we pursue this. Specifically, they said that the recession is so deep that they don't want to pursue it now, but they're willing to look at it in the future. The Minister responsible for Utilities in Alberta has said that they will revive discussions in the future.

So, Mr. Speaker, we have to hope that the recession that has hit Alberta very deeply, and has hit Saskatchewan very deeply, will change so that their load growth projections pick up so that they will require these types of developments. The whole grid notion was predicated on an overheated Alberta economy. Obviously, Mr. Speaker, we do not have an overheated Alberta economy right now and that is the reality that faces us. I think it's important for people to be realistic and not to pump up false expectations based on false premises.

HON. S. LYON: Well, Mr. Speaker, a second question to the First Minister. The only thing that's overheated is the attempt by the Minister of Mines and Energy to justify the unjustifiable, his flubbing of the biggest deal in the history of this province.

Mr. Speaker, in view of the comments that we've just heard from the Minister of Mines and Energy which convict him out of his own mouth. He doesn't believe in the Western Power Grid; he never did, he thought it was a resource giveaway. Will the First Minister of Manitoba do something for a change, on behalf of the public interest, and put those negotiations in the hands of somebody capable so that we can move this project forward in the interests of all Manitobans?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, I'm disappointed in the question by the Leader of the Opposition. The Leader of the Opposition indicated that the Minister of Energy and Mines had convicted himself by his own words in respect to the proposed Western Power Grid. I listened, Mr. Speaker, to the Minister of Energy and Mines and I must say that the Honourable Leader of the Opposition, the Leader of the Conservative Party, is misinforming this Chamber and misinforming Manitobans if, for one moment, he would suggest what I thought to be a very clear statement by the Minister

of Energy and Mines was doing anything else but placing in proper perspective the nature, the economic benefit and the present circumstances that exist in Western Canada pertaining to the possibility of the Western Grid. Far from it, Mr. Speaker, and the Leader of the Conservative Party knows full well of what he speaks that he speaks nonsense.

HON. S. LYON: Mr. Speaker, if the First Minister of this province - and the question is directed to him again - thinks that 50,000 man years of employment for Western Canada and at least \$1.5 billion worth of Capital construction for Manitoba is nonsense then he'd better step down too, because the people of Manitoba need that and they needed it in 1981, they need it now. Will he and his incompetent government try to get on with one project in the interests of the people of Manitoba or are they more interested in Nicaragua, in flag burnings, Marxist conferences and things of that sort?

HON. H. PAWLEY: Mr. Speaker, I sense that the Leader of the Conservative Party is becoming somewhat wrought up this morning. I don't know where the Leader of the Opposition was last night but he's getting quite wrought up this morning. Mr. Speaker, this government is doing what is possible, given the economic circumstances and given the . . .

A MEMBER: Shut up a minute.

MR. SPEAKER: Order please.

HON. H. PAWLEY: Thank you, Mr. Speaker. Given the circumstances that presently exist, this government is doing all it can to stimulate economic development in the Province of Manitoba. Mr. Speaker, the Conservatives in this House like to refer to the Western Power Grid and to other projects but the fact is during their term of office, 1977 to 1981, there was no signing, there was no agreement in respect to projects. In the months leading up to the election, Mr. Speaker, there were efforts to hype up a situation pertaining to the signature to certain Mega Projects in the Province of Manitoba. Mr. Speaker, what would have happened to those projects is what happened to similar projects in Alberta and British Columbia and Saskatchewan. The recession terminated those kinds of projects in Western Canada.

Alcan Aluminum Project

HON. S. LYON: Mr. Speaker, will the First Minister, in the light of that piece of mythology that he is now trying to foist on the people of Manitoba, grafted, I take it, on to the false promises that he made the people of Manitoba in 1981, will he try to explain to the people of Manitoba why Alcan is going ahead with smelting facilities in Quebec, why potash mines are being opened up in New Brunswick and started again in Saskatchewan and why the Western Power Grid failed when the agreement had already been signed before this incompetent bunch came into office? Why did they let it fail? Mr. Speaker, if the First Minister wants to call that nonsense, the people of Manitoba know better.

HON. H. PAWLEY: The Leader of the Opposition would save himself some time and would, in fact, save some funds if he had been present during the Estimates review last evening in which the Minister of Energy and Mines answered this question, I understand, in some detail. The Leader of the Opposition was not present, Mr. Speaker, and now he is consuming time and the time during the question and answer period pertaining to questions that were raised in his absence last night.

Mr. Speaker, just so that we can accommodate the Leader of the Conservative Party, I would invite the Minister of Energy and Mines to provide the kind of information that he gave in the absence of the Leader of the Conservative Party last night, during the Estimates review.

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

HON. W. PARASIUK: I'd be pleased to provide the uninformed Leader of the Conservative Party with some facts concerning the real world. These are drawn from statements made by the senior executives of the potash company, who have said that the recession is so great that they're going to postpone investment decisions. This is especially affected by the American program whereby they are paying farmers to take land out of production; that is having a very severe impact on potash consumption in the United States.

The Saskatchewan Potash Corporation is still proceeding with an expansion that they had under way, but even they themselves are operating way below capacity and they've had many, many layoffs over the last year. I've just attended a Mineral Outlook Conference in Ottawa, Mr. Speaker, where the other people involved in the potash industry confirmed that. I can send over the documents relating to the potash industry to the Conservative Leader if, in fact, he wants to become informed with facts, not with mythology.

Same thing holds true with respect to the aluminum industry, Mr. Speaker. We have a situation where Alcan has old smelters in Quebec that are environmental problems. They have indicated, and they indicated to the previous government, but I guess the previous government wasn't listening, that they, in fact, had to meet obligations to improve those plans or to rebuild them.

A MEMBER: Nonsense.

HON. W. PARASIUK: I hear the word "nonsense" coming up from the other side. Mr. Speaker, I've had discussions with the President of Alcan in this regard. They have, as I explained yesterday, a continuing longer-term interest in Manitoba. We are pursuing those discussions; we are also pursuing discussions with other aluminum companies. A lot will depend, not on just the short-term upturn in the economy, but, Mr. Speaker, a longer term sustained recovery so that people can, in fact, make their balance sheets healthy again and undertake major long-term investments.

Many investment analysts have indicated that the deepness of the recession is such that many major investment plans will be put back by three to five years. We hope that the recession turns around more quickly;

we hope that it does turn around more quickly, the most severe one that we've had since the 30s, so that people maybe will move those investment decisions up sooner, not from three to five years, but hopefully from one to three years. We'll have to watch this over the course of the next year or so, Mr. Speaker

I find that the opposition is now chattering because I'm providing an answer that I provided yesterday, in Estimates, which the Leader of the Conservative Party, had he taken the trouble could have been here to listen to. Now he's come in the House, asked detailed questions of this government and does not want to hear the answers, Mr. Speaker, because the answers hurt. The truth hurts sometimes, Mr. Speaker, when you're trying to propagate mythology.

Western Power Grid

HON. S. LYON: Mr. Speaker, like the First Minister, I was not in the Estimates of the Department of Mines and Energy last night because it passed by despatch, I understand, largely through the good work of the House Leader of the Conservative Party.

I ask the question, Mr. Speaker, of the House's Edgar Bergen, not of Charlie McCarthy. I put the question back, again, to the First Minister. In light of the abject failures of this Minister on all of the major projects, will he not, in the interests of Manitoba - forget about the NDP and the socialists for a minute - in the interests of the people of Manitoba, put a Minister in charge of that department who will put some revitalization back into getting the Grid on track, in particular, and also with respect to Alcan; with respect to potash; with respect to Manfor, start working in the interests of Manitoba, rather than against the interests of Manitoba as this Minister has been doing?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, there is a phrase that I recall to the effect that I think thou protests too much. It seems to me the Leader of the Conservative Party in the Province of Manitoba, the Leader of the Opposition, is very, very edgy; very, very concerned, Mr. Speaker, about the Minister of Energy and Mines because he knows that the Minister of Energy and Mines is doing an able job, a competent job and precisely what the Leader of the Opposition is concerned about is that the Minister of Energy and Mines is going to demonstrate that competency and ability to the detriment, Mr. Speaker, and to the sorrow of honourable members across the way, Conservative members across the way, representing the people of the Province of Manitoba. Shame on them, Mr. Speaker. We have a Minister that's representing the public interest and doing a good job in representing the public interest.

HON. S. LYON: Mr. Speaker, in the light of the failure of the First Minister to understand the broader needs and the public interest of the people of Manitoba, will he send a letter to each of the 22,000 more unemployed people in Manitoba today and tell them what a great job the Minister of Mines and Energy is doing when he turns his back on 50,000 man years of employment that could have been brought into the prairie region,

and \$1.5 billion worth of investment on the Power Grid, if he hadn't been so incompetent as to lose that Grid for Manitoba.

SOME HONOURABLE MEMBERS: Oh, oh!

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

The Honourable First Minister.

HON. H. PAWLEY: There's been an overdose of ugly pills across the way this morning. Mr. Speaker, the Leader of the Conservative Party refers to the unemployed in the Province of Manitoba. Let me assure the Leader of the Opposition, the Leader of the Conservative Party in Manitoba, that this New Democratic Party Government is deeply concerned about the lot of some 1.5 million to 2 million unemployed from one end of this country to the other. Mr. Speaker, unemployed people directly as a result of ultraconservative policies that had been pursued by governments in Ottawa, Washington, London and other parts of the Western World. Let that be clear, Mr. Speaker.

Let the Conservative political forces accept responsibility for the human tragedy, the economic waste that has been caused by unemployment because of conservative policies that have been developed and followed in various parts of the Western World. Mr. Speaker, the Leader of the Conservative Party can laugh, but it is no laughing matter to those millions and millions of unemployed throughout the world.

Mr. Speaker, it is small and rather cold consolation, but at least in the Province of Manitoba despite the international recession, despite growing unemployment throughout Canada and elsewhere and in this province, we have managed to reduce the unemployment levels in Manitoba from the third lowest of all provinces in Canada to the second lowest of all provinces in Canada. No. 2, Mr. Speaker, we have managed to lift Manitoba's economic indicators to amongst the best from being amongst the worst. Mr. Speaker, I particularly draw your attention to the fact that Manitoba has the second best job retention rate of any province in Canada.

Thirdly - again I see the Leader of the Conservative Party listens to no one but himself. He asks questions but doesn't listen to the answers. Mr. Speaker, it has been through the successful complementing by the Provincial Government, through the efforts of the Minister responsible for Housing with the federal housing programs, that Manitoba is leading the country by way of percentage increase of housing starts this year, creating valuable jobs in the housing industry and thousands of spinoff jobs as a consequence thereof.

So, Mr. Speaker, let me just sum up. There's an international recession that is caused by the kind of philosophic thinking demonstrated by the Leader of the Opposition. Unfortunately, it is the economic thinking of those that follow the lead of the Leader of the Opposition that weight the thrones of power in too many countries throughout the Western World, Mr. Speaker, yes. But the fact is that despite these tremendous odds and despite rising unemployment, Mr. Speaker, Manitoba has done comparatively well in an interprovincial comparison. We're not satisfied but,

Mr. Speaker, we have done as well in a human way and as well in a purposeful way as I think any Provincial Government could do under the circumstances with the assistance of Manitobans in the labour community, in the business community, amongst the professionals, amongst the municipalities and other groups within the Manitoba society.

Government policy re Ministers

HON. S. LYON: Well, Mr. Speaker, a question to the person whose sole title before too long is going to be the Leader of the New Democratic Party. A question to the Leader of the New Democratic Party who fails to act like a Premier and give leadership to this province.

If the policies, Mr. Speaker, that he complains about, which he presumes to call Conservative policies that were implemented by the Trudeau Government and by his government, if those policies are so bad, what would he say about the policies of Monsieur Mitterrand, his socialist running mate in France who has brought that country to its knees by following the same kind of wrong-headed policies that this government would try to foist on the people of Manitoba and Canada?

HON. H. PAWLEY: Mr. Speaker, we'd like to draw . . .

SOME HONOURABLE MEMBERS: Oh, oh!

HON. H. PAWLEY: Mr. Speaker, I would ask you to ensure that members when they're asked questions are given opportunity to respond to questions.

MR. SPEAKER: Order please. If members wish to hold their own private debate perhaps they would do so outside and then we can all hear the answer to the question that has been asked.

The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, I'm delighted to have an opportunity, again, to respond to the questions of the Conservative party. I think there is a basic difference of approach, and that's well demonstrated by way of the question. I would like to first deal with that basic difference of approach. The Leader of the Conservative Party, and I notice Conservatives tend to, and it demonstrates itself within their own party - and we see this within the leadership contest now within the Conservative Party, nationally - stoop to constant wrangling over personality issues. Mr. Speaker, we will attack honourable members across the way, but the emphasis of that attack will be a philosophic difference, a programmatic difference, rather than a difference pertaining to personalities. Mr. Speaker, that is, with all humility, the difference between a social democratic approach and a Conservative approach. Mr. Speaker, although it would be tempting for us to stoop to fascist baiting, as honourable stoop to red baiting, we prefer not to.

Thirdly, Mr. Speaker, the honourable member asked a question pertaining to France, I know now whether that is within my jurisdiction to respond to questions pertaining to the woes that exist within France under President Mitterand. I have an impression, Mr. Speaker, that the Government of France is attempting to bring

about important and fundamental reforms in regard to the educational system in the Province of France; a system that has been neglected for decades and decades. Mr. Speaker, in reform, in improvement that is worthwhile one is always bound to find opposition. We are finding that in respect to some safety restraint legislation that we're introducing during this Session. Reform has a price, Mr. Speaker, but better that there be reform, rather than simply the testing of the winds, and trying to determine whether it's safe to proceed or not, as honourable members across the way are prone to do.

Winnipeg Children's Festival - support

MR. SPEAKER: The Honourable Member for Wolseley.

MS. M. PHILLIPS: Yes, Mr. Speaker, I have a question for the Minister of Cultural Affairs. I would like to know if this government is supporting the First International Winnipeg Children's Festival?

MR. SPEAKER: The Honourable Minister of Cultural Affairs.

HON. E. KOSTYRA: Thank you, Mr. Speaker, I can confirm that this government is supporting the First International . . .

HON. S. LYON: The taxpayers are supporting it, not the government.

A MEMBER: Yes, but you're not supporting the Winnipeg Bible College.

MR. SPEAKER: Order please.

A MEMBER: Would you guys give it a rest for a minute?

HON. E. KOSTYRA: Mr. Speaker, it seems that members opposite are concerned that this government is supporting a festival for children in the Province of Manitoba, so it seems to me that they have some concern that we're supporting the children of this province, and I can only conclude from that that they have some anti-child attitude on their part, Mr. Speaker.

SOME HONOURABLE MEMBERS: Oh, oh!

HON. E. KOSTYRA: Mr. Speaker, yes, I can confirm that the Province of Manitoba is supporting the first ever International Children's Festival in the City of Winnipeg, a festival that, I think, all residents of the City of Winnipeg are proud to have, because I think it's important, Mr. Speaker, that we do what we can to provide cultural opportunities for the children of this province because, unfortunately, a lot of the activities that have been going on in the past, with respect to cultural activities, have tended to ignore children, and I'm pleased to see that a non-profit organization has been formed in Winnipeg, as is the case in other provinces in the country, to have a festival that allows for children to participate and to be entertained. I think it's important for the health of this province and our future, Mr. Speaker.

MS. M. PHILLIPS: Yes, Mr. Speaker, I have a supplementary for the Minister. I would like to know what his department is planning for the children in the rest of the province, the rural and Northern areas, considering at this time of the school year it's most difficult for children to get into this festival in the City of Winnipeg?

HON. E. KOSTYRA: The first International Children's Festival is located in the City of Winnipeg and is of obvious benefit for the children in the City of Winnipeg and the surrounding areas that are able to drive in, through school buses and through private means, to attend. Our department has decided, as part of the regular summer programming of the Department of Cultural Affairs, to have a children's tour in rural and Northern Manitoba that will complement the excellent festivals that take place in all parts of rural and Northern Manitoba; so I'm pleased to inform members that for rural and Northern communities that there will be a children's tour to complement what's going on in the City of Winnipeg, and to give children in rural and Northern communities the opportunity of having some similar entertainment.

Government Policy re Ministers

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, during the election of 1981 there was a document circulated called "A Clear Choice for Manitobans", policies of the Manitoba New Democratic Party, and one of the promises was that we can turn around the harsh economic circumstances of the past four years. It was signed by Howard Pawley. I have a question for the First Minister, is he the same Howard Pawley who signed those promises in 1981?

Wildlife Report

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, I have a question for the Minister of Natural Resources. There has been considerable questioning regarding the Five-year Wildlife Report which the Minister has released to the Legislature. I'm wondering now whether the Minister would be prepared to take the suggestion that we made to the Minister, during the review of his Estimates, and refer that report to the Standing Committee on Natural Resources, in order that members of this Legislature might have a chance to question the departmental officials as to the accuracy of that report?

MR. SPEAKER: The Honourable Minister of Natural Resources.

HON. A. MACKLING: Mr. Speaker, to begin with I was rising on my feet to indicate my concern about the nature of this question period. Questions were being asked and there was inadequate opportunity to answer those questions because of the bedlam, particularly proceeding from the opposite side of the House. Mr.

Speaker, I don't choose to answer my question to the raucous behaviour of the Leader of the Opposition who sets a terrible example in this House, a terrible example to the people of Manitoba, and the honourable members opposite seem to be emulating him.

When I answer my question I trust, Mr. Speaker, I can do so without constant harassment of nonsensical remarks opposite.

MR. SPEAKER: Order please. The Honourable Member for Turtle Mountain on a point of order.

MR. B. RANSOM: Mr. Speaker, I placed a question to the Minister of Natural Resources. He has now been speaking on a subject which has nothing to do with the question that was placed to him. I suggest he's out of order, Sir, and should be called for it.

HON. S. LYON: His mind's been out of order for some time.

MR. SPEAKER: The Honourable Minister of Natural Resources.

HON. A. MACKLING: Mr. Speaker, if I did not make myself precisely clear, let me indicate that I was rising on a point of order because I was concerned about the lack of respect that was being exhibited in this Chamber, by members opposite, to allow questions and answers to be made in dignity in this House, Mr. Speaker.

Mr. Speaker, I would ask you to remind members to exercise restraint, respect the Rules of this House and certainly enable me to answer that question — (Interjection) — Well, Mr. Speaker, you see the honourable members won't even allow me to address you, without constant noise on their part.

Mr. Speaker, it does them no service to continue to exhibit the attitude of people without reason and I ask you, Mr. Speaker, to call to attention of members of this House, the Rules of this House, and certainly I want to answer that question. Mr. Speaker, I ask you to draw to the attention of the Leader of the Opposition that he should cease him intemperate, unreasonable remarks from the seat of his chair. I ask you to caution him in his remarks.

MR. SPEAKER: The Honourable Minister of Finance to the same point.

HON. V. SCHROEDER: Thank you, Mr. Speaker. On the same point of order, I'm wondering whether the Opposition Leader thinks that he's in the Legislature of this province or in a beer hall in Munich.

MR. SPEAKER: The Honourable Leader of the Opposition.

HON. S. LYON: Mr. Speaker, on that point of order, I know that I'm in the Legislature of Manitoba and I know my responsibilities, Mr. Speaker, and one of those responsibilities is to hold a mirror to the government so the people can see what fools they are.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please. May I remind honourable members that we are in the Oral Question period. Are the members prepared to proceed with Oral Questions? If so, the Honourable Minister of Natural Resources was to answer a question, I understand.

The Honourable Minister.

HON. A. MACKLING: Mr. Speaker, I will try to ignore the insults that continue to emanate from the chair of the Leader of the Opposition. I will continue to ignore them.

Mr. Speaker, during the course of the Estimates Review of the Department of Natural Resources, the Member for Turtle Mountain asked me to consider the reference of the Five-Year Report to a Committee of the Legislature. Mr. Speaker, I indicated that, although that had some merit at first blush, one has to consider the whole process. It was a suggestion that now the departmental staff would be called and cross-examined by the members of the opposition. Now that would be introducing a new process altogether to the parliamentary system. I don't know whether he had discussed that with the Leader of the Opposition and all members of their caucus, but he was suggesting a new process altogether. A department would be called upon to bring forth staff and they would be questioned on the merits of program, outside of the Minister. It's a question about the role of responsible government. The Minister is responsible, not the staff.

Now I indicated, Mr. Speaker, that the suggestion had some blush of merit to it, but I wanted to give serious consideration to the ramifications of such a suggestion. Certainly, in the case of Utilities, there is that kind of treatment; the Utilities called before a Standing Committee of the House and officers of the utility are questioned, but that does not happen with departments. Departments of government have been treated differently from Day One, under the parliamentary system.

The honourable member was asking for fundamental change. I indicated that I wasn't prepared to consider that in any hurry-up way. True, there is a concern in respect to the Wildlife Report. Some of the Native people feel that there is error in that document; they want reconsideration of some of the premises that are suggested. I have indicated that I am going to meet with my staff and review those things. I think, Mr. Speaker, there is a concern for more consultation and I will ensure that consultation process is honoured and pursued.

Careerstart Program

MR. SPEAKER: The Honourable Minister of Labour.

HON. M.B. DOLIN: Thank you, Mr. Speaker. Yesterday I took as notice a question from the Member for Emerson and I have the answer to that question, which I am pleased to share with members today, because a number of other members opposite have also indicated interest in this particular information.

It has to do with the Careerstart Program and I'm pleased to provide an update and give information on applications received and positions approved. The total number of positions approved under the Careerstart

Program to date, is 6,689. That includes, from the business and farm sector, 5,063, and from non-profit groups, 1,626. Some applications were rejected due to their lateness. That involved a total of 148 positions, rather - not applications - that were rejected because they came in well after the deadline. There were two exceptions to this and that was due to an error in the receipt of the application form in the first place and so those were allowed.

The number of positions rejected, that were on time but were not funded for one reason or another, amounted a little over 1,000 - 1,167. It's difficult to give an actual number of applications that were rejected, as each application could have asked for up to three positions. In many of those cases, in most of them in fact, one or two of the positions asked for, were granted and perhaps one of the positions was rejected. So what we can come up with eventually is the total number of applications rejected, the total number that were not accepted. But many, many applications were accepted on a partial basis.

Seasonal Staffing

MR. SPEAKER: The Honourable Member for Swan River.

MR. D. GOURLAY: Thank you, Mr. Speaker. I have a question to the Minister of Natural Resources. I wonder if the Minister can confirm that his department is cutting back on seasonal staffing for the maintenance and servicing of roadside campgrounds throughout province, and I make special reference to the one at Overflowing River.

MR. SPEAKER: The Honourable Minister of Natural Resources.

HON. A. MACKLING: Mr. Speaker, I'm not aware of the specific wayside park that the honourable member made reference to. I'll certainly take that as notice and advise, but I'll indicate by way of a general comment that certainly we want to maintain the highest standard we can in respect to those facilities. I know, Mr. Speaker, we could be spending more money. We could be providing more services but, Mr. Speaker, like all other departments of government, we have been forced to exercise reasonable caution in spending to ensure that we don't increase the deficit inordinately.

MR. D. GOURLAY: Well, Mr. Speaker, I wonder if the Minister can confirm that there is actually a cutback in the seasonal staffing in his department.

HON. A. MACKLING: Mr. Speaker, as I've indicated, we have looked carefully and trimmed where we can any opportunity where we thought that we could without jeopardizing service. I don't believe we have jeopardized service anywhere. I have indicated I will take as notice the specific item that the honourable member raised, but I reject categorically that we have reduced service, Mr. Speaker.

MR. D. GOURLAY: Mr. Speaker, with respect to the situation at Overflowing River, I have been informed

that the Director of Parks in Swan River has been advised to cut back on the seasonal staffing at the campgrounds such as Overflowing River. I wonder if the Minister could check into this with some haste because we're into the tourist business and tourists can only expect dirty campgrounds and overflowing trash cans at this time of year.

MR. D. BLAKE: That's their priority.

HON. A. MACKLING: Mr. Speaker, as I indicated, and I indicated twice; I will indicate it for the third time that the specific of the honourable member's concern will be reviewed and I will give him and other members of this House an answer. If I need to put that in writing, I will send a note across. I will look into the question, Mr. Speaker, because no direction had been given by me to reduce any service level for wayside park camps.

Tourism Materials for Visitors

MR. SPEAKER: The Honourable Minister of Economic Development.

HON. M. SMITH: Mr. Speaker, yesterday, I took as notice a question from the Member for St. Norbert about tourism materials that had been requested by the Canadian Physiotherapy Association. Mr. Speaker, a letter arrived yesterday - I presume the letter to which the member opposite was referring - indicating their displeasure at not being given supplies for 250 attendants at a convention.

Mr. Speaker, they made their request by telephone call and the department person responded with what is the normal practice not only now, but has been in place for several years. Instead of giving a full range of materials to each conference attendant so that they could each have copies of it, it's found that a better use of the resources is to make available for the registration desk at conventions a full range of materials. For a convention of this size, what they receive is 175 "Good to See You" stickers, 50 Manitoba Vacation Guides, 50 Manitoba highway maps and 100 Manitoba folders containing sets of Manitoba tourism brochures.

It's been found that this method of distributing the material is most effective. Mr. Speaker, it should also go on record that this particular group has received a \$4,800 hospitality grant from the Department of Health for this particular convention.

Tourist Information - Signs

MR. SPEAKER: The Honourable Member for Virden.

MR. H. GRAHAM: Thank you very much, Mr. Speaker. I have a question for the Minister of Tourism, and I would like to bring to the honourable member's attention a series of signs east of the City of Winnipeg on No. 1 Highway where there is a sign that says, "No Exit." Another sign says, "Do Not Enter," and behind that there is a Tourist Information Office. Could the Minister tell us how that comes about?

MR. SPEAKER: The Honourable Minister of Economic Development.

HON. M. SMITH: Mr. Speaker, I daresay that's an anomaly left over from the previous government period. My colleague, the Minister of Highways and Transportation, and I will undertake to look at that situation.

SOME HONOURABLE MEMBERS: Oh, oh!

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

ORDERS OF THE DAY

MR. SPEAKER: The Honourable Minister of Natural Resources.

HON. A. MACKLING: Mr. Speaker, I will continue to ignore the insults of the Honourable Member for Pembina, the Honourable Leader of the Opposition and any other member, and I will put his name on the record as hurling insults in this House.

SOME HONOURABLE MEMBERS: Oh, oh!

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

HON. S. LYON: If the Minister of Resources is standing up to deal with House business, fine. If he's standing up to pass insults, that's not fine. If he wants to act as a squalid nuisance, that's his business. Let him so act out in the hall, however.

MR. SPEAKER: Will the Acting Government House Leader please indicate the next item of business.
The Honourable Minister of Natural Resources.

HON. A. MACKLING: No, Mr. Speaker. I am now addressing myself to the so-called point of order that the Leader of the Opposition raised.

Mr. Speaker, I put on the formal record the insult that the Honourable Member for Pembina hurled; the insults that the Honourable Leader of the Opposition hurled. Mr. Speaker, it is clear from the innuendo, from the trash that is being hurled verbally from opposite, that members opposite just want to create chaos in this Legislature.

SOME HONOURABLE MEMBERS: Oh, oh!

A MEMBER: The Socialist Government does that very successfully.

HON. A. MACKLING: Mr. Speaker, the Honourable Leader of the Opposition confirms what I say, that he is not interested in following the rules. He is interested in creating difficulty. Mr. Speaker, I choose to ignore that kind of nonsense.

A MEMBER: Sit down.

A MEMBER: Shut up for a change.

HON. S. LYON: Stop being a squalid nuisance.

MR. SPEAKER: Order please, order please. Will the Honourable Minister address the point of order.

HON. A. MACKLING: Yes, I have completed my observations on the so-called point of order, Mr. Speaker.

A MEMBER: Then sit down.

MR. SPEAKER: The Honourable Member for Turtle Mountain to the same point.

MR. B. RANSOM: On the same point of order, Mr. Speaker, I believe that the Minister of Natural Resources has shown that he really was not serious about a point of order when he said he had completed his observations. What we have been witnessing from the Minister — (Interjection) — Mr. Speaker, the Minister of Natural Resources is now asking, what's the point of order. He rose on the point of order and I am speaking to the point of order.

What we have witnessed from the Minister of Natural Resources, and on occasion the Government House Leader, is that when you, Sir, call for Orders of the Day and the Government House Leader rises in his place, and you have every expectation to believe that he's going to be calling the order of business, we then hear from the Government House Leader some sort of diatribe against the opposition. That is an abuse of the rules.

If the members opposite wish to rise on a point of order and a specific point of order, then do so, but they should not abuse the rules of this House by catching your eye, Sir, as House Leader, with the expectation that they're going to call the business that the government is supposed to be following. I would hope that sort of abuse would cease.

MR. SPEAKER: The Honourable Member for Pembina to the same point of order.

MR. D. ORCHARD: To the same point of order, Mr. Speaker. The Acting Government House Leader has implicated me in hurling insults at him this morning. My comment to him was "stand up, pal," and my comment stemmed from the fact that you had recognized him and due to his stature in the House, I had difficulty seeing that he was standing in his place, so I simply asked him to rise. If that is hurling an insult, I must indeed apologize to the Minister if I have offended his tremendous stature in this House, Mr. Speaker.

MR. SPEAKER: Order please. Is the House prepared to proceed with the business of the Province of Manitoba? If so would the Acting Government House Leader kindly indicate the next item of business and we may proceed.

The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, since you haven't made a finding on the point of order, I would simply like you to take under consideration the fact that when indeed the decorum does sink as we've noticed this morning, where members attempt to answer questions that are posed to them and are being confronted with a constant

barrage of sit down, fools, etc., the decorum of this Legislature is going to sink into a level that will be very very difficult for the functioning of the business of the Chamber. I would ask you, Mr. Speaker, to take that into consideration in responding to the point of order.

MR. SPEAKER: The Honourable Leader of the Opposition.

HON. S. LYON: Mr. Speaker, as is customary on this point of order, the Leader of the New Democratic Party is attempting to obfuscate the issue. The issue very simply was, that his Acting House Leader, if indeed he may be called that, purported to stand on his feet to talk about government business and before he did that, preceded his comments with some remarks abusively about the opposition. Now there's lots of opportunity in debate, Mr. Speaker, to do that, but not when he stands in this House as House Leader to tell you and the House what the order of business for the day will be. That's the point of order, Sir; that's what we're asking for a ruling upon, not the "Wandering Willie" nonsense that the First Minister has talked about; not the other obfuscations and their alleged hurt feelings and so on. Socialists talking about order in a Parliament; what do they know about it, Sir?

MR. SPEAKER: The Honourable Minister of Natural Resources.

HON. A. MACKLING: Mr. Speaker, I think it's in order for the House Leader or the Acting House Leader - I don't recall there being any nicety about that - drawing to your attention a concern about the decorum in the House and that's what I was doing, Mr. Speaker. That is always in order, Mr. Speaker, and that's what I was doing. I trust, Mr. Speaker, that you will draw to the attention of the Leader of the Opposition and other members, that there must be decorum in this House if the Business of the House is to proceed and that's what I was drawing to your attention.

MR. SPEAKER: Order please. If the members are now prepared to proceed.

The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, the Acting Government House Leader doesn't realize what he's saying. He is berating, belittling the members opposite for not upholding the decorum of the House. He is violating the decorum of the House when he rises, when you have called Orders of the Day, and then proceeds to abuse members on this side of the House. He is the member who is supposed to be leading the Business of the House, and he is infringing upon the decorum of the House by his very actions.

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, all that I would request of you, if indeed we are to be given appropriate opportunity to carry on the business that we were elected to do; we are to carry on the business of representing the interests of Manitobans, then it will be important that you take under consideration my

earlier plea, that when Ministers are asked questions in the Chamber that we be given an opportunity at least to be able to respond without having to shout — (Interjection) — above the din of repetitious — (Interjection) — Mr. Speaker, I think that's the point I'm trying to make. — (Interjection) — The constant din of screams of Marxist — (Interjection) — fools, squalid nuisances — (Interjection) — Mr. Speaker, there's a place for heckling in any Chamber. We accept a place for heckling in any Chamber, Mr. Speaker, but there is no place for a situation by which, when members are asked questions in this Chamber, we're unable to respond to those questions without having to shout at the top of our voice to make ourselves heard by honourable members across the way. I ask you to take that under serious consideration if we are to have appropriate question periods with some heckling, but in a way that we can appropriately answer and respond to the questions in this Chamber. — (Interjection) —

MR. SPEAKER: The Honourable Member for Sturgeon Creek to the same point.

MR. F. JOHNSTON: Mr. Speaker, I would only like to make a comment on the First Minister's statement. It's the First Minister's policy — (Interjection) — on the point of order, pardon me, Sir, I'll make a comment on the point of order. Mr. Speaker, I just got heckled which was the complaint of the First Minister.

Mr. Speaker, if the policy of the First Minister which is followed by probably five of his Ministers - the rest of them aren't all that bad - would stand up and answer questions in this House straightforwardly, honestly, as they are requested by the members on this side of the House, this situation wouldn't be happening.

The policy of that First Minister has been to avoid questions, change subjects at any time he possibly can, and his Ministers that are with him do the same thing, that is the reason for the heckling on this side of the House. We are just straightforward people who want straightforward answers and we never get them.

MR. SPEAKER: The Honourable Member for Springfield to the same point.

MR. A. ANSTETT: Mr. Speaker, I share the concern of members on both sides for decorum, but I am somewhat concerned by the suggestion of the Member for Sturgeon Creek that the reason the decorum in this House is suffering is because the opposition is unhappy with the answers it's getting.

Mr. Speaker, you have repeatedly admonished the opposition, that it is not their job to determine what answers are appropriate. It's their job to ask the questions. If the Member for Sturgeon Creek is trying to intimidate the government and intimidate this House by suggesting that decorum won't return to this Chamber until Ministers give the answers the opposition wants, then, Mr. Speaker, what the opposition is trying to do is threaten this House and intimidate the government. Their job is to ask the questions. The government's job is to provide the answers.

The rules in Beauséjour say, that the opposition may not necessarily like the answers they get. The Member

for Sturgeon Creek, Mr. Speaker, and I think this should be brought to his attention and to the attention of other members of the opposition, have no right to destroy the decorum in this House because they are unhappy with the answers they get. Mr. Speaker, that's what the members are saying and that's a serious affront to the parliamentary tradition in this House.

MR. SPEAKER: The Honourable Member for St. Norbert to the same point of order.

MR. G. MERCIER: Yes, Mr. Speaker, speaking to the point of order raised by the Honourable Leader of the Opposition and the Honourable House Leader for the Opposition, it appears to me that what we are witnessing is an event that occurs every time the House Leader, the Attorney-General, is away and the Minister of Natural Resources acts as the House Leader for the Government sensing, I suspect, Mr. Speaker, that members of the government and the First Minister agree with the views of the opposition that there has been demonstrated incompetence on the part of the House Leader in running the affairs of this House and the Acting House Leader wishes to make some sort of an impression on the First Minister and the Ministers of the Government, in order to succeed to the position of House Leader and consistently makes the kinds of comments he makes, when he should be announcing the House business.

MR. SPEAKER: Order please. I'm not sure whether there was, in fact, any point of order at all unless it had to do with the disorderliness of this House. Order please. If the honourable member will allow me to finish. — (Interjection) — Order please. — (Interjection) — Order please. If the honourable member will allow me to finish he might hear what I have to say.

When the Acting Government House Leader was called upon to indicate the next item of business he was required to do so and not to make the remarks that he did. If he'd wanted to speak to the House on the matter of the decorum of the House or matters pertaining to, he should have risen on a point of order, which he did not do. The remarks from other members which were somewhat peripheral to that point were not really germane to the point of order itself unless it was, as I mentioned before, the disorderliness of the House, which I hope members will take under consideration and consider whether that properly shows a good example to younger members of the way that the affairs of this House should be conducted.

May we proceed? The Acting Government House Leader.

HON. A. MACKLING: Mr. Speaker, would call these bills in order, Bills No. 2, 3, 18, 60, 50 and 14.

ADJOURNED DEBATES ON SECOND READING

BILL 2 - THE LAW ENFORCEMENT REVIEW ACT

MR. SPEAKER: On the proposed motion of the Honourable Attorney-General, Bill No. 2, standing in the name of the Honourable Member for Fort Garry.

MR. L. SHERMAN: Mr. Speaker, I appreciate the opportunity to make a few remarks on this bill although it's rather anticlimactic, I think, to move into this phase of debate, discussion, after the vigorous and spirited debate that we've already been in this morning in which my leader effectively and, I think, in a very well-timed way, pointed out that the difficulties the people of Manitoba are experiencing today socially and economically, can be laid directly to the doorstep of an inept and incapable First Minister and an inept and incapable Minister of Energy and Mines. That, Sir, is on the record clearly and accurately. It will provide useful stimulus to the thinking and the discussions of Manitobans over the coming weekend and I personally am very thankful that it came up and that my leader led the attack and the assault on that government in that way.

Now, I realize, Sir, that I've been called to speak on Bill 2, and I intend to do that but I wanted to make the observation that it is anticlimactic for us because we have already had a debate on what is probably the most important issue in the province today and that is the leadership or lack of leadership of this province under the present administration.

Mr. Speaker, with respect to Bill 2, I would urge the Attorney-General and his colleagues with all the vigour that I can command and all the sincerity I can command, Sir, to go slow and to get it right, if they're going to move into this area of imposing a super bureaucracy over the affairs and the conduct of our police forces in the pursuit of their responsibilities to protect us all.

There's a clear need, I think, for extreme caution with respect to any such institution as a Law Enforcement Review Act and a Law Enforcement Review Board. I refer you to comments already made about this legislation by my colleagues who have earlier participated in this debate, specifically, Sir, the Honourable Members for St. Norbert, for Sturgeon Creek, and for Tuxedo. Those three members in particular have raised the warning flag, most specifically the Honourable Member for St. Norbert, and I'm here to reiterate that warning at this stage of the debate today.

First and perhaps most obvious reservation that one has about this bill, certainly that I have about this bill, is the fact that it appears to constitute an unnecessary proliferation of bureaucracy. I would refer you to a letter which certainly is in the hands of the government and the Attorney-General because it was addressed to the Attorney-General, a copy of which was sent to many members of the Legislature - perhaps all members, indeed, it may have gone to all members - it certainly was sent to some on this side; I was in receipt of it.

It was a letter from Mr. Frank Meighen, Q.C., of Brandon of the law firm Meighen, Haddad and Company, addressed to the Honourable Roland Penner, the Attorney-General, on the subject of the Law Enforcement Review Act and, as I say, some copies of that letter were sent to other MLAs including myself. But I am not dealing here with a communication with which the government no familiarity, Sir, because the letter dated March 16, 1983, was a letter from Mr. Meighen to the Attorney-General. I know that the Attorney-General has had an opportunity to peruse its contents but I think there are some points in the letter

made by Mr. Meighen that are deserving of clear reference in debate on this subject in this House, and I intend to cite a few of them today. I believe they should be introduced into the actual debate and placed directly on the record because of their import with respect to the subject at hand.

Additionally, Sir, I would point out, as was effectively noted by my colleague, the Honourable Member for St. Norbert, that a range of other comments have been made about Bill 2 by spokesmen for a wide number of community organizations, groups and agencies; and submissions raising serious questions and concerns about Bill 2 have reached the government and the opposition in recent weeks in substantial number. It's not just this letter from Mr. Meighen that concerns me; the Secretary of the Brandon Board of Police Commissioners point out, for example, that that city's Board of Police Commissioners is very much concerned over Bill 2 and is requesting the assistance of members of the opposition, in particular, but hopefully members on both sides of the Chamber, to slow down what would appear to be the Attorney-General's headlong determination to proceed in an ill-considered way, a speedy way that is far too speedy and far too intemperate on law enforcement review machinery.

My colleague from St. Norbert made the point, when he spoke in the debate on April 6th, Mr. Speaker, that the Attorney-General himself had pointed out that a wide number of organizations, individuals and groups had made submissions on the bill; raising their concerns; posing the problems; identifying the difficulties, as they saw them; and urging revision of the proposed legislation; urging amendment, refinement and modification and, in many cases, withdrawal of specific sections of the proposed legislation. In the light of that, my colleague from St. Norbert, urged the Attorney-General to withdraw the bill at this stage and subject the whole subject to an intensive review between now and the next Session of the Legislature.

My colleague pointed out that we had placed this matter of Law Enforcement Review and Law Enforcement Review machinery under the study of the Manitoba Police Commission, when we were in office, and we were proceeding, and hoped the province would continue to proceed, slowly and carefully on development of whatever legislation is necessary in this field.

It's important that, before moving into an area of this kind, and entrenching it in legislation with all the implications that it has for our law enforcement officers, that we reach agreement of a general nature across the spectrum of our society, with respect to the substance of that legislation. It's important, in other words, and I think primarily important, that on legislation such as this that a consensus be developed before legislation clears the House; and our purpose, in submitting the subject to the Manitoba Police Commission, was to start the process of developing that consensus.

Now the current Attorney-General has indicated that he wants a consensus for this legislation and he has introduced at least a draft paper containing a large number of proposed amendments. He has acquainted my colleague, the Member for St. Norbert, with a six-page summary of proposed amendments, and he's also indicated that there will be other changes and refinements to his proposed legislation likely forthcoming in the not too distant future.

So the conclusion one has to reach, on the basis of that evidence, and I think it's incontestable, Mr. Speaker, is that no consensus exists at the present time; that the Attorney-General recognizes, as many others of us do, that a consensus is highly necessary and desirable in this case; and that proceeding posthaste with the bill that is now before us flies in the face of that desired objective, flies in the face of that recognized desire for a consensus on such sensitive legislation as this.

I want to refer now, briefly, Mr. Speaker, to some components of Mr. Meighen's letter which I cited earlier, in order that some of the very cogent points that he makes in his communication to the Attorney-General are placed on the record in this debate for the benefit of all members, because there may be some who did not receive, or are otherwise not acquainted with the contents of Mr. Meighen's letter.

Mr. Meighen says, in part, that he and his colleagues and associates remain firm in their belief that any such Act as this, having to do with Law Enforcement Review procedures, administration and machinery, should be framed in such a way as to ensure that it does not detract from the provisions of the Brandon Charter, insofar as the Board of Police Commissioners of the City of Brandon is concerned. I know that the same argument can be raised for the City of Winnipeg, and the City of Winnipeg Police Commission, and I know that spokesmen for the City of Winnipeg and its Police Commission have raised those arguments.

The reference here to Brandon is not meant to be exclusive, it's simply made because it is part of Mr. Meighen's submission and he, of course, speaks for Brandon and the Board of Police Commissioners of the City of Brandon; but the arguments can prevail in both arenas, Brandon and Winnipeg, with almost equal validity, I'm sure.

Mr. Meighen's concern is that this legislation, as it's currently worded, does detract from and undermine the provisions of the Brandon Charter where Brandon's Board of Police Commissioners is concerned, and he supports that contention by pointing out that there a number of provisions in the Brandon Charter dealing with the Board of Police Commissioners which are quite clear in their purpose and intent and which, at least at face value, appear to be directly challenged and undermined by the proposed contents of Bill 2. I want to note two of them for the record, Mr. Speaker.

In part, for example, Section 115(b), subsection 1 of the provisions of the Brandon Charter dealing with the Board of Police Commissioners says the following and I quote, "There shall be a Board of Commissioners of Police for the city, here and after called the Board of Police Commissioners, which shall consist of the following . . ." and the makeup of that board is then described. The wording leads into Section 115(b), subsection 2, which states and I quote, "The Board of Police Commissioners shall have the sole charge and control of the police force of the city, the persons therein employed and generally of all matters connected therewith."

Later, in that list of provisions, Section 115(h) notes and I quote, "That in connection with any investigation instituted by the Board of Police Commissioners into the conduct of any member as such of the police force, or into any charges of misconduct or wrongdoing made against any such member in respect of the performance

of his duties, the board shall have the same power to compel the attendance of any witnesses and to require them to testify under oath or solemn affirmation as may be exercised by the judge of any court."

Then, Sir, going on and quoting directly from those provisions, Section 115(i), "The police force shall consist of a Chief of Police and as many constables and other officers and assistants as the Board of Police Commissioners from time to time deems necessary.

Section 115(k) - "Before any member of the police force is dismissed, he shall have the right personally or by counsel to be heard by the Board of Police Commission.

Section 115(l) - "The Board of Police Commissioners shall make such regulations as it may deem expedient for the government of the police force, and for preventing neglect or abuse, and for rendering the force efficient in the discharge of all of its duties.

Section 115(o) - "All persons occupying positions on the police force of the city at the time this section comes into force shall be subject to the government of the Board of Police Commissioners to be dismissed or suspended, and generally to this Act to the same in all intents and purposes as if they had been appointed under this Act . . ." etc. End of quote on that section, Sir.

I want those on the record so that in pursuing and exploring this subject further in the process of debate, members of the House are clearly acquainted with the arguments that are raised in this particular letter which I think is very important to the resolution of the issue in front of us.

The letter from Mr. Meighen then goes on to say the following, Mr. Speaker, and again I quote, "These powers were granted to the Board of Police Commissioners of Brandon by the statutes of Manitoba in 1949, and I suggest that the experience of the past 34 years has indicated no need or desire on the part of this community for any amendment to or derogation of the rights so granted to this community."

Continuing with direct notes and quotations from Mr. Meighen's letter, Mr. Speaker, I wish to place this comment by Mr. Meighen on the record, and again I quote, "We continue to be of the belief that since the City of Brandon pays the police force, it should have some very substantial say in how that police force is to be administered. The enactment of the proposed bill would, in our view, render the police commission impotent and unnecessary. Essentially, if this bill is passed, it would apply only to the City of Winnipeg and the City of Brandon. All of the other communities in Manitoba with very minor exceptions are served by the RCMP and, of course, the bill does not attempt to control the RCMP. As you are aware, the Supreme Court of Canada expressly held that provincial legislation could not be effective to control the activities of the RCMP. In this community, too, we have by virtue of our proximity to Camp Shilo, military police exercising jurisdiction in the area and we also have the Dakota-Ojibway Police Force in the community, neither of whom are affected by the Act."

My colleague, the Honourable Member for Tuxedo, made reference in his remarks, in his participation in this debate, to the anomalies here, where the legislation is concerned, that exist between cities like Brandon and Winnipeg and their police forces and their police

commissions, Sir, and other communities in Manitoba served by the RCMP, and other communities such as those cited in Mr. Meighen's letter, who are served by the Dakota-Ojibway Police force and police forces of that kind and type. That range of anomalies and inconsistencies in terms of application of law enforcement review is of concern to my colleagues and me, as it obviously is to Mr. Meighen and many other spokesmen who have been in touch with the Attorney-General. That commentary from Mr. Meighen, I think is important for the record.

I cite those passages from that particular letter, Mr. Speaker, as an example of the kind of representation that's been coming forward to members of the opposition and I know to the Attorney-General and, no doubt, to his colleagues, and as a further argument for my appeal and our appeal to the Attorney-General to move very slowly, cautiously and carefully where this legislation is concerned and to slow down the process of pushing it through this House at this time.

There is such a range of objections and concerns. There are so many proposed amendments even emanating from the Attorney-General's office himself. There are so many complexities in terms of the impact and the effect of this kind of legislation on various sectors of our society and various communities within our society, not to mention the overall impact that I think it has on police forces and police work and police morale in general - and I want to deal with that in a minute - that I believe that can be argued beyond dispute or suggested beyond dispute, Mr. Speaker, that it is incumbent on the Attorney-General to stop and reconsider where this legislation is involved.

We're not anywhere near a consensus as to what it should contain. Until we move much further down the road of achieving consensus, we suggest that the legislation be removed from the mill of the current Legislative Session and referred to intensive and comprehensive intersessional review and study not only by a legislative committee, but by municipal and police force and police commission and relevant social groups and committees from a wide spectrum of Manitoba life and Manitoba geography.

Sir, I stated a few moments ago that I felt that the first, and perhaps most obvious, reservation that one would have about this bill is the fact that it appears to add to the bureaucracy that already exists. I think it's useful to point out that Mr. Meighen made much the same case in the letter to which I have already referred. He says, and again I quote from his letter: "We note that Bill 2 in sections such as Section 12(3) retains the possibility of reference to the Manitoba Police Commissioner and, frankly, we feel that the setting up of a Commissioner, a Law Enforcement Review Board, Manitoba Police Commission and, in addition, of course, the local Board of Police Commissioners, creates a bureaucracy which is not justified."

Beyond that question of proliferation of bureaucracy, and beyond our concerns about a lack of any recognizable consensus for this legislation at the present time, Mr. Speaker, one of the most important questions about the bill, for me, is what impact it, and its contents, will have on the morale of our police force and police forces.

It's trite to say that police work in modern, urbanized society with all of its social and economic pressures

is already extremely difficult, indeed traumatic. I don't intend to belabour that point, Mr. Speaker. I do wish to pay homage to it and make recognition of it, however. I am one who firmly believes in that preceding statement that police work in modern, urbanized society is extremely difficult, verging very often on the traumatic, and those who are engaged in it deserve our support, our assistance, and our reinforcement, in my view, in every way possible. I think we have a responsibility to think very carefully before we introduce more difficulties for those who are engaged in protection of our society today, by virtue of their positions in our police forces.

Even if one doesn't place specific, technical difficulties in the way of our police forces, it's a very simple thing, Sir, to place emotional and psychological difficulties in their way. It's a very simple thing to place doubt and insecurity in their way by moving hastily and in ill-considered fashion on legislation of this kind. Again, I come back to my initial call, of that of some of my colleagues, for care and caution in proceeding on this bill.

One of the things that bothers me, and many other, where this legislation is concerned, is the inference that appears to be contained in it. It suggests that police forces today have gone too far in pursuit of their duties; that they perhaps enjoy too broad a flexibility of right of action, and that they have abused those rights and those privileges. That may not be contained in fact in the thinking of the Attorney-General and the government in the bill, but I am concerned that type of thinking is there, Mr. Speaker. I certainly draw that inference from the legislation, the inference that the Attorney-General and his colleagues believe that police forces have gone too far and acted too zealously in recent years in the pursuit of their duties, and that they must be reined in, they must be brought under control and under check because they have exceeded the reasonable bounds of their legitimate rights and responsibilities.

I think that kind of thinking is a reflection of an attitude which we see manifested by this government in much of its legislation. I think much of the legislation of this government suggests, and very erroneously, that the established institutions of society are somehow to blame for whatever social and economic ills exist, and that they should be dismantled, if not in fact eliminated in large part; and that society, in a much less ordered, much less structured form, would be able to pursue and protect our respective and relevant interests in a much more healthy and acceptable way than is the case under the so-called establishment.

Well, needless to say, I reject that contention and that suggestion and that attitude, and reject it very firmly, Mr. Speaker. I think if there's any danger that we now verge on, in our country and in our province, it is a danger that has been produced by an extension of that attitude, and which has led us to the point where many of the bedrock institutions of our society and our democracy have been weakened and undermined to the point where society is threatened by some disorder, and threatened by some forms of serious erosion bordering on collapse. I think the institution of law and order in society is one of those that has been eroded, weakened and undermined, and I think in large part it's come about because it has been popular and certainly, in terms of the left wing political parties in

this country, has been conventional wisdom that has been pursued for many recent years in this society and other western societies, and has unfortunately enjoyed a vogue of popularity and acceptance among the voters, and has produced some grave difficulties for us in maintaining the strength and the integrity and the character of our respective countries, provinces and jurisdictions. I would hope we can return to a stronger base and foundation of support for our time-tested, historically-proven institutions, and I place the police force in that category and close to the top of that category. I appeal for more support of our police forces and what our police forces are charged with doing, rather than less support. As I say it's possible that I misinterpret the intention of the Attorney-General and his colleagues, but for me the inference is there; it reflects an attitude that still is aimed at reducing the role, the scope, and the rights and, if you like, the power of the police and placing more and more opportunity for unstructured, unorganized and sometimes unordered conduct and activity in the hands of the individual citizens who do not, perhaps, have the sense of responsibility to our society and our institutions that is required for the preservation of society.

I detect that inference in the legislation and would raise my voice in resistance to that kind of attitude, and raise my voice in a plea for much stronger commitment to and support for the kinds of responsibilities, and very difficult and dangerous responsibilities, that our police forces carry today.

Mr. Speaker, I worry about social experimentation; I worry about social tinkering and it seems to me there is much in the Law Enforcement Review Act, as it exists in front of us, that represents that kind of experimentation and tinkering. There's nothing with review and re-evaluation of one's institutions, but experimentation and tinkering for the sake of experimentation and tinkering and particularly if it's borne out of some kind of prejudice or bias against the establishment, against the institutions of society and against bodies like the police, is not a healthy activity for society in general. It's not in the best interests of the majority of the population and is something, Sir, that I think we must protect ourselves against and something which we must resist.

Mr. Speaker, one could get the impression here very easily, I think, that the government is engaging in social experimentation in this legislation, and that the Attorney-General himself may be indulging a particular whim held by himself and his colleagues where institutions such as the police force are concerned and I think that danger signal should be raised so that we, as Manitobans both inside and outside the Legislature, can debate this subject honestly and objectively and directly.

Mr. Speaker, there's a great potential danger, I think, in the bill also in its provision that will in effect permit complaints and accusations to be brought against police force members on hearsay. Yes, Mr. Speaker, on hearsay. There will be immediate objections raised by members opposite, I'm sure, in their participation in this debate to any such suggestion. I'm aware that the Attorney-General will be quick to point out that the proposed legislation will, in its rhetorical provisions at any rate, contain strict and specific protections against

frivolous complaints and protections against the acceptability of hearsay.

Certainly there was no indication in the Attorney-General's opening remarks on the bill when he introduced it for second reading that he felt there was any opportunity for abuse of the legislation to work out specific, unsubstantiated, frivolous complaints or grievances against members of police forces but I believe, Sir, that in fact that unfortunate opportunity does exist. I believe that, in fact, there is de facto opportunity given for unfortunate and irresponsible actions to be undertaken against police force members on the basis of hearsay and frivolous complaints whether or not the legislation, in its language, protects against it. Because, Sir, whether hearsay succeeds in producing a formal inquiry or not; whether a frivolous complaint makes it to the floor or not, the unsettling effect of bringing an unsubstantiated action forward will make itself felt where the police department is concerned. Whether or not the complaint ever gets anywhere in the formal process, the damage will already have been done. The damage will be done in the form of damage to the morale of the police force, in particular, the police officer named in such a frivolous complaint, named in such hearsay. His or her morale will be damaged and that of his or her colleagues will be damaged.

That will be the unsettling and unfortunate result. Whether or not the bill contains sections which require specific, very careful and very clinical approaches to complaints against police officers is beside the point when you're talking about the morale, the poise and the self-confidence of a professional engaged in that unique and dangerous line of work, because the very publicity, formal or informal, attached to complaints of this kind, the very exposure that they get while they're being examined and perhaps formally rejected has an impact on the principals involved, in this case the police officer and his or her police force.

There are some lines of work where that kind of suggestion and that kind of innuendo perhaps is not as onerous and as damaging as is the case where police work is concerned. But we're talking here about police work and not those other lines of work and this is a unique field, Mr. Speaker, which requires special attention where legislation affecting the field is concerned and I think we have to be doubly, triply careful in dealing with legislation having to do with police and the operations of our police forces, that we recognize the uniqueness of the field and we take into account the environment in which the policeman, the policewoman has to do his duty every day; the dangers that he faces, the urban warfare and the terrorism and the desperation and the pain and the suffering and the social disadvantage and pressure and difficulty that he or she faces now, in that line of work, every day.

So I have grave difficulty with and grave concern over the bill from that perspective, that it provides the opportunity for an assault and I think an unfair, in many cases, an unreasonable assault on the morale of our police officers.

Mr. Speaker, finally I share the concern that some others have already cited about the makeup and structure of the Law Enforcement Review Board and the Commissioner to be appointed. In his introductory remarks, the Attorney-General was very careful to point

out that the appointees to the seven-member Law Enforcement Review Board are not full-time appointments; they're just persons, in his words. To use the Attorney-General's words, "they will be just persons who will constitute a panel available for adjudication." But the Commissioner, to be appointed by the Attorney-General, Sir, shall according to Section 3.(3), devote his full time to his responsibilities under this Act and shall not currently hold any full-time or part-time position of any kind.

What we're talking about, Sir, here is the appointment of a super cop, and over and above the situation that it reflects in terms of an increase or proliferation of bureaucracy to which I referred earlier, I worry about the situation it represents in terms of unnecessary and unwanted interference and supervision and snooping into the affairs of our police forces and our society in general.

Finally, Sir, I think my greatest concern rests with the opportunity that the bill provides for third-party complaints to be introduced. It think that there is a very unfortunate possibility created by that principle in the bill for oppressive and unfair actions to be launched against members of our police forces. The Member for St. Norbert addressed that matter in his remarks. I think it is one thing if the individual member of the public who has a complaint against a police officer brings that complaint forward himself or herself, but it is quite another thing to provide the opportunity, as this bill does, for some other person to bring that complaint forward, some person other than the person allegedly affected. There's grave danger there, Sir, for abusive and irresponsible action, and again, a grave damage, I think, to the morale of the police force.

Why are we placing these additional impediments in the way of our police officers in their responsibility to protect us, Mr. Speaker? That is the note on which I would conclude my remarks, that question. Why are we placing these additional impediments in the way of our police officers? As I said, I see this legislation in some ways as an extension of that unfortunate and unwise trend that we've seen in this country in recent years to coddle the lawbreaker and make things more difficult for the policeman. I hope that we can reverse that trend and support and reinforce our police through legislation, rather than weakening their position and contributing to a trend that I think has been unwise.

Thank you.

MR. DEPUTY SPEAKER: The Member for Morris.

MR. C. MANNES: Thank you, Mr. Speaker. I move, seconded by the Member for Gladstone, that debate be adjourned.

MR. DEPUTY SPEAKER: It is moved by the Member for Morris and seconded by the Member for Gladstone, that debate be adjourned. Is that agreed?

The Honourable Member for Burrows.

MR. C. SANTOS: With the permission of the Speaker, I would like to say something about the bill. I'd like to answer the question posed by the Member for Fort Garry, why this bill? In every democratic society there is usually a scarcity of all the good things, the material

resources, the good things in life that people want for themselves, and because of this basic scarcity of resources in our society, each individual or group of individuals is trying to get the most of what it can get for itself. Inevitably therefore, there will be conflict between individuals or between groups among the members of society.

In the presence of such conflict, there is a necessity for some mechanism in order to resolve the conflict in society, if undesirable consequences are to be prevented. Therefore, society has evolved a set of normative rules that is intended to regulate and govern the resolution of these various conflicts. Those rules will normally lay down the norms by which these conflicts can be reconciled, if possible, and if not, there will be an imposition of decision by those who are in charge of maintaining order in society.

The crystallization of all those rules constitutes our ordered system in society; we call it the political system. It is usually represented by a notion which we call the State, possessing the supreme authority in order to settle definitely, once and for all, all these conflicts in society.

The State is represented in actual fact by the organized machinery which is the government, and the enforcing mechanism of the government includes the armed forces as far as external security and peace is concerned, and the other arm is the police service organization to preserve internal order and peace.

Our police service organization, therefore, has a very important function to perform in our society. Without the police service organization every man will pursue his interests as best as he can to the detriment of other men. Every assertion of right will be an invasion of another person's right, but because we live in a system under laws, and there those who are in charge of enforcing those laws, it is inevitable that the police service organization should be given authority to enforce the laws as agreed upon by society.

Yet, in the enforcement of those rules, we have to realize and recognize that, of all groups in society, the police service organization is the only one, in addition to the armed forces, that have a legitimate access to the legitimate use of violence. No other group is permitted, in society, to resort to the use of force or arms in order to settle conflicts, other than the army, as far as external security and peace is concerned and, other than the police service organization, as far as the maintenance of internal peace, order within the societal community.

Heading, therefore, this legitimate and recognized right to the use of force and violence within society, the only one who is licenced to exercise such privilege and right, there is a very strong temptation among the members of police service organizations in all societies, including our own, to sometimes confuse their boastful egotism of this special privilege, as against their responsibility and duty to protect the rights of citizens. Just because they have this access to the legitimate use of force, they think they are capable of doing those things that an ordinary member of the society is not allowed to do. There is, therefore, a temptation on the part of those who wield this tremendous privilege to sometimes abuse their authority. I'm not saying that they are actually doing it; all I'm saying is that there is, in every human being, a temptation to use to the

excess whatever rights of privileges they are endowed with by the institutional arrangement in our society. We have witnessed sometimes deviations from the norms of responsibility on the part of the law enforcement officers in this country, and elsewhere.

The most admirable thing about our police force in this country is that you can rely on their basic general integrity, that their intention and motive is to uphold rules and order, to enforce the norms of society, in order to resolve, in a peaceful and orderly way, all these conflicts that are breaking up in all of those groups and interests that are pursuing, individually, their respective interest in our society. Yet sometimes we have witnessed incidents, and you have read it in the paper, certain members of the police force holding some goods confiscated from people who have stolen the goods, and holding them in their own possession. You have read about certain of these incidents. These things would not have happened if there is a system that we shall institute by which those who are exercising this privilege, to use violence in a legitimate way, can be held accountable for their behaviour and for their actions. Who will watch the watcher is a basic dilemma in our society; who will guard the guards?

Therefore, our system can only design rational mechanisms by which to hold everyone accountable because we live in a society where law is above the rule of man; the rule of law is higher than the rule of man. In order that we may elicit this respect to our police force they must have that credibility whenever they intervene in any public or private conflict. The credibility has to be earned by the members of the police or service organizations.

In the last analysis, the credibility of our official action is based on our national and individual character. The character of people is the ultimate basis on which you can predict the kind and nature of the behaviour that they will perform in any role that they may find themselves performing in our institutionalized system in our society.

So if you are performing in the role of a law enforcement officer your duty is to enforce the law as you find it. Yours is not to question the wisdom of the rule, because there is another institutional role who is charged with doing such a function, and this is the role of the judge in another institutional role in society.

The role of the policeman is to perform his duty to enforce the law as he finds it. Of course, he has some discretion in the enforcement of every rule that he finds in the rule book. If you are driving on a highway or on a city road and you exceed the city limit, and a policeman stops you, there are three possible things that could happen. He may say, next time you drive slower and he'll let you go. He may say, you are driving too fast, I'm giving you a warning; or he may immediately write the ticket. There is discretion in the performance of official duties and official responsibilities.

Now in the exercise of this discretion, again, all those who are performing their duties should be careful, according to their character and their moral upbringing, to make sure that they are doing what is right and what is justifiable; that they do not exercise discretion to the limit, to the the extent that they are, in effect, abusing the discretion that is accorded them by the rules in our society.

The answer, therefore, why we have this mechanism of accountability for the members of the police force

is to instill in them a sense of responsibility and devotion to duty. I have nothing but admiration for those who are willing and able to lay down their lives in order to enforce the rules, that order may be preserved in our society. The greatest love a man can give to his fellowman is to lay down his life for another. If the member of the police service organization can lay down his life for other members of the community, I salute them because they are doing the highest of human duties and responsibilities - to give yourself that others may live. Despite all this, because of this tendency in human nature towards abuse and because of the unique privilege that I have pointed out, that of all the groups in society, they are the only ones who can use violence and get away with it. There is therefore a higher criterion and a higher standard by which their action has to be judged. The greater the power, the higher should be the standard of responsibility.

Therefore, I say that the function of our police service organization as a sub-system of our total society is to serve the public, never to dominate. Their duty is to serve and they have to do it in a human and humane manner that they appeal to reason and sentiments of man, satisfying the heart with human compassion and understanding, assisting those who are trying to do what is good, but resisting those who are trying to do what is wrong and delivering the weak from the impositions of the strong.

I thank you.

MR. SPEAKER: Are you ready for the question? The debate will remain in the name of the Honourable Member for Morris.

BILL 3 - THE FARM LANDS OWNERSHIP ACT

MR. SPEAKER: On the proposed motion of the Honourable Minister of Agriculture, Bill No. 3, standing in the name of the Honourable Member for St. Norbert. The Honourable Member for Assiniboia.

MR. R. NORDMAN: Mr. Speaker, I would like to speak in place of the Member for St. Norbert and . . .

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, the Member for St. Norbert is not here and able to speak today, but we do have another speaker and we would like the bill to stand in the name of the Member for St. Norbert.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. R. NORDMAN: Thank you, Mr. Speaker, Bill No. 3, The Farm Lands . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please. The Honourable Member for Assiniboia has the floor.

MR. R. NORDMAN: Thank you again, Mr. Speaker. Bill No. 3, The Farm Lands Ownership Act is a long complex

Act which I believe needs a lot of study and I would like to take this opportunity to add a few brief comments. I don't profess to be an authority or completely understand the purposes of some of the contents but nevertheless, I feel it is my duty to speak on it to the best of my ability.

I will start off by saying that the bill itself restricts to 10 acres the amount of land that a non-farming non-resident of Manitoba can own. This legislation could conceivably violate human rights and may even be constitutionally wrong if the amendments being brought forward by the Minister are implemented. The main thrust of the bill deprives Canadians of rights that they should have.

This concept is ill-conceived. Government interference as contained in Bill 3 could further jeopardize the present precarious economic situation facing many farmers and the Minister has not given us any proof of how this legislation will improve Manitoba's economy. There is also no proof to indicate how much money is being siphoned out of the country by those that the government would like to exclude. If the rights of non-farming non-resident Canadians to bid on property is taken away, the rights of our own Canadian people to benefit to the fullest extent of their lifetime of labour is being restricted.

Canadians should be able to sell to whomever they choose and to whomever is willing to pay the price. Any Canadian with means can buy any business that he can afford. Any restrictions that do exist are at the federal level and relate only to investors who are not Canadian citizens, who may be restricted by Foreign Investment Review Agency.

Farming is a business. To give any particular business, any other particular business, more advantage over another is discriminatory. I believe that it is the government's duty and responsibility to keep a fair balance in society. We are anxious to have every opportunity available for our young people to farm. This legislation would restrict many capable potential young farmers from following their chosen profession. Purchases of farm land by non-residents has not been the culprit that has escalated prices to the point that precludes the sons and daughters from investing. Inflation, since 1973, has been the biggest factor in price increases. If this legislation is, in fact, to protect the young farmers and is to encourage Manitobans to be farm owners, why are Manitoba Agricultural Credit funds not being used to enable young farmers to buy farms? If young farmers cannot compete, the larger operators are left to compete for the available land creating only larger and fewer holdings, thereby eliminating the smaller operator.

It is unfortunate that the proposed legislation categorizes Canadians as foreigners. Canadians should be able to own land. Canadians should be able to own Canadian land. It has been stated that the majority of non-resident land owners are not speculators, but are investors who are investing capital in Canada where we have a certain stability that will not be found in other countries of the world.

Farms in Manitoba owned by corporations or individuals, whether they be Manitobans, Canadians, citizens not residing in Manitoba who were not farming land themselves are usually eager to establish long-term leases thus providing the marketplace with a

supply of land for rent at competitive prices and, in many cases, attractive agreements. In many other instances, the renter of the foreign-owned property has been given the first option to purchase when the investment climate was considered not to be on safe ground.

The issue at hand should probably not be ownership, but for usage. Is the land producing any less because it is not Manitoba-owned? The gross national product is determined by the amount of production, and not in whose name the title stands. The land base is here to produce food and legislators can, by their taxation policies, control excessive foreign investment. We believe, as the majority of Canadians do, that we citizens have the right to own land. Property rights are part of our Canadian democratic heritage, and we do not need more legislation that will restrict our farmers.

A MEMBER: Not part of their heritage.

MR. R. NORDMAN: Not restrict our farmers, their sons and their daughters from seeking a profession elsewhere.

In conclusion, Mr. Speaker, any legislation that prohibits a Canadian citizen from ownership of lands is infringing upon our democratic rights. I cannot support this bill.

Thank you, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Springfield.

MR. A. ANSTETT: Question, Mr. Speaker. Mr. Speaker, if the honourable member will permit a question, I heard him say and I think I am quoting him correctly - farmers should be able to sell their land to anyone who is prepared to pay the price - in his remarks. I am wondering if the honourable member then is indicating in his remarks that he then supports foreign speculation in Manitoba farm land. Is that really what he is saying when he says that?

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. R. NORDMAN: No, I would just like to hear the last part of that question. I didn't have my hearing aid on.

MR. A. ANSTETT: Mr. Speaker, does that statement by the Honourable Member for Assiniboia mean the honourable member supports foreign speculation in Manitoba farm land?

MR. R. NORDMAN: I am not encouraging any more of it but if you, as a land holder, could sell to a foreigner, I don't have any objection to that, if he was willing to pay you the price for it.

MR. SPEAKER: The Honourable Minister of Consumer and Corporate Affairs.

HON. J. BUCKLASCHUK: Thank you, Mr. Speaker. I welcome this opportunity to speak on Bill 3. The Farm Lands Ownership Act, legislation that the Minister of

Agriculture has proposed to curb speculation in land by non-farm corporations and non-resident investors.

Much has already been said on this Act from both sides of the House and what I will probably have to say will be nothing new or original, but will perhaps restate what has been said, or get on the record some material that we haven't had the opportunity to do so up until now. I don't think that there is any question that speculation does inflate the price of land. Certainly, the rate of inflation has some effect on the price of land, but when there is competition for a given parcel of land, speculation can inflate that price.

This speculation in turn creates severe distortions between the price for that land and its productive capacity. We've seen this problem many times over. No one wants to deny a farmer a just and fair return on his land or a price for his land when he retires. I must also say that there are many many farmers who are upset by the type of speculation that has taken place throughout our province as a result of non-resident buying of land.

I must admit at times I am very surprised and I am certainly very full of admiration for those farmers who have the option of selling their land to someone within the community, or selling their land to some unknown buyer and they will opt for the local resident in the interests of the community at a cost to themselves. They do that and I admire them for it.

Now, the excessively high land prices that we've seen for the past number of years have helped bring about a financial crisis for many new and young farmers. These crises resulted in difficulties for these farmers to handle mortgage payments, particularly in view of low returns for their produce. These excessively high land prices have resulted in increased property taxes and neither of these two negative impacts on the operation of the farm or increased costs are related to the productive value of the land.

I am certain that we are all, both as government and opposition, committed to the preservation of the rural way of life and the preservation of rural communities. I would suggest however, that absentee ownership mitigates against the viability of many rural communities and their institutions and their organizations. I think without - not only think, I know - without resident farmers there are fewer residents in the community to support rural businesses. Without resident farmers, there are fewer families, fewer children to fill our schools. Without resident farmers, there are fewer residents to be involved in local organizations whether they be sports organizations, clubs, churches whatever. Without resident farmers, there is also less support for local financial institutions, for local garages, for local machinery dealers and so on.

Clearly, absentee ownership, that is, the lack of resident farmers, impacts very heavily and very negatively on rural communities. This isn't something that started happening overnight. I recall when I first moved into southern Manitoba, 1960, which means that I've had some association with rural Manitoba for a good long time, I was aware that there was considerable non-resident ownership along the southern boundary of our province. I am aware that there is some non-resident ownership in south central Manitoba. It extends as far North as - at least I am aware of non-resident ownership north of Roblin. I am certainly aware of it

western Manitoba particularly in the Virden area although I don't have the particulars to document that. But I must admit that, having driven down Highway 83 for some 23-odd years, one can see that there are fewer and fewer farm residences, and I am informed by persons within those communities, that a good number of these farms have now been purchased by non-residents. I know that the previous administrations have recognized that this has been a problem. Certainly under the Schreyer Administration, at which time legislation was brought in; and certainly under the Lyon Administration, they were aware of the problems and legislation was amended, and still the amended legislation didn't serve the purpose of keeping out non-resident speculators.

I guess one of the things that really perplexes me about the position that the opposition has taken with respect to this bill is that only a matter of some two or three years ago it was a burning issue, and I state that from some documentation I have, particularly with respect to the position that the Manitoba Farm Bureau held on this issue, the position that the government held on this issue and there is no question it was an issue. Suddenly, two years down the road, it is no longer an issue and newspaper columnists have certainly commented on this; why is it that what was a big issue suddenly becomes a non-issue? Well, it's pretty obvious why; it's pretty obvious and I think it's about time that . . .

MR. A. BROWN: Expenses went up 70 percent and the commodity price went down by about . . .

HON. J. BUCKLASCHUK: It's not that simple, but what is acceptable in other provinces with a Conservative Administration, suddenly becomes unacceptable in Manitoba with the New Democratic Party Administration; that is what it's all about. Let's take a look at the situation. In December of 1979, the Manitoba Farm Bureau met with the Minister of Agriculture, and I presume the Premier and Members of Cabinet, and stated their concern about the issues of non-resident ownership. We have correspondence in January of 1980, a follow-up to that meeting and, not only did they follow up the meeting that they had with Cabinet, they also passed a resolution on January 10th and 11th, 1980. What did that resolution say? I don't think it's in the record, I'd like to put it in the record right now and it states:

"WHEREAS the Manitoba Farm Bureau continues to receive reports of suspected violation of The Agricultural Land Protection Act by non-resident aliens purchasing farm land in Manitoba through the expedient of establishing Canadian corporations; and

"WHEREAS it is extremely difficult for The Agricultural Lands Protection Board to determine the beneficial owners of such companies which, in many cases, are registered in provinces, such as, Quebec, Ontario and British Columbia;

"BE IT RESOLVED that the Manitoba Farm Bureau urge the Provincial Government to amend The Agricultural Lands Protection Act to provide that:

"(1) Corporations purchasing farm land in Manitoba be required to be registered in Manitoba, and that there be provision for the ongoing monitoring of ownership of shares in such corporations.

"(2) That there be a limit established on the amount of farm land in Manitoba which may be purchased by non-farm corporations.

"(3) That non-farm corporations purchasing farm lands in Manitoba be required to obtain approval of the Agricultural Lands Protection Board."

And they make reference to the matter of non-resident ownership becoming a very serious and undesirable situation in some areas of the province.

A MEMBER: What socialist organization wrote that?

HON. J. BUCKLASCHUK: That was the Manitoba Farm Bureau. Let's just review this. December, a meeting with Cabinet to express their concerns; a follow-up letter; a resolution adopted at their convention; a follow-up from the WI. Do I have that letter? Oh yes, here's what they say: "Our discussions can be summarized as follows:

No. 1. That all corporations purchasing farm land in Manitoba be required to be registered in Manitoba with an ongoing monitoring of their share structure;

No. 2. That acreage of non-farm corporations should be restricted;

No. 3. That they be required to obtain clearance from the Manitoba Agricultural Protection Board before title is obtained.

So there is another large group expressing concern about land ownership in the province and we are told that it's no longer an issue. I maintain that it has been somewhat of an issue at least for the past 20 years; certainly it may have peaked two or three years ago, but the issue is still there.

A MEMBER: How do you know?

HON. J. BUCKLASCHUK: How do I know?

MR. A. BROWN: How much of that land is up for sale now that was purchased three years ago?

HON. J. BUCKLASCHUK: I haven't had a chance to check that out. I don't think that is the important thing. I think what does happen is that we do get into cycles; we may be in the low part of a cycle right now and I'm quite confident that within another year or two we will be facing the same problems that the previous administration faced two or three years ago, except that we are going to do something about it. We're going to do something about it.

The Farm Bureau, concerned enough to raise the issue in a number of meetings, concerned enough to follow-up the issue, concerned enough to adopt a resolution and today it's not a concern. — (Interjection) — We know what the Farm Bureau does. If it suits them for it to be an issue, at the appropriate time they'll make an issue, if they want to back off, they back off. That is my understanding; that is my feeling.

Nonetheless, they did call the previous Minister and his government to rectify what has been a very serious and undesirable situation in some areas of the province and I would like to commend my colleague, the Minister of Agriculture, for introducing this bill last year, for holding it over for consultation and for refining the bill and for presenting the bill for passage during this

Session. I'm aware that the bill addresses many of the concerns that have been expressed. Some would say that it hasn't gone far enough, but it is nonetheless no more restrictive than of holdings by provincial residents, than in other provinces and I'm aware that other provinces, whether they be Alberta, Saskatchewan, Ontario, Quebec or P.E.I., do have restrictions on ownership of land as do a good number of American States.

The one clear message that we must get across is that this bill does enable all residents of Manitoba and family-farm corporations to make unrestricted purchases of farm land and I think it's in keeping with the motto, "Manitoba Farms for Manitoba Farmers," and I know that the opposition sometimes would like to muddy the waters a bit; it is rather interesting reading some of the reports from the Legislature that don't quite get that message out. They would like to believe that there is a restriction on Manitoba residents. While there is no limit on ownership of Manitoba farmers . . .

SOME HONOURABLE MEMBERS: Oh, oh!

HON. J. BUCKLASCHUK: Thank you, you've acknowledged it. There is no limit on ownership by Manitoba farmers, by Manitobans and family farm corporations, there can be no question something must be done to curtail foreign ownership of Manitoba farm land.

A MEMBER: Other Canadians.

HON. J. BUCKLASCHUK: We'll get around to that. I must admit I was rather surprised at the remarks from the Member for Assiniboia because it was my understanding that the Conservative Party in Manitoba had a position that they too were in support of curtailing foreign ownership. That message wasn't the message I received from the previous speaker. — (Interjection) — I see, they freewheel, very good.

Well, as far as I'm concerned it makes no difference for all practical purposes whether we have foreign or non-resident ownership and for that reason I feel it is quite justifiable to have restrictions for those persons who are non-residents of Manitoba.

Those restrictions, incidentally, exist in Saskatchewan, Quebec, Prince Edward Island, and Alberta doesn't have it for individual ownership but certainly with respect to foreign ownership. We have the question raised quite often - this may be an infringement on the rights of Canadian citizens and it's unacceptable - I understand that the legislation has been around for a good 10 years in Saskatchewan. I'm not aware of any challenge that has been successful. That has been successful.

SOME HONOURABLE MEMBERS: Oh, oh!

HON. J. BUCKLASCHUK: There is a difficulty that the opposition fails to acknowledge with the extra-provincial ownership and that is the difficulty of determining the beneficial owner of property because of the anonymity of principal shareholders. I'm surprised that they would say that isn't so because the letter from the Agricultural Lands Protection Board, they have specifically raised that as a problem, that there are those persons in other provinces . . . Pardon me?

A MEMBER: Give me a board and I'll give you a problem.

HON. J. BUCKLASCHUK: It was your board and they are the ones that identified the problem. This is what I find so difficult to understand.

A MEMBER: There's something wrong with the board.

HON. J. BUCKLASCHUK: Nonetheless, I'll have an opportunity to . . .

MR. SPEAKER: Order please. The time being 12:30 the debate will remain in the name of the Honourable Member for St. Norbert.

The Honourable Minister of Consumer Affairs will have 23 minutes remaining when this bill next reaches the floor.

The Honourable Minister of Natural Resources.

HON. A. MACKLING: Mr. Speaker, with respect, it is my understanding of the rules and custom of the House that when a debate is standing in the name of an honourable member then when the matter is adjourned by the House it continues to stand in the name of that honourable member when the bill or the resolution is next before the House. It cannot stand in the name of two members as is indicated, as a result of your decision. It is already standing in the name, this bill, of the Honourable Member for St. Norbert and when this bill is next called he would be the person that would be entitled to resume debate on it, not my colleague, Mr. Speaker.

I draw to your attention the fact that on the Order Paper there is Bill No. 60 standing in the name of two people and I believe that procedure is not correct, Mr. Speaker. I believe that Mr. McKenzie is the one who is entitled to speak on that bill when Bill 60 is next called and that only by leave Mr. Gourlay could finish his remarks. That is my understanding of practice in this House, Mr. Speaker, and I make that submission to you.

MR. SPEAKER: The Honourable Member for Lakeside to the same point.

MR. H. ENNS: Mr. Speaker, I don't see the difficulty. The Honourable Member, as is the custom in this House, was accorded the right to speak while the member in whose name the bill was adjourned to facilitate debate in this House, we would naturally assume that the honourable member would have full opportunity to conclude his remarks when next the bill is called.

Then it would stand in the name that it's currently standing in. Bill 60 on your Order Paper would indicate that procedure is the case.

A MEMBER: We'll give you leave right now, John.

MR. SPEAKER: The Honourable Member for Springfield to the same point.

MR. A. ANSTETT: Yes, Mr. Speaker, to the same point of order. Mr. Speaker, I share the concern of the Member for St. James, the Minister of Natural Resources. I

appreciate that in the past, as the Member for Lakeside says, this has been allowed but only by leave in the past have we allowed members to resume speaking. In fact, I recall several instances during the mid-'70s when explicit denial was made to allow a member to be shown as holding the debate in his or her name when that debate was an adjourned debate.

The member who speaks when a debate is an adjourned debate standing in the name of the Member for St. Norbert or some other member is speaking by leave and every time we do that we take the risk that member might wish to move an amendment which would have to be denied, because the debate that was adjourned was the debate on second reading, and that's the debate the Member for St. Norbert has the right to speak on. I think that if we establish the precedent here today of allowing the Member for Gimli, the Minister of Consumer and Corporate Affairs, to automatically be entitled to speak the next time the bill is called, then we've placed ourselves in an awkward position not because I think he's going to bring in amendment, but because I think he should only be allowed to speak again if the House grants leave. I certainly would be prepared to grant that leave as I would for the Member for Swan River who has 35 minutes, I believe, remaining on Bill No. 60.

Mr. Speaker, I think the fundamental caution that should be exercised so we avoid getting into this position is that members should speak when they have adjourned bills, and members who wish to speak by leave if the bill is going to be stood over should ensure that they have sufficient time remaining on the day they plan to speak to complete their remarks. Otherwise, we're going to be in the awkward situation where leave is going to have to be granted and leave may not always be granted to members to complete their remarks. It only takes one member to deny leave, so this precedent we're establishing by doing this both Wednesday and today is a precedent that's predicated on members granting leave. Mr. Speaker, I submit that for that reason alone it's an awkward precedent, if not a precedent which is at odds with our customs in this House.

MR. SPEAKER: The Honourable Member for Virden to the same point.

MR. H. GRAHAM: Thank you very much, Mr. Speaker. There have been many things done in this House by leave and I think that the remarks of the Member for Springfield are worth consideration, but I also think the remarks of the Honourable Member for Lakeside are worth consideration. But I think probably the remarks of the Acting Government House Leader are most worthy of consideration that we finally find the Acting Government House Leader is concerned about the rules and the procedures in this House; a remarkable thing for him because we haven't seen that displayed earlier here today.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. H. ENNS: I just want to make it very clear that we, who have some appreciation of rules, don't consider any precedent being set. We expect the normal courtesy will prevail and leave will be granted, but if it doesn't suit the opposition, then the Member for Springfield is right, the Member for Gimli may well have shortened his time to speak on this bill. So it is not a question of setting precedent, Mr. Speaker. The member that speaks under those conditions, as the Member for Springfield says, has to be aware that there are limitations, either in time or in action, and I just want to put on the record that it is not a matter of precedent. We will, I think, grant that courtesy and that leave for the member to continue.

MR. SPEAKER: The Honourable Minister of Natural Resources to the same point.

HON. A. MACKLING: Mr. Speaker, so long as it is clearly understood; so long, Mr. Speaker, as it is clearly understood that the continuance of the address is by leave, and that leave can be withheld, then I have no problem, but it has to be made very clear.

MR. SPEAKER: I thank the honourable members for their remarks. I believe I noted a few days ago, on Bill 60, that it was an awkward procedural matter which was not dealt with in our Rules, and now it has repeated itself. The honourable members who have spoken to this are quite right in what they say. However, our Rules do say that any member has 40 minutes to speak to the second reading, and it would seem rather awkward if it were to be a matter of unanimous decision by the House to limit any member from enjoying those 40 minutes. That is the reason why the Honourable Member for Swan River is listed on the Order Paper as having 35 minutes, and why I would expect the Minister of Consumer and Corporate Affairs to have his 23 minutes remaining when the bill is next called.

I assume that would be the will of the House, and that is how the House will, in fact, proceed on that.

If that is the case, 12:30, Private Members' Hour.
The Honourable Minister of Natural Resources.

HON. A. MACKLING: Mr. Speaker, by common understanding, we will not pursue Private Members' Hour, and I move, seconded by the Honourable Member for Turtle Mountain, that this House do now adjourn.

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