



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

DEBATES
and
PROCEEDINGS

31-32 Elizabeth II

*Published under the
authority of
The Honourable D. James Walding
Speaker*



MG-8048

VOL. XXXI No. 84 - 2:00 p.m., WEDNESDAY, 8 JUNE, 1983.

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

Wednesday, 8 June, 1983.

Time — 2:00 p.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. J. Walding: Presenting 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 a certain resolution, directs me to report the same and asks leave to sit again.

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

MOTION presented and carried.

MR. SPEAKER: The Honourable Member for Springfield.

MR. A. ANSTETT: Mr. Speaker, I beg to present the First Report of the Standing Committee on Agriculture.

MR. CLERK, W. Remnant: Your Committee met on Thursday, March 24, 1983, at 4:30 p.m. and appointed Mr. Anstett as Chairman.

By Resolution of the Legislature passed on March 15, 1983, your Standing Committee on Agriculture was authorized to hold public meetings to inquire into matters relating to the Western Transportation Initiative proposed by the Government of Canada. Pursuant to this mandate, your Committee agreed to hold public meetings as follows:

WINNIPEG — Friday, April 8, 1983 - 10:00 a.m.
Room 255, Legislative Building
450 Broadway.

SWAN RIVER — Thursday, April 14, 1983 - 1:00 p.m.
Legion Hall
6th Avenue N.

DAUPHIN — Friday, April 15, 1983 - 10:00 a.m.
Ukrainian/Orthodox Auditorium
304 Whitmore

ANOLA — Wednesday, April 20, 1983 - 8:00 p.m.
Anola & District Community Club
704 Dugald Road

BRANDON — Thursday, April 21, 1983 - 1:00 p.m.
Agricultural Extension Centre
Auditorium
1129 Queens Avenue

ARBORG — Friday, April 22, 1983 - 10:00 a.m.
Arborg Community Hall
North end of Ingold Street

MORDEN — Monday, April 25, 1983 - 1:00 p.m.
Legion Hall
Corner of 7th & North Railway

Your Committee also agreed that a quorum for all future meetings of the Committee should consist of six (6) members.

WINNIPEG - Friday, April 8, 1983 - 10:00 a.m. & 2:00 p.m.

Messrs. David Matas & Bill Ridgeway, Liberal Party of Manitoba

Mr. Paul Orsak, Palliser Wheat Growers

Mr. W. Harder, Lowe Farm

Mr. Goldwyn Jones, National Farmers Union

Mr. Doug Campbell, CN Rail

Mr. Kent Magarrell, Winnipeg Chamber of Commerce.

SWAN RIVER - Thursday, April 14, 1983 - 1:00 p.m.

Mrs. Dorothy Minish, Big Woody Women's Institute
Mr. Roy Hamilton, Local Committee of Kenville Pool Elevator

Messrs. Bob Seidel & Don Lindsay, The Pas Chamber of Commerce

Mr. Leonard Harapiak, Private Citizen

Mr. Mervyn Minish, National Farmers Union, Local 520

Mr. Murray Wenstob, Private Citizen

DAUPHIN - Friday, April 15, 1983 10:00 a.m.

Mr. Laverne Lewycki, M.P.

Mr. Doug Cowling, Private Citizen

Mr. Gordon McPhee, Private Citizen

Mr. William Yaceniuk, Private Citizen

Messrs. Nestor Slonowsky & David J. Dohan, Rural Municipality of Ethelbert

ANOLA - Wednesday, April 20, 1983 - 8:00 p.m.

Mr. Richard Loeb, Private Citizen

Mr. Dennis Nimchuk, Private Citizen

Mr. Steve Fosty, Private Citizen

Mr. Henry Reske, Private Citizen

Mr. Ken Edie, Private Citizen

BRANDON - Thursday, April 21, 1983 - 1:00 p.m. & 7:00 p.m.

Messrs. Lorne Parker, Allan Chambers & Sheldon Fulton, Manitoba Farm Bureau

Mr. Bill Moore, NDP Candidate in the May 24 Federal Election

Messrs. Doug Campbell & Peter Gosman, CN Rail

Mr. Keith Proven, National Farmers Union, Local 516

Mr. Dennis Heeney, Private Citizen

Mr. G. Jones for Mr. Wayne Sotos, National Farmers Union, Local 505

Mr. Bill Nicholson, Vice-Chairman, Shoal Lake Committee Manitoba Pool Elevators

Mr. Ken Sigurdson, Manitoba Pool Elevators'

Delegate

Messrs. Larry Maguire & Laurie Howe, Souris Valley Farm Business Association

Mr. Brad McDonald, Canadian Wheat Board Advisory Committee, District 2

Mr. Tony Riley, Private Citizen

Mr. Allan Riley, Private Citizen

Mrs. Claris Nicholson, Private Citizen

Mr. Alex McWilliams, President of Turtle Mountain NDP

Mr. Ian Robson, Private Citizen

Mr. Henry Rempel, Private Citizen

Briefs submitted in written form only:

Village of Rossburn

Mr. John Mitchell, Rural Municipality of Rossburn Manitoba Pool Elevators (Rossburn Sub-District)

Mr. Emil Shelborn, Chairman Erickson Pool Committee

ARBORG - Friday, April 22, 1983 - 10:00 a.m.

Mr. Allan Chambers, Manitoba Cattle Producers' Association

Mr. William Halibura, LGD of Armstrong

Mr. Charles Mortimer, General Manager, Norman Regional Development Corporation (Thompson, Manitoba)

Mr. Alfred Thompson, Private Citizen

Mr. Einar Vigfusson, Private Citizen

Mr. Eric Fridfinnson, Arborg Pool Committee, Private Citizen

Mr. Jacob Dern, Private Citizen

Mr. Brian Podaima, Broad Valley & Fisher Branch Pool Local

MORDEN - Friday, April 25, 1983 - 1:00 p.m. & 8:00 p.m.

Mr. Don McEwan, Private Citizen

Messrs. Spencer & Zettler, Concerned Farmers from the Portage area

Mr. Don Alexander, Private Citizen

Messrs. Bill Strath & Ray Siemans, Manitoba Pool Elevators

Mr. Paul Klassen, Pembina NDP Association

Mr. Tom Jensen, Manitoba Trucking Association

Mr. Herman Rempel, Lisgar NDP Association

Mr. William D. Sloane, Private Citizen

Messrs. Jack Penner & Ray Siemans, CSP Foods Ltd. Advisory Committee

Submission by the Joint Committee of the Rhineland Agricultural Society, Altona Farm Business Association and the Red River Valley Young Farmers Club was read by Mr. Jack Penner.

Mr. E.H. Evenson, Private Citizen

Mr. Ken Rutter, Private Citizen

Mr. Jake Froese, Private Citizen

Brief submitted in written form only:

Mr. John A. Clark, Private Citizen

WRITTEN SUBMISSIONS:

Mr. John C. Harder, Secretary Manitoba Pool Elevators, Lowe Farm Local

Mr. John Whitaker, Private Citizen (Erickson, Manitoba) CN Rail

Mr. Dennis H. Heeny, Private Citizen

Your Committee met on Thursday, May 26; Thursday, June 2; and Tuesday, June 7, 1983, for further deliberations and has unanimously agreed to report as follows:

Your Committee heard some sixty representations from individuals and groups. Among them were presentations by the major farm organizations, Canadian National Railways, and local organizations. Reaction to the federal government's grain transportation proposals ranged from qualified support to outright rejection.

The Manitoba Farm Bureau, while strongly in favour of the principle of the proposed changes, recommended that the farmers' share of transportation cost increases beyond 1985-86 be reduced from 6 percent to 3 percent or at most 4.5 percent; that a ceiling on grain freight rates be established so that the freight rate would not exceed 8 percent of the weighted average price of grain; and that the payment of the Crow benefit to farmers be allowed to proceed as in the Gilson Report (so that 81 percent of the payments would go to farmers by 1988-89). In its presentation to your Committee the M.F.B. dwelled at length on the reasons for taking the position that the subsidies should be paid to producers on an acreage basis, rather than to the railways as a subsidy on the transportation of grain. According to the M.F.B., the Crow rate has caused "serious and escalating distortions" in Western agriculture by causing farm prices of statutory grains to be higher than they would be if the full transportation costs had to be paid by the shippers. The president of the M.F.B. stressed that as far back as 1979 the Bureau adopted the position that "an increasing portion over time of any federal subsidy would have to be paid to farmers on some sort of acreage related basis." Because no other workable solutions have been found to reduce the price of grain to the livestock producers by the amount of the subsidy built into the Crow rate. . . "That leaves payments to farmers as the only hope for fair and equitable treatment insofar as the livestock, poultry and special crop sections go," said the president of the M.F.B.

Manitoba Pool Elevators placed the method of payment of the Crow benefit at the top of its list of objections to the federal Western Transportation Initiative. M.P.E. takes the position that payment to producers will be viewed as production or agricultural subsidies, rather than a transportation subsidy; that other regions of Canada will demand offsetting subsidies; that importing countries will view the payments as production subsidies; that the system would be complex and costly to administer, and that it would be almost impossible to make it fair and equitable; that producer payments would open the door to the possible introduction of variable rates; that they are politically vulnerable, and that they do not provide for adequate guarantee of service by the railways.

Like the M.F.B., M.P.E. is concerned that the producers' share of the rate increases is open-ended

and that transportation costs may get beyond the producers' ability to pay. Connected with that concern is M.P.E.'s opposition to the volume limit of 31.1 million tonnes on which assistance will be paid. Other concerns of M.P.E. are the possible introduction of variable rates, a reduced commitment of the federal government to branch line rehabilitation and the possible erosion of the authority and responsibility of the Canadian Wheat Board.

The National Farmers Union is adamantly opposed to any tampering with the Crow rate. In the opinion of the N.F.U., CPR must be made to live up to its obligations in return for the subsidies the company has received; that if the rail system needs to be improved the federal government should make the improvements, retain the equity and eventually merge CN and CP into one nationalized rail system and "run it for the benefit of the people of Canada, not for the benefit of a few shareholders."

In commenting on the specific elements of the federal government's plan the N.F.U. expressed the view that farmers cannot afford the freight rate increases; that direct payment to farmers changes a grain freight subsidy into a support price for other farm products; that incentive car loading bonuses or variable freight rates will in the long run give the railroads the power to dictate which grain delivery points will take most of Manitoba's grain; that further branch line abandonment will result; that the proposed Central Coordinating Committee will undermine the Canadian Wheat Board (and that the elimination of the orderly marketing system of the C.W.B. is the "real purpose behind the push to scrap the Crow"); that the predicted diversification of Western Canada is illusory; and that the "livestock industry should look at developing an improved marketing system to get better prices, rather than try to live on the backs of farmers that raise feed grains."

Other organizations expressing opposition to changing the Crow rate included the Councils of the Rural Municipalities of Armstrong, Ethelbert, Rosburn and Swan River and of the Village of Rosburn; several locals of the N.F.U., The Pas Chamber of Commerce, and the Big Woody Women's Institute. Also, several local councils and subdistricts of Manitoba Pool Elevators felt that their parent organization had been too flexible.

Most of the individuals appearing before your Committee were also opposed to tampering with the Crow rate. When questioned, however, many of the individual farmers indicated that they would find it easier to accept increases in transportation costs if the increases in freight rates were tied to increases in the price of grain, provided also that the increases in freight rates would bring about improvements in the railway transportation system.

Organizations expressing support for the position taken by M.P.E. included the Rhineland Agricultural Society, the Red River Young Farmers Club, and the farmers advisory board of C.S.P. Foods.

Supporting the Pepin proposal and/or the position of the Manitoba Farm Bureau were briefs submitted by the Souris Valley Farm Business Association, the Manitoba Cattle Producers Association, the Palliser Wheat Growers Association, Canadian National Railways, the Manitoba Trucking Association, the

Winnipeg Chamber of Commerce and the Liberal Party of Manitoba.

There is, then, a three-way division of opinion on the issue.

The N.F.U. and others supporting the retention of the Crow feel that it was a mistake for farm organizations to negotiate over the Crow rate, because once the process has been set in motion it cannot be stopped. In their view the organizations should not be surprised that the outcome was not what they expected and not what they wanted.

Deep as the division between those supporting the retention of the Crow rate and the other two groups may be, the difference between the positions represented by M.P.E. and M.F.B. respectively is equally great, whether the organizations are aware of it or not.

The three Wheat Pools entered the negotiations and were willing to yield on the Crow rate in return for improvements in the grain transportation system. The position of the M.F.B. and like-minded organizations amounts to a redirection of Canadian agricultural policy for western Canada.

The matter was put most succinctly before your Committee by a farmer from Grandview who emphasized that he was not opposed to change in the Crow rate. The farmer pointed out that implied in the principles for change set out by Mr. Pepin when he appointed Dr. Gilson as negotiator were three erroneous assumptions:

1. "that the statutory rate and the Crow benefit that grew out of it was somehow a sort of political plum that fell by accident into the hands of western grain producers that they don't really need;"
2. "that the Crow benefit represents an extraordinary and unacceptable distortion in the economy of western Canada;"
3. "that if we could do in the Crow in some fashion, that all of a sudden God would be back in heaven and all would be right with the world and there would be tremendous leaps forward, particularly in the livestock industry in western Canada."

The farmer made a strong argument to show the weaknesses of the assumptions. In the words of the Grandview farmer:

"One of the problems in this whole thing, it seems to me, is that we've had agricultural groups who have gone to the bargaining table, prepared to try to be sensible and reasonable and they've been stickhandled in the process because they've gone from bottom line to bottom line to bottom line"
. . . and

" . . . the only reason that we agreed to re-negotiate the Crow was to allow for a revitalization of the railways . . . "

. . . Then we proceeded to Dr. Gilson's comprehensive solution. It would revitalize the rail system but, in addition, it would redesign the whole agricultural economy of western Canada by encouraging the growth and expansion of secondary processing and value-added industries, as well as the livestock industry. How is that to

be achieved? Clearly by lowering the farm gate price of statutory grain. That's how it is going to be done, in fact, by removing part, if not all, of the economic incentive for production of the very commodities that we are revitalizing the railways to carry. How can you come around in a circle more than that?"

Your Committee respects the logic of that argument.

Western grain producers may be prepared to accept higher freight rates in return for improved railway transportation services. However, under the formula which has been proposed by Mr. Pepin the grain producers will be made to pay a major share of the cost of expanding the capacity of the railway system in Western Canada, a share that is grossly out of proportion with the future demands to be made upon the system by the movement of train. The willingness of the producers to pay more for transportation to obtain better service must not be exploited.

The natural sympathy which Canadians have with the farm community may be eroded by portraying the financial contributions of the government to the railway companies as subsidies for the western grain producers. As well, farmers do not want to be categorized as free-loaders. Farmers should not be made to pay for the expansion of capacity that is not related to grain transportation, but to the transportation of coal, sulphur, potash and other mineral resources; government contributions to that expansion should not be portrayed as subsidies to farmers.

Thus farmers and taxpayers will be forced to make a contribution to capital for railway companies, and support the other users of rail capacity who claim to have supported themselves for years. The Federal Government proposes to enact a law that will establish transportation rates for grain on the basis of 100 percent of the line and volume-related variable costs, plus 20 percent of volume-related variable costs as a contribution to constant costs. In other words, cost plus 20 percent.

On this issue, New Democratic Party members presented briefs which supported the position of the Manitoba Government that contributions to capital, such as, the allowance for cost of capital of 20.5 percent and the contribution to overhead of 20 percent, be clearly identified as contributions to capital stock and that, in order to be eligible for such contributions, CP Rail must issue equivalent value in common shares to the Government of Canada.

On the basis of the above considerations, your Committee recommends that the Province of Manitoba maintain a firm position on the retention of the Crow rate, and that the Committee make the following recommendations to the Legislative Assembly.

- that, until a more equitable formula for establishing grain transportation rates has been developed, the present statutory rate should remain in effect; and that in the interim the Government of Canada should reimburse the railway companies for out-of-pocket losses incurred in grain transportation;
- that an equitable formula must not have a tonnage cap and must provide for a ceiling, tied to the price

of grain, above which freight rates will not be permitted to rise;

- that processed products such as canola oil and meal, linseed oil, sunflower oil and soybean products be included in the statutory grains.
- that the so-called special crops, such as, sunflower seed, peas, lentils, etc. be included in the statutory grains.
- that the rail line to Churchill be upgraded so that it can carry hopper car trains. Alternatively, considering the doubts which are beginning to be aired about the cost-effectiveness of the heavy cars - heavy loads - heavy tracks combination, that a program be launched to develop lighter weight - smaller load cars - and that their cost-effectiveness be tested, among others, in the transportation of grain to Churchill.

All of which is respectfully submitted.

MR. SPEAKER: The Honourable Member for Springfield.

MR. A. ANSTETT: Mr. Speaker, I move, seconded by the Member for The Pas, that the report of the Committee be received.

MOTION presented and carried.

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

INTRODUCTION OF BILLS

HON. R. PENNER introduced Bill No. 93, The Legislative Assembly Management Commission Act; Loi sur la Commission de Régie de l'Assemblée Législative. (Recommended by Her Honour the Lieutenant-Governor)

MR. P. EYLER introduced Bill No. 94, An Act to amend The Optometry Act.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we reach Oral Questions, may I direct the attention of honourable members to the gallery where we have 26 students of Grade 9 standing from the Elmwood High School. They are under the direction of Mrs. Gartner and the school is in the constituency of the Honourable Member for Elmwood.

There are 19 students of Grade 6 standing from the Lagimodiere School under the direction of Mrs. Vermette. This school is in the constituency of the Honourable Member for Springfield.

There are 50 students of Grade 5 standing from the Elmdale Elementary School under the direction of Mrs. Baker. The school is in the constituency of the Honourable Member for La Verendrye.

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

ORAL QUESTIONS

McKenzie Seeds - Provincial Auditor's report

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, my question is for the First Minister. Has the First Minister yet received a report from the Provincial Auditor with respect to McKenzie Seeds?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: No, Mr. Speaker.

MR. B. RANSOM: A supplementary to the First Minister, Mr. Speaker. Can he advise the House when he expects to have a report?

HON. H. PAWLEY: Mr. Speaker, I would certainly expect to receive the report as soon as the Provincial Auditor has had a reasonable period of time in order to fulfill his obligations.

Abortions

MR. B. RANSOM: Mr. Speaker, a question to the Minister of Health. Yesterday the Minister of Health announced what was termed a comprehensive family planning package being implemented by his government. Announced at the same time was an expansion of abortion facilities. My question to the Minister of Health is, does he consider abortion to be part of family planning?

MR. SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: No, Mr. Speaker, if it is considered by anybody, it would be the last step. The intent is to have the counselling and the family planning in order that we would not need the necessity of providing for so many abortions.

MR. B. RANSOM: A supplementary question to the Minister of Health. The Minister of Health has estimated that approximately 1,200 women are going yearly to North Dakota and Minnesota for abortions. Can the Minister advise the House what proportion of those women would qualify for an abortion under the terms of the Criminal Code of Canada?

HON. L. DESJARDINS: Mr. Speaker, I would like to explain that I will not try to put a number on the people getting abortions outside of the province. I've heard anywhere from 1,000-or-so - and that is what the official count from the States, from Bismarck, for instance, because most of them are taking place in North Dakota - comes to 958. Now there is legislation that they have to report all these cases. Minnesota, there are approximately 175 there; they only keep records by the country, and even if they were all from Manitoba, that would be approximately 1,000. So it could be anywhere from 1,000 to - I've heard 4,000. I don't know; I think it's impossible to really know.

Now, this is just my feeling and somebody else might have a different reaction, I would think that approximately one-third of those would go for a reason either of confidentiality - I don't know for sure how many; some of them would keep on going anyway; others because they waited too long a time before going to their doctor or going to the therapeutic abortion committee and, therefore, it is not considered safe in Manitoba and it won't be performed in Manitoba. There might be others where maybe the information from their own doctors is that there is no point, you might as well go to the States, you'll never get it here. We don't know that.

I know that there has been a somewhat small reduction in abortions performed in the last few years; I know that the waiting period, according to the therapeutic abortion committees in the different hospitals is about two weeks, once they've been informed. But I don't know, for sure, how many of those, once they've been passed by the therapeutic abortion committee, are considered as elective surgery and so on.

So what I've said, and I think that I was somewhat misunderstood or misquoted yesterday, the Cabinet did not approve any amount of money. I was asked approximately how much that would cost, and I said for approximately 900 or 1,000 or 1,200 it would be anywhere from \$250,000 to \$300,000.00.

Now what we will do, we'll start by education and family planning. That is being done by the Director and the Advisory Committee of Maternal and Child Care. As far as the facilities, we'll have to monitor everything. We will try to provide the facilities if need be, and I want to point out that this is not encouraging abortion but we can't close our eyes if there are Manitoba women that are going out and as the critic of the Conservative Party said yesterday, there is a law of the land, there is a criminal code and we will try to provide the services for legal, safe, therapeutic abortions.

Personal care home - Portage

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

MR. L. HYDE: Thank you, Mr. Speaker. I have a question to the Honourable Minister of Health. In review of the Health Estimates of May 24th, the Minister confirmed plans to proceed this fiscal year with architectural planning for a new 50-bed replacement personal care home in Portage la Prairie. Can the Minister advise the House if an architect has been chosen yet for this project?

HON. L. DESJARDINS: Mr. Speaker, I wonder if my honourable friend would get in touch with the people in Portage and when they've found out - the people in the community - who they select, maybe he can let me know. If it is a non-profit organization, if it's a group or a community, the sponsors themselves select the architect, not the government.

MR. L. HYDE: A subsequent question to the same Minister, Mr. Speaker. Does this Minister then plan to have a government or a community organization run this facility?

HON. L. DESJARDINS: Mr. Speaker, if my honourable friend is talking about a personal care home, he should

know that the government is not running any personal care home. They are funding it; they're financing it. They're a non-profit organization. We don't agree with profit-oriented, proprietary nursing homes, but we certainly welcome people in the community, groups in a community, non-profit organizations to run it and they are the ones that are responsible for it.

MR. L. HYDE: Mr. Speaker, has the Minister at this time met with any of the community organizations such as our Lions Club to discuss this proprietary operation?

HON. L. DESJARDINS: Mr. Speaker, if the Commission makes a recommendation accepted by Cabinet at any level at the five-year program, then we'll discuss with any groups that are interested and if there's nobody coming forward, we will try to even seek out some groups and suggest that they might run a personal care home. So if my friend has anybody in mind, we'd be pleased to talk to them. But usually, when the plans are at the level of approval for architectural design, the first step has been taken and usually there is a sponsor that has come forward.

Robert H. Smith School - renovations

MR. SPEAKER: The Honourable Member for Tuxedo.

MR. G. FILMON: Thank you, Mr. Speaker. My question is for the Honourable Minister of Education. A couple of weeks ago I asked the Minister about the Public Schools Finance Board's dealing with the proposed funding for the Robert H. Smith School renovations. The Minister very kindly made an announcement I believe the next day announcing that funds would be available. The problem now is that there has not been anything proceeded with and as I understand it, they're unable to let a contract and proceed with the construction because of a holdup in the Public Schools Finance Board. I wonder if the Minister can indicate what the holdup is?

MR. SPEAKER: The Honourable Minister of Education.

HON. M. HEMPHILL: Mr. Speaker, I did say that we had approved the Robert H. Smith School, that we had accepted the school division's indication of both need and their intended use of the school. At the time, I think I also indicated that it was going to be necessary to do some structural examination of the school. There's a 1919 section and a 1929 section, and at no time had there been what the Public Schools Finance Board considered to be adequate structural examination in order to determine whether both the old section and the older section were worth renovating.

Since this had not been done by the school division previously, prior to their submitting the letter of intent, I instructed the Public Schools Finance Board to get structural engineers in immediately to examine the structure of both the 1919 and 1929 sections, and if one of the sections or both sections were deemed to be structurally all right, they were to proceed immediately with renovations. I think that they have examined one of the sections now and are in the process of doing the tests that are required to make the decision on the second section.

I don't think there's been an unnecessary delay. I think the member opposite will agree that we don't want to and can't put money into renovating a school prior to having solid information that the structure is sound enough to warrant the renovation.

MR. G. FILMON: Mr. Speaker, I certainly wouldn't want the renovations to be proceeded with without that knowledge. On the other hand, the people who are phoning me, the parents group, are saying that the information is already available. They are very concerned because children are frozen in place; can't be transferred to other schools in the area; staff are in limbo and are applying for transfers.

Can the Minister give me some indication of how long she expects the decision to take, and how long before they can proceed with the contract.

HON. M. HEMPHILL: Mr. Speaker, I think it's important to add my sort of concern and interest to the points that are being made by the Member for Tuxedo because we all feel the same way, that the school, the children, the parents, the teachers and the programs are up in the air until we have the decision and we know what kind of space will be available in September.

From our end of it, I've instructed the Public Schools Finance Board to move as quickly as possible. I wish the structural engineering report had been done months ago, prior to submission of the letter of intent. I believe it should have been. I will be talking to the Chairman of the Public Schools Finance Board tomorrow and doing everything, from our point of view, to get it moving as quickly as possible.

MR. G. FILMON: Mr. Speaker, in view of the fact that everybody now agrees that it is an unsatisfactory situation, can the Minister indicate whether or not, at this point in time, it is still expected that they will have the school open by September?

HON. M. HEMPHILL: Mr. Speaker, it's my understanding, in discussions with the Public Schools Finance Board that they believe that if there were going to be renovations of both the 1919 section and the 1929 section, we could speed up those renovations over the summer period. There are a lot of people looking for work and I don't think there's going to be an inability to get on with job. The problem that may arise, will arise I think, only if one of the sections is deemed to be structurally unsafe and we are not able to proceed with renovations of either the 1919 section or the 1929 section.

If it's renovation of existing space, I think it will be ready in September. If one of the sections is deemed to be structurally unsound and we have to look at an addition, perhaps, then logic and knowledge of construction requirements would suggest that portion would likely not be available in September and they would have to make other plans. We will do as much as we can as quickly as we can; we will not move to renovate a structurally unsound section of the school.

MTS rate increase

MR. SPEAKER: The Honourable Member for Morris.

MR. C. MANNES: Thank you, Mr. Speaker, I would address my question to the Minister responsible for the Manitoba Telephone System. Is it the government's intention to support MTS in requesting of the Public Utilities Board, to grant fee increases in a number of areas including the monthly rate and long distance charges?

MR. SPEAKER: The Honourable Minister of Government Services.

HON. J. PLOHMAN: Mr. Speaker, the Telephone System has made application to the Public Utilities Board and the hearings are under way at this time for an overall increase of approximately 6 percent on an average, for all services that are regulated by the Public Utilities Board and it will be up to the Public Utilities Board to make a decision on that increase request by the telephone system.

MTS long distance revenue

MR. C. MANNES: Mr. Speaker, MTS claims that a shortfall in long distance usage is causing a financial shortfall. I am wondering if MTS has determined why fewer people are using long distance services or why people are making fewer calls.

A MEMBER: The cost is too high.

HON. J. PLOHMAN: There are a lot of variables that can be taken into consideration when considering long distance revenue. Certainly, the threat of competition in that area is something the Manitoba Telephone System has to consider. Insofar as the reduction in long distance telephone calls at this present time by people, generally, I think that, generally, that can be attributed to the economic conditions that have affected all businesses and certainly have affected the Manitoba Telephone System, as I outlined previously in questions that were asked by the member's colleague, the Member for Pembina, in terms of the deficit position that the Telephone System was facing last year; the cost-cutting measures that were taken by the Telephone System to avoid a potential deficit and the success of those measures, so that the Telephone System did indeed end up in the black at the end of the previous year.

Generally, the economic conditions have contributed to less revenue in long distance revenues.

MR. C. MANNES: Mr. Speaker, I would ask the Minister then if MTS has determined geographically where the shortage in revenue through long distance calls has come from? Is it reduced more in the rural areas, where a greater percentage of calls are long distance, or in urban Manitoba?

HON. J. PLOHMAN: Mr. Speaker, I don't have the exact breakdown where the reduction is taking place, but certainly a great part of the Manitoba Telephone

System's revenues come from the TransCanada Telephone System, an affiliation of the telephone systems across Canada, and approximately 39 percent of the Telephone System's revenues are derived from the TransCanada Telephone System. So it is an overall reduction in long distance across the country that is contributing to a decline in those revenues, as well as the decline in long distance revenues within the province which make up a very much smaller percentage of the total revenue than the financial contribution from the TransCanada Telephone System.

MR. C. MANNES: Mr. Speaker, the Minister has chosen not to answer my question, I suppose, which is his right. I think, as a rural representative, we have the right to know whether indeed this shortfall has come about because of a drop-off in rural usage where, as we learned in other committees, that service in general is decreasing. There are many instances now where we are finding additional people coming on party lines. I'm wondering if rural Manitobans will now be faced with having to carry a much greater load and yet being offered lower standards of service.

HON. J. PLOHMAN: Certainly, it is the wish of this government and the continued desire of the Telephone System to offer improved services throughout the province to rural areas as well as the urban areas. I think that has been the case over the history of the Telephone System, that they have offered an excellent service to rural areas, despite the fact that the cost to service rural areas is greater than to service the high population areas in the city.

There are expansions of service every year. Certainly, there's expansions in the area of extended area service. A number of communities have come on that in this past year - the area of Swan River, Cowan, and Benito have received extended area service - and combined larger areas within a single exchange so they would not have to pay long distance rates.

As well, there has been a reduction in the costs for private lines, a maximum of a \$500 charge now for a private line in a rural area, which is also a significant improvement over the previous years. Of course, we can't forget that there has been significant improvements made as well in the service to Northern Manitoba in northern remote communities that previously did not have the service, all at rates that are near the lowest in Canada, and certainly competitive and lower than the rates that they pay for service in the larger communities.

MTS emergency repairs

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOWNEY: Mr. Speaker, can the Minister responsible for Manitoba Telephone System confirm that emergency repair service has been removed from rural Manitoba?

HON. J. PLOHMAN: No, Mr. Speaker, I can't confirm that. Emergency repair service exists very much so. When emergencies are in place, the Telephone System will respond at any time. However, there has been a reduction in the amount of overtime that has been granted to employees. So that has meant that where emergencies don't exist and where repairs are necessary, and they are phoned in, for example, on a

Saturday or a Sunday, then service is not restored until the following regular work days for the Telephone System Employees. So I can say clearly that emergency service and repairs has not been deleted from the service of the Telephone System.

MR. J. DOWNEY: Mr. Speaker, then I ask the Minister of Telephones, could he arrange it so those emergency repairs could be carried out throughout the week, not on weekends? Can he confirm as well, Mr. Speaker, that there is no emergency service available to repair rural telephones from Friday night at 5 o'clock until Monday morning at 9 o'clock, there is no service to repair rural telephones? I want him to correct that and check it out, Mr. Speaker. Will he do that, Mr. Speaker, and get the correct answer for this Chamber?

HON. J. PLOHMAN: I don't know whether the honourable member is clear on his question. Certainly, there is emergency service on weekends and during the week, Mr. Speaker, if there is an emergency that occurs - and, of course, the definition of an emergency is one that the honourable member should be dealing with here when he's asking his question - when there's an emergency that is clearly that, the Telephone System would indeed offer the service to repair as quickly as possible.

MR. J. DOWNEY: As the Minister responsible for Manitoba Telephone System, Mr. Speaker, will he reimplement repair service to rural telephones on weekends, which is now not available?

HON. J. PLOHMAN: This matter, Mr. Speaker, is under constant review. The Telephone System, as I had indicated previously, over the past year had to undertake several cost cutting measures to reduce the need for layoffs. One of the ways that they did decrease the costs was to cut back in the amount of overtime and, of course, found that this has led to greater efficiency by employees during the regular work hours, knowing that they were not going to be able to continue to work on an overtime basis. — (Interjection) — It certainly has; I've talked to employees myself and they certainly are aware that the work day ends at that particular time. So it has led to greater efficiencies, Mr. Speaker, and it has resulted in significant cost savings because of the cutbacks in overtime. I think that is a reasonable way to cut down on costs. However, when emergencies exist, the Telephone System does indeed answer those calls and reacts as quickly as possible to repair those services.

MTS rural service

MR. J. DOWNEY: Mr. Speaker, will the Minister responsible for the Manitoba Telephone System apologize to this House for misleading us? In fact, there has been a reduction in service to rural Manitoba and not an expansion. Will he apologize for misleading this House?

HON. J. PLOHMAN: Mr. Speaker, it's obvious that the honourable members again want to have it both ways. They're constantly asking for improved services, as I've

indicated, and there have been a number of improvements by the Telephone System over the past year. It's an ongoing program. In other areas there have been reductions in overtime. It is certainly not a case that overall there has been a reduction in services, Mr. Speaker. I would not apologize for misleading the House. That is not the case. There has been expansion of services in many cases to the benefit of rural residents in this province.

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, I have a question for the Minister responsible for Manitoba Telephone System. The Minister has referred to expansions of service in the country, specifically to that of the provision of private lines for \$500.00. Will the Minister confirm that in some areas of the province, those private lines are resulting in other telephone subscribers having to double up on their lines so that people who were perhaps two to a line before are now finding three and four people on their lines?

HON. J. PLOHMAN: That has been confirmed, that on certain occasions that does take place, but in all cases there is under the limit which is, I believe, three to a party line. Three or four, I believe is a maximum number on a party line in rural areas. When there is lower than that number on the line, sometimes when private lines are placed and requested by individuals, it does result in an expansion of the number on the particular party line. However, they're all under the requirement number that the Manitoba Telephone System has offered over the years. Certainly, that has been acceptable to the people of Manitoba over the years, in terms of service. Three or four is a reasonable number, it certainly isn't an exorbitant number, Mr. Speaker.

Wages - construction industry

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

MR. G. MERCIER: Mr. Speaker, my question is the Minister of Labour. Could the Minister of Labour advise us to the dollar amount of the increase and the percentage amount of the increase approved by Cabinet for construction wages within and outside of Greater Winnipeg?

MR. SPEAKER: The Honourable Minister of Labour.

HON. M.B. DOLIN: Mr. Speaker, the Construction Wages Boards have come forward with their recommendations and that is before Cabinet at this point. I don't have the exact figures with me but I will be happy to provide them at the appropriate time, both percentage and actual dollar amounts for the various categories. I am sure the member is aware that this is quite extensive information as there are a number of categories involved. What we have at this point is the Rural Construction Wages Board information in and being dealt with. There are two other boards. One of them has their information and the other is before us but hasn't been dealt with yet.

Minimum wage

MR. G. MERCIER: Mr. Speaker, a supplementary question to the Minister. Is she and/or Cabinet also dealing with a proposed increase in the minimum wage?

HON. M.B. DOLIN: We will be dealing with any recommendation that comes forward from the Minimum Wages Board when that is forthcoming. I expect that within the next several weeks.

Abortion clinic - Dr. Morgentaler

MR. G. MERCIER: Mr. Speaker, a question to the Attorney-General. Could he indicate whether or not as a result of the report made to the Director of Prosecutions, Mr. Guy, whether criminal charges have been laid or will be laid in the very near future involving the Morgentaler Clinic?

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: I am unable to answer that question at this time. The Director of Prosecutions has received a report from the police; is presently reviewing it together with senior counsel Mr. Jack Montgomery; discussed it this morning at the regular meeting with the Deputies and discussions are continuing between the Director of Prosecutions and senior counsel to evaluate the evidence.

Drivers' licences - validity

MR. SPEAKER: The Honourable Member for Virden.

MR. H. GRAHAM: Thank you very much, Mr. Speaker. I have a question for the Minister of Highways. It's been brought to my attention that there are some countries in this world where drivers' licences are not recognized by the Province of Manitoba - I am talking about valid drivers' licences - and yet they're recognized in all the other Provinces of Canada. Could the Minister indicate to me which countries this province refuses to recognize official drivers' licences?

MR. SPEAKER: The Honourable Minister of Highways.

HON. S. USKIW: Mr. Speaker, I am afraid I am unable to give the member that kind of information without notice, but I will get the information for him.

Rail rights-of-way - sale

MR. SPEAKER: The Honourable Member for Minnedosa.

MR. D. BLAKE: Thank you, Mr. Speaker. My question is also for the Minister responsible for Transportation. My question to the Minister is, we're pleased on this side of the House to see some action now taking place in connection with the sale of the abandoned rail rights-of-way, and I corresponded one case to the Minister a few days ago in my particular area. But could the Minister inform the House what policy the government

is following in establishing the price for the land that is being offered to municipalities and subsequently to the farmers on the right-of-way?

HON. S. USKIW: Mr. Speaker, I believe - it is a memory answer - that the Land Appraisal Commission establishes the value and from that point on, we proceed to transfer directly to rural municipalities on a priority basis or LGDs or towns and villages where they have an interest in purchasing the land - or for other government departments. Otherwise the lands are tendered and of course the highest bid then will . . .

MR. D. BLAKE: A supplementary question, Mr. Speaker. I wonder if the Minister might check with the Land Value Appraisal Commission if they have been charged with establishing the value of these various parcels of land, because there seems to be an extreme variation in the pricing. I just don't know how they arrive at a price because some of these abandoned rail sites, it's going to cost the farmer far more money to level it and to use it than the land is actually worth. If the farmer doesn't take up the option or the opportunity to buy that land, I don't know who's going to be responsible for it. If it's left, it will become a weed-infested area.

HON. S. USKIW: Mr. Speaker, I did neglect to mention that where we have farmers who have lands adjacent to rights-of-way, they are not subject to competitive bidding. They are able to purchase, based on appraised value for obvious reasons.

With respect to the Member for Minnedosa's last question, I would have to take a look at that, Mr. Speaker.

Constitutional amendments

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, under normal circumstances of House management, it would be considered that we were coming somewhat close to the end of the Session with Estimates being almost completed. My question to the Government House Leader is, in view of the fact that they've indicated that there will be three amendments, three resolutions proposing amendments to the Constitution of Canada presented to this House, can he advise when those resolutions will be introduced.

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: I expect that the resolutions will be introduced shortly after the 15th of this month. With respect to the resolution dealing with aboriginal rights, that now is ready to be put on the Order Paper, and I will be doing so in the next day or so. With respect to the resolution on Section 23 of The Manitoba Act, there are some wording questions to be worked out yet with government drafters. As soon as that is ready, I expect to be in a position to put that on the Order Paper, and probably give notice by about Monday of this week. With respect to the resolution on property

rights, that should come forward about the same time. So, all in all, sometime between the 15th and 20th of this month.

Number of Bills this Session

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, can the Government House Leader advise how many bills are yet to come? Bills have been appearing on the Order Paper and on our desks with great frequency lately.

HON. R. PENNER: I will take as notice so I can give a more precise answer - I'll be able to give an answer to that tomorrow. The Member for Turtle Mountain may recall that when I was asked this question before, I think I estimated something in the order of about 35, and if one just deducts from that number, the number already distributed, one can come fairly close to the number yet to be distributed.

MR. B. RANSOM: Mr. Speaker, can the Government House Leader advise what opportunity there will be for public input on the constitutional resolutions?

HON. R. PENNER: Did he say on the constitutional resolutions or the constitutional resolution? — (Interjection) — Yes, I'll take that as notice.

MCPA - funding

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOWNEY: Mr. Speaker, I have a question to the Minister of Agriculture. In view of the fact that he is introducing legislation to take away the funding for the cattle producers organization, is it his intent to have the Manitoba Beef Commission replace that organization?

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. B. URUSKI: Mr. Speaker, the premise of the honourable member's question is absolutely wrong. We are not taking away the funding. Mr. Speaker, the purpose of the legislation is to make the organization voluntary, and following on previous statements of the honourable members opposite that this organization is supported by 15,000 cattle producers in the province, surely, a voluntary organization - and we would want to support that kind of an organization - would be able to receive the support of producers who would continue to fund this organization, Sir, and we are not in fact taking away the funding of MCPA.

Beef marketing board - proposed

MR. J. DOWNEY: Mr. Speaker, in view of the fact that there is quite a lot of inconsistency with this government in that they're moving to funding political organizations by compulsion with the taxpayers' money, will the

Minister of Agriculture allow the beef producers the free democratic right to vote on the beef commissioners in Manitoba?

HON. B. URUSKI: Mr. Speaker, first of all, it appears that the honourable member has little faith in the organization that he created when he was Minister of Agriculture, that producers will not be supporting that organization in the assumptions that he has made in the questions that he has put forward.

Mr. Speaker, what has been put forward to us is that there should be an advisory committee to the Beef Commission, and certainly that is a consideration that should be reviewed by us; but in terms of a commission that is appointed and responsible to the government at a time in the future, there likely will be, if producers so desire, a move to an elected board. It will no longer be a commission at that time when it is an elected board, but at this point in time, the marketing and stabilization functions are performed by the commission.

MR. J. DOWNEY: Mr. Speaker, is the Minister telling us that he is changing the Beef Commission to a compulsory marketing board for beef cattle in Manitoba?

HON. B. URUSKI: No, Mr. Speaker, I certainly have not stated that. The honourable member asked me in his question whether we were going to replace the MCPA with the Manitoba Beef Commission. I indicated to the honourable member that some proposals have been put forward as to whether or not there should be an elected advisory committee to the commission, and those are certainly interesting suggestions, Sir, and we would certainly want to review those kinds of suggestions.

MR. J. DOWNEY: Mr. Speaker, will the Minister of Agriculture allow the beef producers a vote on whether they have a beef marketing board in Manitoba or whether they don't have?

HON. B. URUSKI: Mr. Speaker, when producers decide that they wish to have an elected board, at that time, a vote would be held in terms of the election of the board as to whether or not they want that kind of an organization.

Red River Co-op closure

MR. SPEAKER: The Honourable Minister of Labour.

HON. M.B. DOLIN: Thank you, Mr. Speaker. Last week, my colleague, the Minister of Consumer and Corporate Affairs, took as notice a question regarding plant closure legislation.

I would like to reply to that question to members opposite that they probably have noticed in the recent ads that were in the paper regarding the Labour Law Review public hearings to be held this month and next, that particular item and issues surrounding plant closure legislation were requested to be brought before these public hearings. We will be dealing with the issue of plant closure legislation in the first of the new codified

labour law to be brought in next Session. I believe that full hearing will be given to this very important issue, the need for adequate information, the need for reasonable notice; all of the issues surrounding the difficulties of plant closure after public hearings with the Labour Law Review.

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

MR. G. MERCIER: Following upon that answer from the Minister of Labour, Mr. Speaker, I would ask her whether the government will be publishing a position paper with respect to their position on the proposed Labour Law Review.

HON. M.B. DOLIN: I am not sure, Mr. Speaker, exactly what the honourable member means as to our position on the Labour Law Review. Obviously, this government is in favour of having a Labour Law Review; that's why we're doing it. The public hearings are just the first part of the consultative process that we intend to have take place throughout this Labour Law Review. It will be going on for some time because of the interest of the people who wish to appear before the public hearings. The time was extended; another set of hearings will take place in July. There will be papers developed, summary papers, from those public hearings. Anyone who wishes to monitor the public hearings could do so. That paper will then be dealt with by myself, by other people. There will be consultation following that. There will be a developmental series of events surrounding the review of our labour laws.

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

ORDERS OF THE DAY COMMITTEE CHANGES

MR. SPEAKER: The Honourable Member for Riel.

MRS. D. DODICK: Mr. Speaker, on Law Amendments: Elmwood for Radisson; The Pas for St. James; and Dauphin for Selkirk.

MR. SPEAKER: The Honourable Member for Emerson.

MR. A. DRIEDGER: Mr. Speaker, I have changes on the Committee for Law Amendments: Downey for Filmon; Hyde for Nordman; Ransom for Hammond.

ADJOURNED DEBATES ON SECOND READING

MR. SPEAKER: The Honourable Government House Leader.

HON. R. PENNER: Mr. Speaker, would you please call the Debate on Second Reading in the following order: Bills 2, 3, 14, 60, 73 and 55.

BILL NO. 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 Rhineland.

MR. A. BROWN: Thank you, Mr. Speaker. When the Minister first introduced this bill on The Law Enforcement Review Act, he said and I quote, that "This bill would promote a high standard of professional conduct among police officers in Manitoba."

Mr. Speaker, what this bill is going to do, it is going to cast a cloud of suspicion upon municipal police forces. This bill implies that there is great personal abuse of persons apprehended and that we must set up regulations to assure that no abuse occurs. Mr. Speaker, why is there a need for this bill? Is it because someone who resists arrest and, in the process of being apprehended, he or she is bruised? I would say that this constitutes the major complaints that are coming forward. It is when you resist arrest, that's when you become bruised.

Police forces deal mainly with irrational persons; persons who for some reason or other have not been able to fit in with society and rebel against society, and these are the kinds of persons that are irrational, as I stated, that get into trouble with the law. I must admit that sometimes rational people also do come into conflict with the law, and that rational people also sometimes become irrational for various reasons. One of the reasons, I suppose - this is what the police officers tell me - is that family quarrels constitute a lot of the problems where rational people become irrational, and great danger can exist when the police go down to try to look into the family quarrel.

When a person resists arrest, he or she places the police officer's life in danger and force has to be used to apprehend them. When force is used, bruises occur, and the toughs, who are so brave in resisting arrest, are also the biggest cry babies and the first to lay charges of police brutality.

This bill does nothing but assist the person who is resisting arrest and places the police officers in a hopeless position. Force sometimes is needed to apprehend but when bruises or injury occur, the police officer knows that a complaint will be laid and he will appear before a commission on which members of the police force are going to have no representation, and he knows that the complaint is going to be lodged in front of a commission where the police force, initially, is going to have no say-so. Mr. Speaker, that is an intolerable situation.

Mr. Speaker, if the Attorney-General is concerned about injuries occurring during arrest, or the questioning of a person apprehended, then he should first place a penalty on any person resisting arrest or on any person failing to co-operate in any procedure that follows. If a person, however, resists arrest or does not co-operate and is extremely offensive, then complaints should not be justified. This would give police officers some protection and would do away with much of the injuries that occur presently on which complaints are based.

As I already stated, the Attorney-General, through this bill, is going to make law enforcement officers' duties intolerable. Rather than assisting law enforcement officers, he is assisting offenders. In this

bill, the Attorney-General is addressing himself mainly to the larger police forces such as Winnipeg and Brandon. The problems of law enforcement in smaller communities seem to be forgotten.

HON. R. PENNER: No, we've got our eye on Winkler.

MR. A. BROWN: Good. I'm glad to see that the Attorney-General says that they have their eye on Winkler, because it's communities such as that that do have a very special problem. For example, the problems of a municipality that require only one or two police officers are very much different than those that we see in the larger communities. When these municipalities advertise for a law enforcement officer, more than likely the successful candidate will have had no previous experience, because experienced persons prefer to be members of a larger police force and they will not apply for a job in which he is going to be probably the only or maybe one of two members on that particular police force.

When this unexperienced person is employed, more than likely he is given a gun and told to go out and protect the community. Mr. Speaker, this person has received absolutely no training; he or she has no idea of what their rights or objectives are because a training period is not mandatory. Unless the Attorney-General provides a training facility and makes it mandatory that each law enforcement officer must have at least a minimum of three weeks training, then this bill is grossly unfair to such a law enforcement officer. There is no way that this kind of person can be familiar with all the rules and regulations governing policemen or policewomen.

At present time, there is no such training facility available and this should be the Attorney-General's first prerogative, to provide such a training centre. This would ensure uniformity of instruction to police officers.

Mr. Speaker, this bill is ahead of its time because these things need to be attended to first before we impose a bill such as this upon our police forces. Another area of concern that police officers have repeatedly pointed out to me is, at the present time, it is not required that a person's photograph appear on his driver's licence. In many instances, it is imperative that visual identification be made available to police officers. There are many many instances where a person loses his driver's licence and next day again he's out driving because he has borrowed a driver's licence from somebody else. The police officer has no way of proving that this person is not the person appearing on that driver's licence because visual identification is not there. Now this would be a great help to police offices if this kind of visual identification was there, and many provinces already have instituted this. So I would like to ask the Attorney-General to take a look at this and help make the duties of the police officer, especially in the rural area, a little easier.

Another area of concern is that there is no means of communication between the various areas in rural Manitoba from one municipality to the next municipality. There is no co-ordination. If you're a small municipality that has only one police officer or two police officers, more than likely the vehicle that he is using has no telephone, possibly no radio. There is no form of contact

with the enforcement officer in the next municipality. This is also essential; it is very essential. All these things, Mr. Speaker, they need to be implemented before we go into a bill such as this.

I would suggest, Mr. Speaker, that the Attorney-General should give very serious consideration to the establishment of a provincial police force. I know that such a move would receive good acceptance amongst most municipalities.

HON. R. PENNER: We have the RCMP.

MR. A. BROWN: The Attorney-General is saying the RCMP. I know that the Attorney-General must have had enough communication with Ottawa on the RCMP that he knows this is not going to be available to Manitoba unless at a cost that would be much greater than if we were to establish our own police force. I would like the Attorney-General to take a look at this. I would like him to poll the municipalities and see what they have to say in regard to our provincial police force. If they're not favourable to a provincial police force, then, at the very least, have some kind of a training facility available where policemen or law enforcement officers could receive their training so that we would have some uniformity of training within this province. This would ensure that each officer received the proper instruction, and it certainly would give us the co-ordination and the communication that we need in rural Manitoba; that is, if a provincial police force was to be put into effect. All these things need to be done before we pass this piece of legislation.

Mr. Speaker, the Attorney-General seems to be much more concerned about establishing a review board to accommodate complaints lodged by persons who have been apprehended or, indeed, friends, because I understand that also third parties will be able to lodge complaints. Then he is concerned about a properly educated and trained police force. Now, this is a big concern of mine, Mr. Speaker, and it is indeed the concern of many Manitobans, as he will find out when this bill is before committee and presentations are being made on this bill.

My colleague, the Member for St. Norbert, urged the Attorney-General to withdraw this bill at this stage and give the whole subject an intensive review between now and the next Session of the Legislature. I concur with that thought, Mr. Speaker. This would also give the Attorney-General time to look into the other areas of concern that I have mentioned. My colleagues, the Members for St. Norbert and Fort Garry, have covered other areas of concern, and there is no need for me, Mr. Speaker, to reiterate their comments because they covered the topic quite adequately.

Mr. Speaker, it is grossly unfair to impose an Act such as this upon our police force when, obviously, other concerns I mentioned need much more urgent attention than this bill. I cannot support this bill at this present time.

MR. SPEAKER: The Honourable Member for Minnedosa.

MR. D. BLAKE: Mr. Speaker, I beg to move, seconded by the Honourable Member for Swan River, that debate be adjourned.

Someone wishes to speak, Mr. Speaker. I have no difficulty in allowing him to speak, as long as the adjournment stands in my name.

MR. SPEAKER: Is that agreed? (Agreed)
The Honourable Minister of Housing.

HON. J. STORIE: Thank you, Mr. Speaker. I would like to just take this opportunity to put a few remarks on the record and, certainly, I'm sure we will all wait for the Member for Minnedosa's comments as well.

Mr. Speaker, I want to say at the outset that many of the comments that have been made with respect to this province's - and many of the communities in this province - respect for law and order goes without saying. Members on this side, Mr. Speaker, respect and admire the way that the police forces that operate in this province carry out their duties. By and large, I think that most Manitobans acknowledge that policing in any age is a difficult occupation, and one that is deserving of our respect and our admiration. I think I quite agree with the Member for Morris when he says that, by and large, all of our constituents have a respect for police forces, for the individuals who hold those offices and for the way they carry out their duties. No one is suggesting that there is some malignancy or whatever inside the police force which this bill intends to purge. Clearly, that's not the case.

Mr. Speaker, it's more an issue of individual freedom; certainly would not conflict with the Bill of Rights that was introduced federally by a prominent Tory. Mr. Speaker, respect of law is not the question. Because one introduced a bill of this kind is no indication that they have any disrespect for the law. In fact, Mr. Speaker, I think it simply indicates that while one can have respect for the law, that doesn't mean that one has to bow down to a tyranny of law, or that those who enforce the law are in some way above the law. Mr. Speaker, we see around the world too many instances where abuses occur of the powers that are granted from time to time to police forces and to quasi police forces, military police forces, as an example.

Mr. Speaker, I don't intend to get to that because I wouldn't want to lead members opposite to conclude that that is a position that we see ourselves moving toward. Mr. Speaker, what we want to do is exactly the opposite and, when the Attorney-General introduced this bill, he indicated that he did so to ensure that the respect that the public has for the police force was maintained; that there could be a confidence on the part of the public that the police forces were acting within the law, that they were acting in a way that respected the law. As I've said, we're convinced that the majority of police officers conduct themselves above the law and, certainly, within the guidelines of the law.

However, Mr. Speaker, as the Member for Rhineland was indicating, there are times when very rational people will act very irrationally, and that applies to police officers as much as it applies to anyone else. That applies to all of us and certainly it is the case that a very rational police officer, an officer with an impeccable record, could clearly overstep the bounds that would be normally acceptable, in terms of police practice; and acceptable to the community at large, and violate the individual rights of a person whom he was rightly, or

wrongly, investigating or interrogating or arresting. So somehow there has to be a system of checks and balances to ensure and to allow the public to have confidence that police forces, despite their merits, are not allowed to operate outside of the law.

Mr. Speaker, just out of curiosity I was reviewing some of the debate that occurred as a result of the McDonald Commission, actually which instigated the McDonald Commission. I was reviewing some of the comments from various members of Parliament on this issue and questions that they were asking in the House on this issue, and it intrigued me to find that, almost without exception, the concerns that were raised, particularly by members of the Conservative Caucus in the Federal Parliament, were questions relating to impropriety on the part of Liberal Cabinet Ministers, or Members of the Liberal Caucus, rather than questions that dealt with the fundamental issue of whether any police force had the right to operate outside the bounds of the law.

Mr. Speaker, it bothered me in some sense to find that no member of the Federal Conservative Party was bringing up the question of whether, in fact, the public had the right to know and to be assured that police officers were, in fact, following the laws that they expect other civilians to follow. In looking through the record, from 1980 up to the present day, it is clear that their preoccupation was, not with the question of whether police forces should or shouldn't be involved in a specific activity, but rather questions that seem designed to implicate somehow Liberal members in some sort of conspiracy. That may be an issue, but I think the broader issue and the principle that needs to be expounded upon is one of whether the public has a right to have an independent, an arm's length body, which will investigate complaints relative to the performance of police officer's duties.

Mr. Speaker, despite the differences of opinion which are obvious between various members of municipal police forces and police commissions, I think that the police themselves recognize the principle that underlies this bill. In fact, Mr. Speaker, the Chief of Police, Ken Johnston, is reported to have acknowledged that he could accept the principle of an independent body to investigate complaints. He limited the powers of that body to investigating complaints about unnecessary violence, or excessive force, and the abusive language by police. He saw some limits being placed on what the commission or the board would be in power to investigate, but he understood and he recognized the principle. I think that Manitobans, by and large, recognize and accept the principle that an independent body, some group, some individual, at arm's length from the police force, is going to be most effective and is going to instill the kind of confidence in the activities of police forces that's required in the province.

Mr. Speaker, for those people who have read the bill I think, contrary to what has been implied by members opposite through a number of their speeches and remarks that they've made outside the House, that this piece of legislation is styled in a manner which certainly does not, first of all, take any substantive authority away from the Chief of Police, which is a concern to them. The question of whether they would lose the right to discipline their own members is clearly a misleading suggestion, because the only time that this commission,

the commissioner or the board, would be activated would be on those occasions where a complaint was filed. It is certainly to be anticipated that internal disciplinary action will be taken on a far greater number of occasions than on those occasions where there are complaints.

I am sure that anybody that's worked inside the police force recognizes that frequently members bend the rules that they operate under, and the discipline that's required, of course, comes from the Chief of Police because I don't expect, we don't expect, that this Commission is going to be inundated with complaints.

MR. D. BLAKE: Then we don't need the bill.

HON. J. STORIE: The Member for Minnedosa says well we don't need the bill. Mr. Speaker, if one person goes without justice, if one person is dealt with in a manner which is neither consistent with the law, nor consistent with the appropriate code of ethics that policemen operate under, then that is justification for this bill alone.

Mr. Speaker, we have an example, and strangely enough it comes from the rural south, and we have a recent example where the Manitoba Police Commission has ruled that a former Member of the Winkler Municipal Police Force did act in an inappropriate way. In fact, it criticized the Winkler Police Commission because they failed to take seriously the complainants charge. Mr. Speaker, they met, discussed the issue and, without even inviting the complainant in to present his own case, dismissed it. I think the Manitoba Police Commission quite rightly decries that kind of easy dismissal and easy denial of an individual's rights; that's the issue, whether the public would have more confidence if, in fact, an individual could go to some outside body, rather than having to go to the individual officer who may or may not have been involved, or to the Chief of Police of that particular force, and have the problem investigated internally. I don't think that many of us would find that a particularly comforting position to be in, where a complainant is making an allegation which may not be overly serious, but which, for whatever reason, we feel is a justifiable complaint, and then to have that complaint investigated internally is not always going to be acceptable.

Certainly, as I've indicated, we don't expect the commissioner or the board to be inundated with complaints. However, the fact that it exists, the fact that there are occasions when normally rational people do behave irrationally, and that applies to police officers, there are going to be occasions - the example in Winkler may be one of them - where there is a legitimate need for this kind of legislation and board.

Mr. Speaker, the Member for Morris suggests that the existing system works. The problem is that if the Member for Morris had been reading the papers recently, he would have been aware of an anecdotal report of the life and times of two Winnipeg detectives who indicated some of the methods that they used in enforcing the law in this city. Clearly, Mr. Speaker, there are times when the laws are bent and simply because the Member for Morris says that — (Interjection) — Mr. Speaker, the laws that we are talking about and the manner in which they're enforced are fundamental

issues to our way of life and to the freedoms that we supposedly have; and to say that it's all right, the present system we have is adequate, when we find examples, not only this week but in the recent past, where the system has failed individuals, I think that the concentration on a number of issues like that on the part of members opposite doesn't do this bill justice at all.

Another suggestion was that this kind of legislation is going to bring out all kinds of frivolous and vexatious complaints on the part of the public, and the legislation again gives the commissioner power to override any particular complaint, to do an investigation, not a formal one, but to do one and to determine whether in fact there is any real issue behind the complaint. So I suppose we will have to accept the possibility that we will err in favour of rights of the individual rather than err in favour of the rights of the system, as it were; that the police system is certainly more capable of looking after its own particular interests than the individual.

Mr. Speaker, I think, just briefly, in going over this bill - it's obvious to me anyway - that this bill has received a good deal of consideration on the part of police forces, on the part of people interested in law enforcement; and had it been given, I think, a very flexible format whereby the commissioner has certain powers to investigate, to dismiss frivolous complaints - certainly, the question of discipline has been left, I think, in large measure between the commissioner and the Chief of Police and the respondent - so that there is no imposition of some outside system.

I think, if you look, Mr. Speaker, at Section 27 of the bill, which deals with the possible disciplinary defaults, that we have a very realistic and all-encompassing list of potential abuses and certainly none of those, I don't think, members opposite would take issue with; that those, in fact, are reasonable grounds for complaint. Within those various defaults, there is certainly potential for abuse, and they set the framework under which a commissioner will be doing his investigation and either proceeding to move the complaint on to the board for review, or discussing it, and perhaps providing an informal settlement between the respondent and the Chief of Police. So I don't think it's the tremendous bureaucratic nightmare that perhaps could be foreseen by members opposite.

I think that it will work to help those individuals who, for whatever reason, feel that they have a legitimate complaint against the police force. It will ensure that their rights are protected, that there is justice not only as seen to be done, but is actually done; and I'm sure that when Manitobans are aware of the full import of this bill, they will support it. It is not the Draconian measure that some people seem to imply; it's certainly one that I think will make Manitobans more secure; that any justice that is meted out, is done so impartially and in the best interests of both the individual and the police system.

Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER, P. EYLER: Is it agreed that Bill 2 will stand in the name of the Member for Minnedosa? (Agreed)

BILL NO. 3 - THE FARM LANDS OWNERSHIP ACT

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

MR. G. MERCIER: Mr. Speaker, the Attorney-General made a comment, I think, about how seeding has gone on my farm or something to that effect. I want him to know, though, Mr. Speaker, interestingly enough, for someone with an urban riding, there is a great deal of interest in agricultural matters among residents of my constituency; particularly in view, Mr. Speaker, of the closeness of my constituency to the University of Manitoba and the Department of Agriculture, and a considerable number of professors and lecturers do reside within my constituency and, of course, have a great interest in all matters related to agriculture and this is indeed one of them.

Mr. Speaker, I chose to speak on this bill with respect to how the Charter of Rights may very well affect the provisions of this bill. There are a number of organizations who have chosen to comment on this bill in past months; who have raised the point that the Charter of Rights may very well invalidate the number of provisions within this bill. I'm going to, Mr. Deputy Speaker, with respect, use the material that the Attorney-General authorized in a study of the impact of Canadian Charter of Rights and Freedoms in Manitoba Statutes that was done last summer, I believe, under the guidance of Professor Gibson, employing a number of students from the University of Manitoba Law School.

Mr. Deputy Speaker, I will have to refer to a number of specific sections in the bill, but I want to say to you, Sir, that I only do so with respect to attempting to demonstrate a principle that is involved. I'm going to work, Mr. Deputy Speaker, from Page 40 of the report which was done with respect to The Agricultural Lands Protection Act as it presently exists, prior to the introduction of Bill No. 3.

The first comment that was made, with respect to the impact of the Charter of Rights on the existing legislation, we might call the old legislation, was with respect to Section 2(1) of that Act, and Section 2(1) of the old Act said that "accept as may be otherwise permitted by this Act to the regulations, an ineligible person shall not purchase, or otherwise, directly or indirectly, acquire land in Manitoba which would result in that person owning or having an interest that exceeds the aggregate 20 acres." An ineligible person, Mr. Deputy Speaker, of course, was defined as a person that was not a resident of Canada, and included a foreign-controlled corporation.

The judgment of the report was that this section restricts land acquisition by non-residents of Canada, might possibly be a prima facie breach of Charter, Section 7 and 15, but likely reasonable. Of course, now, Mr. Deputy Speaker, we have a prohibition against residents outside of the Province of Manitoba, but residents of Canada. I just point out for the record, the previous restriction was with respect to non-residents of Canada; now we have restrictions against non-residents of Manitoba. At first glance, Mr. Deputy

Speaker, if the concern expressed about the impact of the Charter of Rights was with respect to the old legislation which only restricted non-residents of Canada, then obviously the impact is much heavier with respect to this legislation which restricts non-residents of Manitoba.

Section 7 and 15 of the Charter of Rights were cited, Mr. Deputy Speaker, as Section 7 refers to "the right to life, liberty and security of the person"; Section 15 refers to "every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination". Mr. Deputy Speaker, I cite these and I'm glad the Attorney-General is here because I think, in view of the report which he had requisitioned from Professor Gibson, after I've spoken I hope that he will have Legislative Counsel indeed review the provisions of Bill 3 which we have before us, because I think the Attorney-General and his Legislative Counsel are probably going to conclude that it may be necessary either to opt out of the Charter, or it may be necessary to change the provisions of this bill significantly.

What was not referred to by Professor Gibson's report, Mr. Deputy Speaker, was Section 6(2) of the Charter of Rights and no doubt he did it because of the provisions of the old bill, but Section (2), with respect to mobility rights, states that every citizen of Canada and every person who has the status of a permanent resident of Canada has the right (a) to move and to take up residence in any province; (b) to pursue the gaining of a livelihood in any province. Mr. Deputy Speaker, every citizen of Canada has the right to pursue the gaining of a livelihood in any province.

The purchase of farm land no doubt is something that is done pursuant to the gaining of a livelihood in any province. There is a limitation in Subsection 3 of Section 6, Mr. Deputy Speaker, that says "the rights specified in Subsection 2 are subject to (a) any laws or practices of general application in force in the province, other than those that discriminate among persons primarily on the basis of present or previous residence." My reading of this, and I'm always pleased, Sir, I don't hold myself out as the final authority on the law on any subject, but I'm raising these questions. I say that my reading of Section 6, particularly, says that every citizen of Canada has the right to pursue the gaining of a livelihood in any province, which means he has a right to purchase land; and a province cannot discriminate among persons primarily on the basis of province. That's what Subsection 3 says.

Mr. Deputy Speaker, I think there is, in the Charter of Rights, some significant rights of Canadians, to purchase land in any province in this country, that the Minister of Agriculture, the Attorney-General, and the government are going to have to consider very clearly and carefully before pursuing this matter, unless they wish to pass a bill that may very well be struck down, Mr. Deputy Speaker, in whole or in part, as being in violation and in contravention of the Charter of Rights.

Now there are a number of others sections, Mr. Deputy Speaker. — (Interjection) — I'm very glad to have the Member for Arthur present during this debate, Mr. Deputy Speaker. The Member for Arthur wasn't sure of my knowledge of agricultural matters, Mr. Deputy Speaker, and I'm attempting to indicate some knowledge. Professor Gibson's report referred to Section 9 of the old legislation. Of course, it's still the existing legislation; Section 9, under which the Minister had the power to order an investigation, including

inspection of documents. The comment from Professor Gibson was that it is probably reasonable.

A MEMBER: What section are you referring to?

MR. G. MERCIER: I'm referring to Section 9 of the old legislation. The comparable section in the new legislation is Section 8(2), as I gather, and perhaps Section 11(2) Compulsory Production of Books. Section 8.2(d) requiring any person to submit information in such form as it may require. Subsection 8(e), this legislation requires any person taking, requiring, receiving, or holding an interest in farm land to submit to it annually such information in such form as it may require, and I simply want to point out, with respect to these sections, under which the Minister has even greater powers of investigation, to require information to be submitted to him on an annual basis, Mr. Deputy Speaker. If you can imagine, any person having an interest in farm land can be required, on an annual basis, to fill out forms and file information with the Minister of Agriculture or his Board.

Professor Gibson's Report, on the old legislation, which did not go as far as this, I don't believe, Mr. Deputy Speaker, indicated that the language in the old legislation would probably be read down to permit only reasonable exercise of the powers. What I'm saying is it would appear, in this legislation, the new bill, that the power of the Board, with respect to investigation, and to what many people usually call snooper legislation, is much broader, is that these sections may very well be at least read down, as Professor Gibson indicates in his report, so they should be subject to some review by the government.

Mr. Deputy Speaker, Professor Gibson commented on Section 16(6) of the existing legislation which states that, "Section 88 of The Manitoba Evidence Act does not apply to the board." The same section is in Section 8(4) of the new legislation and says the same thing. Professor Gibson had said, "This section states that public notice of hearings is not required." That's what Section 88 requires, Mr. Speaker, by virtue of saying that it does not apply, public notices of hearings are not required. Professor Gibson indicated that freedom of the press may be unreasonably restricted. So, again, we have a section that is in the existing or old legislation; it's been carried forward to the new legislation, but it may very well be subject to be in contravention of the Charter of Rights.

Mr. Deputy Speaker, Professor Gibson commented on Section 16.1(1) with respect to the liability of Members of the Board and employees. This section attempts to abolish any liability for acts done in good faith. Professor Gibson points out that this immunity for negligence, etc. may not be reasonable. This area is a problem in a lot of pieces of legislation that have come before this House in years past, and probably will continue. Members of boards want to have relief from liability for acting as members of those boards, and a number of pieces of legislation have been passed, probably while we were in government and before, that attempt to do that, but the government and Legislative Counsel and all members of the Legislature should consider really whether such wide relief from liabilities should be granted to members of any board. It seems

to me they should continue, as a matter of rightness and justice, to continue to be responsible for negligence. The government can take out insurance or fund it in whatever way they want, but certainly a citizen should be entitled to bring an action against a member of any board for negligence; and I think, Mr. Speaker, that is the point that this report is trying to make and this section, itself, may be considered not to be reasonable.

The report goes on to comment on Section 16(2) of the old legislation which states that, "For the purposes of this Act, the onus of proving whether a person or corporation is a resident of Canada lies on that person or the corporation, as the case may be." The effect of that section is continued in Section 10 of the new Act, Bill 3, which provides, in greater words, but the same thing, "the onus of establishing that an interest in farm land will not be, or is not, taken, acquired, received or held contrary to this Act, lies on the person taking, acquiring, receiving or holding, or proposing to take, acquire, receive or hold, such interest in farm land."

Mr. Speaker, the report of Professor Gibson indicates that the onus of proving residency lies on the person in question to the extent that the section is employed; re an offense with which the person is charged. This appears to offend Charter Section 11(d), the section which says, "Any person charged with an offense has the right to be presumed innocent until proven guilty, according to law, and a fair and public hearing by an independent and impartial tribunal." He goes on to state where it is used in a non-penal context it may offend Section 7 if it covers the liberty to acquire land; and he, I believe, in this particular case, Mr. Speaker, is quite clear in saying that this section is obviously one that can be challenged because it is attempting to put the onus on the person, who has the interest in farm land, to prove that he has not done so contrary to the Act.

So I raise these items, inasmuch as they were prepared for the Attorney-General in a report by Professor Gibson on the existing legislation, and it would appear, as I have indicated, that many of these sections are carried forward, excluding the vast extension or prohibition against the right of residents outside of Manitoba to acquire farm land in Manitoba; other than that, the other sections that I've referred to appear to be carried on in the same manner, perhaps powers of investigation or snooping are greater, and those should be looked at with respect to contravening the Charter of Rights. With respect to the first point, and the main point of the difference in the legislation, that being the restriction on non-residents of Manitoba to own land of more than 10 acres, it would appear that particular section could very well be challenged.

HON. B. URUSKI: Will the honourable member permit a question on the point that you just made about onus?

MR. G. MERCIER: Sure.

HON. B. URUSKI: The honourable member raised the question about the onus provisions in the new bill being similar to the present legislation that is now in effect.

Is the member aware that the proposal put forward by his administration was to place the onus on the

farmer; and it was as a result of debate and amendments put forward by members in opposition at the time that removed the onus on the farmer? It was his administration that was putting the onus on farmers as to making sure they knew who was buying the land, and those amendments were put into place in May of 1981.

MR. G. MERCIER: Mr. Deputy Speaker, no, I'm not aware of that. All I know here is that Section 10 of this legislation puts the onus of establishing that an interest in farm land will not be contrary to that on the person who has taken such an interest in the land, and that may very well be contrary to the Charter of Rights.

The most important principle though, and danger, Mr. Deputy Speaker, is the one that whereby the government intends to attempt to prohibit non-residents of Manitoba from owning more than 10 acres of land. That, Mr. Deputy Speaker, could very well be subject to contravening Section 6 of the Charter of Rights, Section 7 of the Charter of Rights, or Section 15 of the Charter of Rights.

I would urge the Minister of Agriculture or the Attorney-General, Mr. Deputy Speaker, to seek a legal opinion on the matters that I have raised today; and because of concern expressed by a number of groups who have made briefs to the government and to the Minister of Agriculture on the possible infringement of the Charter of Rights and Freedoms by this legislation; and provide for the members of this Legislature a thorough, independent, legal opinion as to the constitutionality of the bill that is before us. I think that is required, Mr. Deputy Speaker; otherwise, the Legislature is in grave danger of passing a bill that could very well be struck down by the courts.

Thank you, Mr. Deputy Speaker.

MR. DEPUTY SPEAKER: The Member for The Pas.

MR. H. HARAPIAK: Mr. Deputy Speaker, coming from an agricultural community that is still to be recognized as being a forest potential that exists there, I would also like to make some comments on this bill. Mr. Deputy Speaker, the question of placing legislative restrictions on the purchase of farm lands is a controversial one indeed. We on this side of the House recognize that instituting such a measure will lead to a tremendous advance toward preserving and strengthening the family farm in Manitoba.

It will also enhance the opportunities for beginning, existing and future farmers by supporting the development of rural communities and stabilizing land prices and their relationship between the land prices and the productive capacity of the land. The members opposite, however, express opposition to The Farm Lands Ownership Act, and argue that not only will we fail to realize our goals if we implement this legislation, but we will also create additional problems in the process.

The Farm Lands Ownership Act, they argue, will further fragment an already divided Canada and nullify the preparation made for retiring farmers to provide for themselves after they leave their farm. They also say we trample on the rights enjoyed by Canadians to buy and sell property and to dispose of as they see

fit. Mr. Deputy Speaker, my colleagues have already indicated to this House that the concerns expressed by the opposition are not valid in view of the particular provisions of this Act. They have proven that once again the members opposite are simply posturing to present an oppositional stance to a measure that they are . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. DEPUTY SPEAKER: Order please.

MR. H. HARAPIAK: . . . a very real concern of most members of the farming community of Manitoba.

MR. DEPUTY SPEAKER: Order please.

MR. H. HARAPIAK: Therefore, Mr. Deputy Speaker, I will not use up the time allotted to me, or the valuable time of this House, in rehashing old arguments and stating points that have already been given and are without dispute. Instead, I will limit my remarks to outlining the positive contributions that this Act will make to the provincial agricultural base and to the rural communities of Manitoba, and to emphasizing the commitment of the NDP of enhancing these aspects of the provincial economic and social fabric.

Before I do so, Mr. Deputy Speaker, I would first like to deal briefly with a principal point of contention, and that so greatly separates the government's position on this issue from the stance taken by the members of the opposition. I am speaking here of the fundamentally different attitude that we on this side of the House take from the opposite with respect to the role that government should play in society. The members of the opposition have a very negative and a narrow perspective of what exactly should be a function of government. In this Session alone, Mr. Deputy Speaker, we have witnessed this narrow reactionary viewpoint on a number of occasions: When we introduced legislation providing for the mandatory use of seat belts, motorcycle helmets and child restraints; when we created thousands of new jobs with money allocated under the Jobs Fund; when we sought to establish a public presence in a provincial oil industry; and when we made an effort to improve the availability of housing in Manitoba so that as many Manitobans as possible could own their own homes. Mr. Deputy Speaker, whenever and wherever an effort had been made by this government to directly intervene in provincial affairs in any manner, the opposition has immediately objected and launched a barrage of criticism, excuses and weak arguments to express their beliefs that government should be limited, uninvolved and ineffectual.

We, on this side of the House, Mr. Deputy Speaker, do not adhere to such a backward view. Rather than asserting that government must be restrained and inert, we maintain that a government must be an active and a vibrant force and it must involve itself in a positive, contributive and compassionate manner in the ongoing affairs of its society. We recognize that there are problems and concerns facing the people of Manitoba and it's a resolution and a combination of these problems and concerns that is far beyond the means of most people acting in an individual capacity. Therefore, we see it as a central responsibility, Mr.

Deputy Speaker, for a government to function and identify these and to select the most effective approach to their solutions, and to take whatever actions are necessary to ensure that they are overcome or at least minimized.

Mr. Speaker, while we desire to commit the resource of the government to improving the position of all Manitobans, we are currently faced with an especially critical state of affairs in the farming community. High interest rates, increasing transportation charges, stagnant world markets, and the rising cost of seed, fertilizers, fuel and machinery are causing a crisis in the provincial agricultural sector.

Every day Manitoba farmers are faced with the threat of going broke, with a declining standard of living and with an uncertain future. In view of these developments, Mr. Speaker, our government has sought to engage the resources of the province in a battle to improve the future prospects for Manitoba farmers. Therefore we have established the Interest Relief Program for farmers, provided a Management Counselling Service, instituted a Guaranteed Loan Program, created the farm financial review panel, introduced a Beef Stabilization Program and we have also set up a Hog Marketing Board and played an active role in the fight to save the Crow rate.

Mr. Speaker, while we have clearly not solved all of the problems confronting farmers today, we have most certainly lessened the burden of these individuals and have insured that a large number of them will be able to successfully weather the current economic crisis they are facing at this moment.

Mr. Speaker, apart from the problems mentioned earlier, the plight of the Manitoba farmer has been further aggravated in recent years by the widespread practice of speculation in farm lands undertaken by non-farm corporations within the province and corporations and individuals outside of the province. Increasingly, the trend has been for the speculationist to buy up large blocks of valuable farm land, in many cases 25,000 acres and for many farmers in rural communities the consequences have been disastrous.

Mr. Speaker, for individual farmers the unregulated land speculations inflates the price of farm land and creates distortions between the price of land and its productive capacity. This in turn leads to the inflation of farmers' mortgage debt and the increased tax assessment. Under these conditions, Mr. Speaker, farmers who already face a severe cost-price squeeze, have their financial burden further aggravated and individuals seeking to purchase land to start up farming operations as well as existing farmers desiring to expand and enhance the viability of their farm operations, are prevented from doing so.

Mr. Speaker, if rural communities would rely on their livelihood for the support of farmers in a surrounding area — (Interjection) — Mr. Speaker, the people in the rural communities who rely on their livelihood for support of the farmers in the surrounding areas suffer because of the land speculation that has been going on. Because land speculation causes the ownership of larger and larger tracts of land to fall into fewer and fewer hands, the demands for the service provided by the agricultural towns and villages drops off sharply; the implement dealers and the machine shops and all the services that are required to service an agricultural

community have become depleted, in many instances they have ceased to operate.

It is clear, Mr. Speaker, that if land speculation is allowed to continue unchecked that we will inevitably witness the steady decline in the farm-supported towns and villages of this province. Eventually the family farm as we know it will cease to exist.

Therefore it is imperative, Mr. Speaker, that action be taken and that it be taken immediately. We simply cannot sit idly by and let the erosion of Manitoba's agricultural community take its course. We cannot permit individuals and corporations whose sole motive is profit taking and who have absolutely no link with Manitoba's agricultural traditions to continue to amass large land holdings and in so doing to destroy a way of life for thousands of Manitobans which has been a very strong part of our tradition. The time for action, Mr. Speaker, is now. It is time for the government to step in and oppose restriction on land speculation.

I am sure that the opposition will take offence to such action, Mr. Speaker. I am sure that they will cry socialism and they will expound upon the danger of state involvement and they will charge that the government will be attempting to collectivize Manitoba's agricultural sector and that they will invoke images of Marx, Lenin and Stalin. But pay no heed, Mr. Speaker, let them bluster on for when they are finished with their opposing, when they have completed their tirade of creeping socialism and then when the storm is passed, I'm sure they find a Manitoba that is safe for capitalism but the important thing is we'll have a Manitoba that is safe for the agricultural community of this province, Manitoba, that is committed to maintaining the family farm and for enriching the rural heritage that we hold so very strongly.

It is for this reason that I support the Farm Lands Ownership Act, Mr. Speaker. I believe that the problems caused by land speculation in this province are of crisis proportions and that steps must be taken to curb the purchase of farm lands for speculative purposes. However, I also support this legislation because I think it is a good law, because I think it accurately recognizes the nature of the problem at hand and deals with that problem in a forthright and positive manner.

Mr. Speaker, we on this side of the House strongly believe in an active and positive role for government in solving the problems that confront Manitobans. Currently one of these problems is land speculation. Now we could say that land speculation reflects market forces, that it is most efficient for only the strong to survive or that it is not the government's prerogative to intervene in the marketplace. But that is not how we think, Mr. Speaker. To us, Mr. Speaker, unrestricted land speculation has the potential for destroying a way of life and for wiping out towns and villages. Because of that commitment to the family farm and this province's agricultural tradition, we are not prepared to let the market forces prevail. That is why our Minister of Agriculture has introduced The Farm Lands Ownership Act and that is why I am offering my full personal support to the passage of this Act.

MR. SPEAKER, Hon. J. Walding: The Honourable Member for Niakwa.

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

MOTION presented and carried.

BILL 14 - THE ELECTIONS ACT

MR. SPEAKER: ON the proposed motion of the Honourable Attorney-General, Bill No. 14, standing in the name of the Honourable Member for Morris.

MR. C. MANNES: Thank you, Mr. Speaker. The Attorney-General's opening remarks, when he brought forward Bill 14, indicated that the previous amendments to The Election Act of 1980 brought forward many, many changes, and of course he congratulated the former government on some of those most necessary changes and he gave due credit. But he said that this bill, Bill No. 14, was necessary to make a few other changes not thought of at that time, and of course I always become suspicious when somebody first praises you and then lays his hand on your shoulder and says, "But," and then continues from that point. That appears to be exactly what may have happened in this bill.

In giving the bill some closer scrutiny, I believe it has some serious shortcomings, a number of which have been addressed by colleagues of mine earlier, and those fall into three main areas; firstly vouching, secondly continuous polling and thirdly, the dropping of vocations from the ballots. My colleagues presently have addressed most of these points but I'd like to try and put them all together if I can, Mr. Speaker, and bring about a scenario that, to me, is very worrisome, so with the indulgence of the members opposite who are listening so attentively, I will attempt to do that.

Mr. Speaker, it appears the intent of many of these changes are to make it easier or to afford a more or a better opportunity for the population to vote. The NDP seems to believe these basic facts, that there should be 100 percent voter turnout and if it is below that figure it must be because of some shortcomings in the present Elections Act, because I know their philosophy is such that people really wants to vote; everybody wants to vote but that, indeed, there's some stipulations, some regulations that are not in place today that are preventing the vote turnout from reaching that lofty total of 100 percent. So it seems to me that they've gone and delved into what they believe must be some of the problems and maybe they've had some of these concerns brought forward and they felt it was necessary to enact it in legislation.

In spite of laws which, of course, allow all employees time off - I believe it's four hours - to allow them to go to polls to vote, in spite of that, still 20 or 30 percent of the voting public do not come out to vote, and I think it begs the questions, of course, would they even vote if you took the whole polling mechanism and took it right into their living room. I would say that if the NDP believed that, that might be the next law that was coming.

I guess the only comment I have is that many will not be bothered, Mr. Speaker. If you do not believe in the system of casting votes, and of course, usually they turn out to be the habitual complainers, the ones that have the most negative comments about our society. They're the ones that tend, usually, not to vote, and of course it seems to be that large percentage that the NDP, through this legislation, are attempting to reach

out in saying, "Well, if we change some of these laws, I'm sure some of these people would come around and feel inclined to vote."

The NDP imply that the vouching changes will make the difference. That has to, in their view, bring forward a large number of people who otherwise may not vote. They say, "Well, it's not the voter's responsibility to make sure that he's originally enumerated." Then they say it's not the voter's responsibility to review the voters' list and to ensure that his name is added through court of revision, and they say, well, it's not the voter's responsibility to bring with him, to the polling area that day, the polling place, a voter or two whom he happens to know to vouch for his residency and his identification. They are saying, no, these are not responsibilities of somebody that wants to cast that great franchise under our system of government. Supposedly, they're also saying it's not one's responsibility - particularly in some areas of the province - to reach out and to know one's neighbours. When does it become a voter's responsibility to ensure his right to vote? I've done some thinking on that, Mr. Speaker, and I think, to show up at the poll and to swear an oath is not good enough.

I have in front of me The B.C. Election Act and I didn't have the time to go through all the various provincial Acts that deal with election regulations, but I find surprising that although vouching is not required in B.C., there's still some very strong stipulations that are required of an individual before a ballot is given to that person, and if I could just list three. First of all, the individual has to sign a form, a voting certificate in the presence of the Returning Officer. Secondly, the person coming to the polling place whose name is not listed on the voter's list has to also produce at least two documents that provide evidence of his identity, and thirdly, the person named in the voting certificate must sign the poll book, entitling him to vote.

Mr. Speaker, even though this isn't vouching, it's a far cry from showing up at a polling place and swearing an oath and I believe that's what has been attempted here and to me that is not good enough. It is bad precedence and I suppose it begs the question, why have a voters' list at all and why enumerate at all? I imagine there could be an awful lot of saving in money if, in fact, all we had to do as individuals is show up on election day at what we believed to be our proper place for polling, and swear an oath, or maybe, is that what really the government is leading to? Is this the beginning of working towards that ultimate legislative achievement, such that we don't need voters' lists; we don't need occupations on lists; we don't need the mechanics that lead to preparing proper lists. It seems to me that this is the first step leading to that goal. Like I say, Mr. Speaker, I believe it's ultimately where the NDP want us to go, so.

Sir, I cannot accept this change that places absolutely no responsibility on the voter. I think if there's one aspect that every citizen of this country should treasure and should use some responsibility, it's casting his own vote and making sure that he's on the voter's list. I think to try and put a number to those people who are vouched, I believe that the Member for St. Norbert, in reading from a document provided to him by the Attorney-General, suggested that in the last election, there were 10,773 voters that were vouched,

representing 1.6 percent of all registered voters. So really, where is the problem, Mr. Speaker? Where is the problem and who is it going to help?

A second aspect of the bill, Mr. Speaker, is that of the continuous polls. Of course, it can lead to an awful number of situations, all of them not particularly good, in my view, and I believe the Member for Lakeside spent some time on. Conceivably, if you had a continuous poll, some two weeks leading up to the election, you could have one-third of the voting done before election day. Of course, whose purpose is served there; what safeguards are in place; or, indeed, is it now going to be required of all parties, of all candidates, that they staff those particular continuous poll places with scrutineers? I believe we have a sufficient number of advance polls today, and I would think if there was any problem whatsoever in advance polls it certainly isn't in the urban areas. Whether one drives half a block to the nearest one, or whether one drives 10 blocks away to the furthest one on a different day, is a much different situation than in the rural areas where if we missed the one closest to us, we may have to drive 40 miles to the last one which we are able to attend. I'd say if there is a problem at all, in advanced polls, it would be in the rural areas, and yet, not to my knowledge, have I seen major representation coming from Returning Officers within the rural areas making representation to that point.

Again, Mr. Speaker, the concern in this whole area is that the safeguards are being removed from continuous polls. I suppose, again, it begs the question; by changing this aspect of the legislation will voting turnout increase from 65 percent to 80 percent? If, it doesn't, or if it doesn't increase significantly, what is the purpose of it?

Well the third concern, Mr. Speaker, is the removal of the occupation from the ballot. Of course, members on our side have addressed this particular concern on many occasions. The NDP seem to believe that there must be a scale of esteem associated with various occupations. By removing this they seem to be implicitly saying that one occupation is inferior to another. If they don't believe that, I wish they would state so, because what is wrong with identifying one person with a line of work, with an occupation, with an activity? Well I can't see that there's anything wrong. I can tell you, Mr. Speaker, we don't believe that there's any difference in the manner in which one person's occupation should be held over another. — (Interjection) — Or is there really, as the Member for Pembina indicated, really concern embarrassed with some of the situations where, for example, we find a minor running in the constituency of Pembina; exchanges sort of not consistent with removal of vouching, to my way of thinking, Mr. Speaker.

I say that the person who generally cares so little to be on the voters' list, and who really knows so little of the candidates in his area, probably the first knowledge he has of any of the candidates is when he reaches that polling place and finds their name and, for the first time, reads what their occupation is. I would say to them, if they're so totally concerned about that large percentage of people who could really care less about voting, that maybe they could do that same individual a favour by at least giving him some basic information at the one time he really cares, or the moment he cares, and that is when he casts his ballot,

by putting on that ballot the occupation of the candidates.

If this is wrong, if my argument is wrong, I wish the members opposite and the Attorney-General would tell us, specifically, what and who does it offend placing the occupation on the ballot? What is wrong with it, or is it just being removed because it's tradition? I suppose, an even more important question, who does it advantage? Obviously the members opposite believe that placing the occupation on a ballot works to some party's advantage and, if that's the case, I think it's only fair that they share that with us. Hopefully, the Attorney-General will address that point.

Well, I've come to a conclusion, Mr. Speaker. I say the changes are of no value to increase the percentage turnout of voters. I would say that two of the changes lead to a potential, and I stress that word, unethical voting procedures that can be used by unscrupulous workers. Not that I believe that candidates from any party would attempt to work around rules, but we all know that workers at times become very caught up in the election, and they become over zealous at times. If they have, at their disposal, some very weak regulations, the opportunity will be there to use it. I think that, on occasion, it will be abused.

So, Mr. Speaker, on those few comments I'd say that I believe that the changes brought forward by Bill 14 provide absolutely no benefit, and that they should not be considered. Hopefully, the Attorney-General will give some consideration in withdrawing it.

Thank you.

MR. SPEAKER: Has the Honourable Member for Morris completed his remarks?

MR. C. MANNESS: Mr. Speaker, if I may, I forgot to indicate that, as far as we're concerned, we're allowed to allow this bill to proceed to committee. — (Interjection) — Sorry, I withdraw that, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Inkster.

MR. D. SCOTT: Thank you, Mr. Speaker. I'd like to just spend a few minutes really. I don't have any more than a few minutes left, I suppose, to make some comments on this bill. I think Bill No. 14, fundamental I think to the changes, some of which are administrative, of course, but I think it goes far beyond just the administrative changes, as far as standardizing the procedures of what is a marked and an unmarked ballot; on the procedures for the counting of ballots and to get them down a little firmer so that one does not end up in having election workers, as they may become overzealous at times, of trying to get certain marks counted and other marks not being counted. You can run into procedural wranglings at the poll as well, and there are sections in the bill which attempt to reduce those potential conflicts that may happen in the evening of the ballot counting. Hopefully, the potential for challenges, be they based on polls or in a constituency as a whole, would be much lessened by the Act's intentions of reducing possible conflicts by providing specifically, or greater specifics, on the procedures on election night.

The Member for Morris surprised me in some of his comments that we don't seem to be satisfied until

everyone is out to vote. I agree with him. I am not satisfied in a democratic system when there is not a very high rate of people exercising their franchise. The health of a democratic system is reflected by the civic duty being exercised by the individuals, Mr. Speaker, in exercising their franchise to vote. That, probably more than any single thing in a free and democratic country such as ours and such as we've had throughout the countries that have taken from the British system of Australia and New Zealand, in Western Europe as well, the United States as well; it is very much an indication of the health of the democracy. When vast numbers of people are staying home the democracy, I feel, is not a healthy democracy.

These laws are intended to try and facilitate the access for more and more people to be able to get out to vote. The Member for Turtle Mountain just said, this is dumb. He just made the comment that this is so dumb. Mr. Speaker, in Australia, it is compulsory to vote. Any Australian who does not vote pays a fine. I'm not sure what the fine is but in Australia it is mandatory that people exercise their franchise or pay a fine, which probably goes in to pay for the election, I really don't know. I would not like to see that be brought in here, Mr. Speaker. But we're talking about democratic countries and the health of a democratic country and that being an example of the turnout. In this country I am proud to say, in this country, in Canada and in the Province of Manitoba, one has a very strong turnout at the polls compared to many many other nations. We have turnouts in many areas - in Thompson, 90 percent. That is an incredible example of the people's willingness and their keenness and their respect for the system which they have grown up in, which they are a part of and they're recognizing a civic duty.

This got drilled into me, I guess, by a grade 7 and a grade 8 civics teacher when taking civics in school of our civic duties. I remember one line she gave to me at that early age which stuck with me continuously. That is that anyone who does not exercise their franchise to vote certainly has no right to complain. That was her belief; it is not necessarily my belief but I sympathize very much so with it, that when a person is not willing to exercise their civic duty towards the maintenance of the system of government that we have in this country that I think they are shirking their duties and they may lose their - although there is no way you can take away anyone's right to complain, but they do not have the same justification to complain that other people who have exercised their franchise.

One has a number of people today, and with our enumerating systems, who are left off the polls for one reason or another. In the past, it has not been unusual for blocks or sections of blocks to be left out. An awful lot of it depends, Mr. Speaker, on the enumerators and how well the enumerating has been done. There is a responsibility to get into places where people may not want or the enumerators who are hired may be unfamiliar with an area. They may not recognize and know that there are people living in back suites of a house that has been divided up into a number of units. They may have people living in hotels as permanent residents of hotels which are left off the voting list altogether. That has happened in the past because of people who were enumerating in most instances were not aware that there were people living in those facilities as permanent residents.

So we have, with this legislation, brought in vehicles where those people, even if they're not on a voting list, can still come in. And when they found that they are not on a voting list they can go to the Chief Electoral Officers of the constituency, the DRO's office, and cast their vote before the election day, if there's going to be a problem when they go in and they don't want to hold up the voting procedures at rush hour during the voting to swear an oath. But the provision of them being able to come in and make an oath, to swear the oath on the actual polling day and at the polling location, I think, is very valuable and it is symbolic of our wish as a party that no one should be disenfranchised, you do not disenfranchise people by trying to make regulations where they cannot vote.

We've seen what has happened with that in the country to the south of us where blacks were not allowed to vote for years and years by methods to disenfranchise them. You try to make the rules and the regulations as open as possible so there can be as little possibility for a person to be disenfranchised, and with this legislation, the chances of someone being disenfranchised to exercise their vote is, I would suggest, next to nil, at this stage.

Something else that members opposite don't seem to appreciate is with a continuing advance poll at the DRO's office, is the responsibility of us as participants in the democratic process, to make it as available as possible for people may be on shifts, may be leaving the country or may be going into hospital, though you can still vote in the hospital. Many people prefer to vote and prefer to cast their vote in their own poll. That way they have their own assurances that it's being counted in that poll and doesn't have to wait until sometime after election night for the hospital votes to be divided up or however it is handled, to go to the respective constituencies.

One has the possibility of people during harvest or during seeding, of getting a couple of good days and they've had bad weather beforehand and they just don't want to stop to take the time. They may have to drive 15 or 20 minutes or half an hour to be able to make the polling station and they don't feel they can afford to lose that time. If they're having bad weather beforehand anywhere between 15 and 3 days before the election and they want to take the extra precaution that they'll not be caught up while they're seeding or harvesting, then they can go to the DRO's office and cast their vote. I think that is an expression of our wish to try and keep the voting system and the eligibility and the availability of every eligible citizen, Mr. Speaker, to exercise their franchise.

In many polling stations, handicapped people have one heck of a difficult time getting in to vote - one heck of a difficult time. I have been in polls where you have to go down into the basements of schools, where you have to go into homes as well, when they used to have them in homes. There aren't that many public buildings even yet, in constituencies where they're scattered throughout the province where they have access for wheelchairs, where it's easier for people to be able to get in to cast their vote. By having a longer advance poll stage, or a constant advance poll stage, at the DRO's office, where each voter can cast their vote the same as at any advance poll, they're duly noted and the various parties are informed of who has

voted. The people at the desk, as well, are aware of who has voted already so people can't come in and try and double vote by voting at an advance poll; that's already in the provisions now, and before coming into effect of this legislation.

We must strive, as both a government and an opposition, to make sure that all of the facilities where voting is taking place, are accessible to the handicapped, to the wheelchair-bound, in particular; and, in some instances, that may not be quite as easy as others where there are traditional polling stations, where people are used to going to cast their votes; they've been voting there for 10 years or 20 years and many of you know, who have been in politics any length of time, that if you try and change a polling station for a certain area it causes a great deal of confusion. So it's not necessarily wise to try and change the voting, the main polling station, on election day, but there are provisions for wheelchair access can be made at other locations, particularly where one chooses to locate the Returning Officer for that constituency, to make sure that they are located in facilities that have wheelchair access.

Mr. Speaker, we have in this bill, amended provisions to The Elections Act, a basic idea and a basic belief that no man, no woman, no voter should be disenfranchised by either not being able to make it out on voting day, or not being able to gain physical access to the actual polling station; and with this legislation, we hope that we will maintain and, as a matter of fact, increase, and I don't expect we're going to increase, by 10 percent or 15 percent, the number of Manitobans participating at the polls in provincial elections. I would dearly wish that we could but you cannot force people out to vote.

Even in jurisdictions, I believe, where they have compulsory voting, in places like Australia, they simply don't have 100 percent turnout; a number of people will opt to pay the fine. But it is our duty as a government, who believes so strongly in our democratic heritage, in the exercise of people's ability to exercise their franchise and not be disenfranchised because of any kind of an unreasonable restriction in the legislation that, rather than having anyone disenfranchised, we would rather have it with the security where people cannot be cheating in the system, as well; that that can be provided for, and is provided for, in this amendment and in the original legislation. The basic purpose and the basic intent is that no Manitoban should be disenfranchised from voting, if he so wishes.

Thank you very much, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Morris.

MR. C. MANNES: Could I ask a question? I wonder if the Member for Inkster would indulge and answer a question.

I'm wondering if conceivably an individual under this proposed change could go to some 40 or 50 polls within the constituency, an unscrupulous individual, and either sign an affidavit or swear an oath - and I'm not sure which - and vote 40 or 50 times. Could that conceivably happen?

MR. D. SCOTT: Mr. Speaker, for someone to make that effort, to go and to vote at 40 or 50 different

stations and take the risk of making an oath which is an illegal act; perhaps because we've just gone through a very raucous and, at some times, very divisive Tory leadership race, where people have gone virtually into drunk tanks or into hostels and one thing and another to try and pull people out to vote, maybe that's the sort of provisions they would like to see in our voting laws. I know one very prominent Tory, Mr. Speaker, that was so concerned with safeguards that when he was down surveillancing the casting of votes in the elections in 1980 or '81 in El Salvador, that Sinclair Stevens said it was one of the greatest systems he'd ever seen, and he recommended that the Government of Canada follow some of their procedures; that they had numbered ballots so they could keep count of everybody and every person was numbered. Our ballots are numbered, as well, in the Government of Canada elections, but they're numbered on a part that you tear off. The DRO throws that part away so that no ballot can be identified; but Sinclair Stevens thought that was a wonderful way to have an electoral system; a system that Canada could somehow or other gain from the farce of an election that they had in that country. We have a leading Conservative, a former leadership contender, going to that country and coming back and saying that we, Canada, with 117 years of electoral history, we, here in Canada, that we could somehow or other gather anything from that farce of an election they had in that country.

As to the essence of the member's question, I'm afraid that he's got me stumped as to whether or not it is feasible, or what the penalties for a person doing that could be. I'll try and find that information and if the members give me a chance next time around, I'll get up again and speak on it - take it as notice, I guess, I might say. So, Mr. Speaker, I think we're pretty well out of time and into Private Members' Hour and I would not want to take any time from Private Members' Hour.

Thank you.

MR. SPEAKER: The Honourable Member for River Heights.

MR. W. STEEN: Mr. Speaker, I move, seconded by the Member for Roblin-Russell, that debate be adjourned.

MOTION presented and carried.

PRIVATE MEMBERS' HOUR

RES. NO. 12 - A PEACEMAKER ROLE FOR CANADA

MR. SPEAKER: The time being 4:30, Private Members' Hour, private members' resolutions. On the proposed resolution of the Honourable Member for Inkster, the Honourable Member for Thompson has 17 minutes remaining.

MR. S. ASHTON: Thank you, Mr. Speaker. I think it's appropriate that as we resume debate on this particular resolution that this portion of the debate comes as it does in the week during which many people are preparing for the June 11th March for Peace, not only here in Winnipeg, but elsewhere in the province. For

example I understand there's going to be a similar march in Flin Flon covering the entire northern part of the province, a march which I hope to be able to attend myself, Mr. Speaker.

Last year with the March for Peace, I believe approximately 15,000 to 20,000 people showed up, an amount I think which was unprecedented in Manitoba and showed the depth of concern about the specific issues related to that march; the issues of peace, of disarmament, of the deployment of the Cruise Missile, Mr. Speaker. This year my understanding is the organizers expect a similar, if not a higher turnout both here in Winnipeg and elsewhere in the province.

I think, Mr. Speaker, that anyone who is aware of the present situation here in Manitoba politically and across the country, it would be fair to say that the support for the principles espoused by the participants in the march goes far beyond the 15,000 or 20,000 people who participated last year, and that many people who perhaps are not prone to march, Mr. Speaker, for such issues also support those principles.

It's interesting in talking about the March for Peace, Mr. Speaker, that there has been one significant change from last year. Last year Conservative members participated in that march. They participated also in the press conference which was held prior to that march. It's my understanding that press conference was held again today, Mr. Speaker, for the upcoming march and that Conservative representatives were not present. That's a very significant change I think from last year during which they attempted to at least appear to have some sympathy with the principles of the march. One only can guess as to why they didn't attend a press conference for this year's march, Mr. Speaker.

I would suggest it's because last year they attempted to be silent to basically hope that the issue would go away. They felt, I think that they would lose politically if they came out and stated their true opinions in regard to disarmament, the Cruise testing, Mr. Speaker, and they preferred to remain silent and give some symbolic support for the march.

This year, Mr. Speaker, they've changed from that. Certainly they've changed in this House. I note the speech for the Member for Fort Garry which I think indicated clearly that he, and I would say he speaks for other members of the Conservative caucus here, but certainly he is in favour of the deployment of the Cruise Missile in Canada, and against the basic principles of those who support disarmament and are against the deployment of the Cruise Missile in Canada. — (Interjection) — Well, Mr. Speaker, the Member for Ste. Rose says who is in favour of that? Well, the Member for Fort Garry, the member who is often called the only "progressive" Conservative in the Conservative caucus in Manitoba is obviously not quite as progressive as people think.

The question then is why, Mr. Speaker, why the change from last year? I would suggest that one possible reason would be pressure from the rather vocal right wing of the Conservative Party that we're hearing so much from in recent months, Mr. Speaker. They've certainly become rather vocal during the leadership campaign for the federal party, and I would suggest that they're probably going to be equally as vocal during the upcoming leadership campaign of the provincial Conservative Party because I realize, Mr. Speaker, that will be coming

fairly soon. Certainly from the way the Leader of the Opposition has been behaving in this House, I'm sure that most Conservatives feel that leadership race couldn't come early enough.

Mr. Speaker, I would have one word of caution for members opposite in regard to their latest stand on this particular issue. They're very fond recently of waving Gallup polls around. They come in this House and they talk of the Gallup poll federally which shows them with I believe it was 52 percent of support the last time that poll was held, Mr. Speaker. Well, coincidentally 52 percent is also the same figure that the Gallup poll found of people who are against the deployment of the Cruise Missile in Canada. I would suggest, Mr. Speaker, that if the Tories want to listen to the people in one sense, they should also start listening in on the other sense, because 52 percent of Canadians, the vast majority as a matter of fact are against the deployment of the Cruise Missile in Canada.

Now today, Mr. Speaker, I'd like to continue where I left off last week when I spoke briefly on this issue. I would particularly like to concentrate on dispelling some of the myths put forward by members opposite and some of their other supporters, Mr. Speaker, about this particular resolution and the subjects that it covers.

In listening to the Member for Fort Garry last week, I think one heard pretty well every myth about the arms race that one does hear from people opposite. He said, Mr. Speaker, that somehow by being against the testing of the Cruise Missile in Canada, we were not living up to our commitment to the Western Alliance. He went on to refer specifically to responsibilities in regard to testing of the Cruise specifically, Mr. Speaker.

Well that's not the case, Mr. Speaker, if one looks at our membership in the NATO Alliance, I don't think that one will find anywhere that there is any provision that Canada should test the Cruise Missile which would be a nuclear missile, Mr. Speaker. There's no provision whatsoever. I think it's interesting to note in this regard, the attitude taken by most of the western European countries who also indicated some concern about testing of the missile on their soil. I think that if we're to really talk about the Western Alliance and certainly, Mr. Speaker, I support the Western Alliance, I think we have to look at what commitments are involved. I think it's clear that testing of the Cruise is not one of those commitments.

Now, Mr. Speaker, they go further than that however, and they attempt to equate opposition to the testing of the Cruise to support of unilateral disarmament, and further, really to suggest that those who oppose the testing are basically putting forward a position of pacifism. Well, that too, Mr. Speaker, is not the case. If one looks at the broad spectrum of people who are against the testing of the Cruise Missile, I think one will find that certainly some people would consider themselves pacifists, Mr. Speaker. I know there's some religious groups who traditionally have been pacifist; the Mennonites for example. They are opposed to the testing of the Cruise in Canada.

But to suggest that all people who oppose the testing of the Cruise Missile or are in favour of unilateral disarmament is simply not the case, Mr. Speaker. I would note in this regard that the Member for Inkster who proposed this resolution got up in this House during debate last time, Mr. Speaker, and said quite clearly

that he is not in favour of unilateral disarmament and that he favours bilateral disarmament.

I would also say the same, Mr. Speaker. I quite agree that one cannot obtain peace in this world by simply laying down one's arms. I also think, Mr. Speaker, that one can obtain peace by going the other route and expanding the number of weapons we have in our arsenal, accelerating the arms race, and that is why I oppose the Cruise.

Further, Mr. Speaker, they trotted out the same old, tired arguments that we hear time and time again from people of similar philosophy, basically that the more nuclear weapons we have, the bigger the deterrent. It's the peace through strength argument that one hears from supporters of President Reagan in the United States. Mr. Speaker, that argument lacks substance if one looks closer at it. To suggest that by having more and more arms we have greater and greater stability, greater and greater peace simply doesn't make any sense. We have enough weapons at the present time, Mr. Speaker, to destroy the world many times over. What purpose does deploying more weapons serve? I would suggest, the only purpose that it could serve, Mr. Speaker, is to expand the possibility of a nuclear war, expand that possibility. It simply cannot I think, Mr. Speaker, eliminate the possibility of war. If we go from being able to kill each other 40 times over to 80 times over, certainly that is not moving in that direction.

When they talk about this issue, Mr. Speaker, they also go further to suggest that we are somehow being dupes of the Russians or that somehow we are being anti-American by being against the testing of the Cruise Missile in Canada. That simply isn't true, Mr. Speaker. In fact, it's a gross distortion of the views of the people who do hold this view. I couldn't think of a better historical example, Mr. Speaker, of exactly what we're trying to do in regard to saying, no, we don't want Canada to test the Cruise Missile than the views of one John Diefenbaker in regard to the Bomarc Missile.

One member opposite applauds the mention of the name of John Diefenbaker. I would certainly support his sentiments there, Mr. Speaker. I must say however that I am somewhat puzzled that he has not spoken up on the Cruise Missile. There is a direct parallel between the views of John Diefenbaker and the Conservative Government of 1958 to 1963 on the Bomarc Missile and the views of many people today on the Cruise Missile. If he doubts that, Mr. Speaker, I would suggest that he read the volume, *One Canada*, *The Memoirs of the Right Honourable John G. Diefenbaker, The Tumultuous Years 1962 - 1967* and particularly some of the statements of Mr. Diefenbaker on the Bomarc Missile. I would note, Mr. Speaker, on Page 10 of this volume that there's a rather extensive speech which I don't have the time to refer to specifically, in which John Diefenbaker indicated at the time that while he did not favour the deployment of the Bomarc Nuclear Missiles in Canada, he said we are united in NATO, we have never and will never consent to Canada breaking any of her pledged words or undertakings.

He went on further, Mr. Speaker, to say however, so far as Norad is concerned I have said at the beginning of my remarks that Canada's sovereignty must be maintained. We shall continue our negotiations. And went further to say, Mr. Speaker, that he wanted to allow for changes in the disarmament field at the time.

In other words he said, we will be in the position to determine finally in the interests of Canada and our allies, the course to be followed in the light of changing circumstances in the disarmament field. It continues from there, Mr. Speaker, to explain quite clearly why John Diefenbaker did not want the Bomarc Missiles to be deployed in Canada.

That's a direct parallel with what is happening today, Mr. Speaker. We have no commitment to test the Cruise Missile. The Federal Government has made that clear. We have no commitment, either written or implied that we should test the Cruise Missile, Mr. Speaker. What we are saying is that we, in the interests of broader concerns, that of our concern about the arms race and of interests of Canadian sovereignty, do not want the Cruise Missile to be tested in Canada. It is as simple as that. For members opposite such as the Member for Fort Garry to suggest that in doing this we are dupes of the Russians or we are being anti-American is totally ridiculous.

You know they said the same things in the '60s about John Diefenbaker. They said the same things. The Americans interfered directly in Canada in 1963. There is evidence to indicate it, in the election of that year to elect a government which supported the deployment of the Bomarc Missiles. So where do the members opposite now come across with the gall to say that we are being anti-American. Where do they have the gall to say that we are being the dupes of the Russians? What has happened in the 20 years since they were lead by a great man such as John Diefenbaker who did have some concern for Canadian sovereignty, who, Mr. Speaker, was not anti-American but was pro-Canadian. Where have they come since then?

Well, I think that's a question that they should ask of themselves, Mr. Speaker, perhaps when the hold this much ballyhooed leadership convention this weekend, Mr. Speaker. I think a lot of Canadians who did have some respect for the philosophy of the Conservative Party should also reflect on that, Mr. Speaker, because I certainly find their conversion over the last 20 years to be somewhat strange.

But you know, Mr. Speaker, they also go further and they say, well in Russia people can't protest against the arms race. They suggest that somehow we shouldn't protest against the arms race here in Canada. I've heard that statement from a number of people, Mr. Speaker. They've said that before and I am sure they will say it again. But really, Mr. Speaker, are we to adopt this approach? Are we to say that whatever the Russians do because they are under communist rule, we should do here in Canada? Are we to deny ourselves the freedom of speech, Mr. Speaker, because they do not have freedom of speech? Are we to do that? Are we to follow them? No I think that is somewhat ridiculous, Mr. Speaker, and I would hope members would consider what the consequences of that logic would be if they followed it, or illogic as the case may be because clearly, clearly because the disarmament movement in the Soviet Union is not a free and non-political move as it is here in Canada, surely we should not adopt the same sort of tactics that they follow there.

But I would say beyond that, Mr. Speaker, that despite the fact that I am greatly suspicious of the interests of the Russians, the communists as much as I am of some of the more militaristic people on our side of the

fence but I would think that members opposite would at least agree that the great majority of the people of these countries would agree with the general principles of disarmament. They keep attempting, Mr. Speaker, to throw in this red herring of Communism all the time. Well, if they look at Poland, for example, they can see that people under Communism can still think freely. In that country they've protested against the abuses of that regime on a number of occasions and I think, Mr. Speaker, that it would be fair to say that in those countries they also are just as concerned about nuclear arms and the possibility of the destruction to the world as we are.

But those, Mr. Speaker, as I said those are basically mythical oppositions to it. Let's look at some of the positive reasons why people are concerned about disarmament and the nuclear arms issue.

It's partly an ongoing fear, Mr. Speaker, we've lived under the spectre of nuclear weapons for many years but in recent years I think there have been a number of alarming developments. First of all, there has been an acceleration of the arms race, an acceleration of the race which has stemmed to some extent from the activities of the Reagan administration in the U.S., but certainly not restricted of that. I would note the deployment by the Russians of the SS20s in Europe as another example of that. That's why people are concerned.

Beyond that there's even been talk of the possibility of a winnable nuclear war. I can't think of anything more frightening than that, Mr. Speaker. To suggest that despite the fact that we could destroy each other 40 times over, that somebody could actually win a nuclear war. I think we would all be losers. I think that is very clear, Mr. Speaker. There's also been a growing concern about these issues because of the involvement of Canada, at least the possibility of that involvement. It's not because people are against NATO, I think most people support NATO. They support a commitment to the traditional armed forces in NATO.

Mr. Speaker, it's not because of that. I think it's because they feel that it changes the very conception of us as a country. That is why for example a lot of people do look, as the Member for Inkster does, at not just our commitments in the Western Alliance but our peace-making role. Certainly we are respected throughout the world for that role, Mr. Speaker. It's because people view us as being in a position of being compromised in those basic principles if we deploy the Cruise Missiles. Those are the reasons why that concern is growing.

But the bottom line of it is often not a very political concern, Mr. Speaker, it's a very human concern. I can share that. When I look at it, that my generation has grown up under the spectre of nuclear arms as have many other people in Manitoba, Mr. Speaker, from other generations. I am very concerned about that. You know, when I look forward to the next 10 or 20 or 30 years, it's a very uncertain future. When I look forward not just of my own future, but the future of my nine-month old daughter, I wonder, will she have the opportunity to live at least as long as I have, because that is how difficult the situation is, Mr. Speaker, at the present time. That is why, as a very real human concern, I am concerned about disarmament; I am going to support this resolution, and I'm also going to be marching on

June 11th with the thousands of other Manitobans who are also concerned about it. It's a political concern, yes, Mr. Speaker; but it's also a very human concern as well.

MR. SPEAKER: The Honourable Member for Morris.

MR. C. MANNES: Thank you, Mr. Speaker. It is a great honour to be able to get up and speak on this resolution. First of all, I would like to make a couple of comments about the sponsor of the resolution. The Member for Inkster has brought in a number, and this one, of course, I can accept, because we've talked around this particular subject on a number of occasions and maybe this time, on this particular resolution, we can speak right to the situation of nuclear arms in this country, testing.

Mr. Speaker, it's very rarely I hear the Member for Inkster bring forward, though, resolutions on some Manitoba economic issues such as unemployment, such as drop in manufacturing. He seems to be the self-appointed expert on all the world's problems, and he keeps bringing them and launching them before us in this Chamber.

Well, Mr. Speaker, the subject is neutrality and, I take it, peacemaking. I'd like to lay on the record my motto pretty quickly, and that is, Sir, that "Peace costs." Without paying for peace, you ultimately have war; and if you fall to your knees, you have nothing but despair. Ask the people of Poland if you don't believe that. That will be the theme throughout my presentation.

I can tell you, Sir, that I want peace as badly as the Member for Inkster. I have four children whose future concerns me very much, and yet I realize I lost three kinfolk in the Second World War, as many people in this Chamber have. My roots are five generations deep in this country and I will stay, but in spite of all that, Sir, should hostilities ever break out, I can tell you that I believe in this country and I will fight to the end. I will do so because I will not live on my knees and that's, I suppose, the difference. I heard an interesting comment from the Attorney-General the other day. He made reference to the fact that he would not live on his knees. I wonder how many members opposite could use and say that, because I can tell you I would not.

Mr. Speaker, I would not want members present to take the wrong impression. I'm not a warrior; I'm certainly not. I don't enjoy the sight of blood and I don't enjoy seeing people hurt in any respect. I can tell you that in spite of all the enlightened pacifists we have in our midst, in spite of all the academic arguments we hear from day to day in almost every paper that we pick up, in spite of all the wishes that there be peace forever, the one thing I'm sure of; there will be war again. I hope it isn't in this generation, I hope it isn't in the next generation and I hope it isn't in the generation after that, but there will be war again.

What makes me so certain of that? Well, Mr. Speaker, I'm going to quote from Ecclesiastes. If some members opposite don't know what that is and they ask me to table this document; this is the Bible. I'd like to quote from Chapter 3, and it says:

"To every thing there is a season, and a time to every purpose under the heaven:

A time to be born, and a time to die; a time to plant, and a time to pluck up that which is planted;

A time to kill, and a time to heal; a time to break down, and a time to build up;

A time to weep, and a time to laugh; a time to mourn, and a time to dance;

A time to cast away stones, and a time to gather stones together; a time to embrace, and a time to refrain from embracing;

A time to get, and a time to lose; a time to keep, and a time to cast away;

A time to rend, and a time to sew; a time to keep silence, and a time to speak;

A time to love, and a time to hate; a time of war, and a time of peace."

Well, Mr. Speaker, I don't recite that because of any great piety on my part. I do so because - as the Prophet said thousands of years ago and because of a farmer who believes in the seasons and who believes in reality - I believe the philosophical message that is brought forward in that passage, and nothing has really changed since that was put in printed word; nothing whatsoever. I tell you, war will occur again!

Mr. Speaker, there are members in this House who feel that because they are well-read, because they are educated, because they are public figures, that we as citizens in the last quarter of this century are above something called war. They believe that we are above that because of the reasons I cited. They believe that civilization has progressed to a new plateau of intelligence and love amongst its people. Well, Sir, in my view, it has not. It absolutely has not. And what do we have to do to prove that it hasn't? All we have to do is look, and we don't have to look, Sir, down into Central America. We don't have to look thousands of miles away to see how people treat each other.

We just have to look in the streets of our own capital city to see exactly where we are in this time of our history. What do we see? Well, we see murder; we see thefts galore; we see break and we see enter; we see rapes ever increasing in number; broken homes, broken marriages and broken bones. We don't have to look a thousand miles away to see it, Sir; we see it right here. Yet, we have those in our midst who would walk in assembled groups - the demonstrators, Sir - who will walk in assembled groups and seem to be saying, look, we are a civilized people; why don't we lay down our arms and do away with the threat of annihilation.

Yet, Mr. Speaker, I question how civilized we really are. I question the moral decay in our midst and I question what technology is doing not only in armaments, but almost in every aspect of our daily lives. I question the respect for law and order that seems to be developing in our society. I question just about every aspect of our existence except three basic points, and I wonder if the members opposite can agree with them.

The three certainties, Mr. Speaker: The certainty of my maker; the certainty of the strength and the good of the family unit; and, thirdly, the right to be free and to make my own decisions - absolutely my own decisions - in many respects, the most important facet of living. To me, those are the fundamental building blocks of every individual who aspires to be free in this world, regardless of where they are. In viewing all the peace marchers all over the free world, it struck me that a large number of their midst either do not concur with my view on what freedom is, or else that living is

more important than defending that right. What is the right, the right that allowed all members to assemble freely and to march and not to fear the water cannons, or the tear gas, or the rubber bullets that would disperse the numbers as happens in Poland, and that's the right, the free choice?

Mr. Speaker, my maternal grandfather came from Poland in 1902 at 14 years of age. He never saw his parents or brother and sister after that date, and I can tell you his love for freedom would make the decision of dying on his feet, or existing on his knees, very very easy, for those that descended from him; the decision would not be difficult at all, absolutely not at all. That's why I say peace is of little value when you are not free, and how many Poles today, Sir, would die in war if they had something more to fight with than pitchforks? How many of them would gladly die than rather live on their knees, and how many would die to throw off the yoke of Soviet oppression so that their children would be free to assemble and to walk, as a group of people, like Canadians are today? How many would be prepared? Well I can tell you, mister, many many of them.

Mr. Speaker, 10 million, the Member for St. Johns says and I believe him; 10 million. I found it very interesting today - and I didn't read it, but it was referred to me - a press clipping of an individual in the Soviet Union who was given a three-year jail sentence for circulating a petition on which he garnered 15 signatures to appeal to his government to lay down their arms. He went to jail for three years, Sir, for taking a petition and receiving 15 signatures.

So, Mr. Speaker, the issue of freedom becomes the bottom line for me, none other; and I tell you that my philosophy in life, and what will occur over the generations to come, are pretty simple. I believe that the world has seen war since the beginning of history and it'll continue into the future, and again I reiterate, I hope it isn't during our time, and I hope it isn't for centuries to come, but I believe it will come. I also believe there's no way of stopping technology in all aspects of life, and I'm not one who's terribly impressed with all the technological advances that have come forward over the last few decades because I believe, in some respects, it hasn't helped us at all.

I also believe that there is an unequal distribution of wealth and territory in the world, and that no end of social engineering and planning will ever change that fact; no planning will ever prevent one people from fighting and dominating another, if they so wish, because that's the realities of the world, and those that deny that, I believe, are being unfair to themselves.

Mr. Speaker, that brings us to Canada and maybe this resolution. I look at a nation and I see it as a very large nation and, therefore, one that is a large territory to defend. I would love to believe, Sir, that the country I perceive to be our enemy today, the Soviets, are interested in everlasting peace. I hope that's fact; I hope that's a correct statement. But something about their political system won't allow me to trust them; I'm sorry I cannot build a confidence around that thought. I say that because I know that there are no mass demonstrations, and there is no freedom to allow members, like the Member for St. James and the Member for Inkster and others, to demonstrate and to tramp down a neighbour's lawn; I know there are

no freedoms to do that. I know that nation, as a whole, even though they probably have the richest agricultural area in the world, can't feed themselves, to my benefit as a farmer, because as a nation we produce six times more than we need and, fortunately for us as a nation, and our standard of living, the Russians do not have the ability to feed themselves; but I wonder why. It has to be the system and it's proven to me that the Russian system allows trust for nobody, absolutely nobody. Even their friends they don't trust and probably, least of all, their own people.

Sir, you've heard the number of stories, as I have, about people who have visited there and are totally, not only afraid, but their own relatives are totally afraid of what the visitation means from neighbours and loved ones from the Western World. It's because of those reasons, as much as I want to believe that the Soviets are interested in peace, I have difficulty doing so. So I don't like nuclear escalation, but I can't trust anyone, really, in this except our American friends, the United States, because we, as a nation, can't defend our desires to remain free; that's an unquestionable fact and I challenge any member opposite to say that we can, that we can defend our boundaries if we have to.

One of the first commitments of any government is to defend the boundaries. Well, Mr. Speaker, I look closely at the United States - I haven't lived on this world that long - but in 25 years I haven't seen any burning desires by that country to wage or engage war on any nation and I trust them, I really do; and I believe when it comes down to this particular situation you have to trust somebody and I bear in mind, Sir - and I'll go back to one of my first comments - that peace costs. The Americans have accepted that fact, that 8 or 10 cents of every dollar that they pay in taxes has to be directed towards the maintenance of peace. I don't believe, and I believe it's naive for anybody to believe, that peace comes free, because it doesn't and it's on this basis that we must take sides and do what we can and more, if possible, under our NATO commitments.

Again, Sir, free peace is a myth and I think that turning our back on reality is the worst of all sins, and I heard those very same words used by the Member for St. James the other day when he spoke to the resolution, when he said that the Western World turned its back, for a period of time, upon the build-up of Nazi Germany. I agree, turning one's back on reality has to be the worst sins of any government.

Mr. Speaker, I know my time is coming to a close, but I'd like to quote one small article, not from the Holy Bible this time, but from an article I know members opposite have undoubtedly read; it comes in the policy options and it says, "Deterrence is necessary, by Buzz Nixon," and obviously they've read and they're probably not surprised at all that it's going to be used in this House on this particular resolution. I start the quote; it says, "The analysis of security issue should start with the review of the goals and objectives of free societies and the context of the apparent or apprehended goals and objectives of the Soviet Union. The intuitive or base goal may be simply to survive and, regrettably, that response is coming out more each day.

"Our life in free societies, however, is not being created by following only the instinct to survive. Our societies have been created by the readiness of their

members to accept persecution and even death in the quest for, and the protection of, a human existence having the higher goals of the freedom for individuals to choose - choose to being members of peaceful societies where government is freely chosen by the people." It goes on further, "Lost from the argument is the possibility of maintaining a credible and effective deterrent in the event the deterrent should fail to defend our ideals and values, if need be, by dying in the attempt."

Mr. Speaker, I believe that there is a cost to peace. We're a free society; we have to do our share. We must test this particular armament just for our future protection.

Thank you.

MR. SPEAKER: The Honourable Member for River East.

MR. P. EYLER: Thank you, Mr. Speaker. I appreciate this opportunity to follow the Member for Morris, because I think, more than most of the other people in this Legislature, he exemplifies a certain mind-set and I think a lack of understanding of the situation. I say that not in malice but in sadness, Mr. Speaker.

One of the threads which has run through Private Members' Hour all during this Session has been one of concern about nuclear expansion. I remember, not that long ago, I introduced a resolution on the CBC showing the film, "If You Love this Planet." At that time, the Member for Morris spoke on the film, on the resolution, and he quoted the statistics for the number of deaths during World War II, country-by-country, adding them up to some 36 million and he says, "So in summary to this particular - does the film try to say that war is bad, which is obvious, or does it try to state that nuclear war is a variation of war that is even worse because more than 36 million people will die than died in the Second World War."

I guess, personally, I have a difficult time in arguing a point, including indeed this point when you attempt to argue by degree. I think that exemplifies the lack of understanding of the Member for Morris because it's not a matter of lack of degree. That isn't the only issue here. The issue is whether or not there will be a future of the human race, because no matter how many people died during World War II - it was a finite number - some people died, some people lived. But if there's a nuclear war, all people will die; all people now and all people in the future.

I think one of the problems which we face is that we don't pay enough attention to the reality of nuclear holocaust, to the reality of the dangers of nuclear war. I remember when I was growing up, we went through all the exercise drills of hiding under the desks in the schools, running out in the halls covering our heads and crouching near the walls. It's futile; that isn't going to save anybody. It won't save anyone.

Mr. Speaker, the constituency I represent, River East, is in the suburbs and we often think of ourselves as far out from the city, but we aren't. If one bomb was dropped in Winnipeg, just a single one megaton bomb which is small by the arsenal standards of either country, then in River East every house would ignite spontaneously. All the gas tanks in the cars would

explode. There would be a fire storm. Everybody, if they were in a shelter, would be suffocated or roasted, nobody would survive in River East as far out as we are. I think it's also important that it's the after effects which are also going to spread much further than the actual bomb explosion itself.

The Member for Morris may think that he would be secure in the farming areas of Morris. The Member for Turtle Mountain may think that he would be secure down on Turtle Mountain, but they won't be. There won't be anybody who survives. All of the nuclear radiation, all of the radioactive dust will rise up into the sky, the sky will be brown for years to come as the dust floats around with all the bombs that are exploded. It's worse than Mt. Ste. Helene, we saw what happened when just one volcano erupted. But if you get thousands of bombs going off at once, it's going to pollute the whole earth. The radiation will kill everything. There won't be any survivors. There won't be any capitalists, there won't be any communists, there won't be Americans, Russians, Canadians, New Democrats, Conservatives, anybody, no farmers, no factory workers, nobody's going to live and that's what fundamentally different about nuclear war from all the previous wars. There won't be any survivors, there will be no future generations.

I would think that Conservatives would have a certain concern for society as a whole. I think that they would hark back to the arch philosopher, Edmund Burke, who wrote and I would quote, "Society is indeed a contract. It is a partnership in all science, a partnership in all art, a partnership in every virtue and in all perfection. As the ends of such a partnership cannot be obtained except in mini generations, it becomes a partnership not only between those who are living, but between those who are living, those who are dead and those who are to be born." So Conservatives, if they believe in Edmund Burke, anybody who believes in an organic society which is evolving, has to believe in the future as well as the present or the past. — (Interjection) —

Someone leaving said, another lecture from an historian. Well I'm talking about the future, that's what we're going to miss. If there's no future, history isn't relevant. So we have a duty to future generations and this leads me to the comment that the cliché which is so often raised in this House - and I've heard it from many members - the old cliché, "Better dead than red." Well I recognize and I respect the right of individuals to hold that particular belief. I respect the right of people to apply that to themselves. But what bothers me is that the people who believe this have their fingers on the button and they have the power to make that decision for everyone on earth, for all future generations, for all people who are presently living. That's why I can't subscribe to that theory myself. I don't believe, "Better dead than red," because I have faith in humanity. — (Interjection) — What we have right now is a contest between nations and it's a philosophical contest on how the human race is going to be organized. It's a valid contest and there will be wars, as the Member for Morris says, but we have to make sure that they aren't nuclear wars. That's the least we can do in order to ensure the future of the human race.

We have to make sure that we keep our confidence in the future because if we say, "better dead than red" and annihilate humanity, that means that we have totally

disregarded our faith in humanity to fashion a better world for itself, those people who are now not living. If we say that the people who do not live now can never live, we are denying them the right to improve their world. We may not be able to leave them the world that we would like to leave them. We may not have a utopian society now, we may lose a war to communism, we may lose a war to anyism and it may not be to our liking, that particular world. But at least if there are people around to inherit that world they can change the world if we can't.

The Roman Empire fell. There was a long period of the Dark Ages when society receded but it came back again. You have to look at the human race in terms of continuity, generation after generation, not just simply in terms of our own generation.

This used to be a concern. At the very beginning of the nuclear age, there was a concern on that particular aspect. The Secretary of War, Henry Stimson, who was overseeing the development of the nuclear bomb, wrote in his diary in 1945, and I quote, "Our thoughts went right down to the bottom facts of human nature, morals and governments and it is by far the most searching and important thing that I have had to do since I have been here in the Office of the Secretary of War, because it touches matters which are much deeper even than the principles of present government."

So the Secretary of War, in the United States, even when he made that decision to drop the bomb on Hiroshima and Nagasaki had at least realized that the principles were much deeper than a contest between Japan and the United States. It went down to the fundamental future of the human race. But what happened? Why have we lost sight of that? I think that we have never really faced the fact that nuclear war is a real threat. We have never faced the fact that nuclear power is a threat.

For instance, we know that in 1951, the United States detonated an experimental bomb at Frenchmen's Flat in Nevada and they did their tests, they measured radioactivity; they did whatever they thought they had to do and they decided it was safe after a few years, and Hollywood sent in a film crew and they made a film called "The Conquerors" in 1954, in this supposedly safe area. Today, one-third of the people who made that film are dead of cancer, including the star, John Wayne, so we didn't know the effects. we didn't know them then and we're still not totally sure of what will happen. It's only been in the last half a dozen or dozen years that we've known that nuclear bombs can destroy the ozone layer. What happens if there's a nuclear war and the ozone layer is destroyed? If anybody tries to go outside they'd be sunburnt and they'd be burnt with second and third degree burns within 10 or 15 minutes just because there's no ozone in the atmosphere.

There are a lot of technological and scientific effects which we still have to contend with and we have to face and we cannot accept whatever the government tells us without measuring its credibility. I think there's a great deal lacking in the credibility of many of the nuclear powers. They tell us not to worry but we have to worry because it's our future too; it's not just the Government of the United States, it's not just the Government of the Soviet Union or the Government of France or Great Britain or any other country that has a nuclear bomb, whether it's India or South Africa

or Israel; it's us too, and that's why, when you see thousands of people marching on Saturday at the Peace March, you'll know it's because they have a concern about their future and they have the right, they have the duty to tell their government that they do not agree with the policies which foster the development of nuclear weaponry.

Mr. Speaker, we went astray, I guess it was in the late '40s, early '50s. At the beginning we had the bomb and nobody else did, so we were safe and we never faced the facts of it. We had the first-strike capability and after Russia got the bomb, then we fell back on deterrents and we reasoned that if we can destroy them when they try to attack us, then that will deter them and we will destroy each other, and if nobody wants to be destroyed, nobody will attack.

The problem is that a lot of rational thinkers have realized that there may be a reticence on pushing the button for retaliation. Deterrents may not, in effect, work and if it does, do we have that right? There is a moral argument against retaliation and that has been taken into consideration by nuclear strategists. Jonathon Schell, in his book, "The Fate of the Earth" says, and I quote, "One strategic thinker in a striking inversion of the usual understanding of ethical obligations has said that an iron will is required if one is to recommend the slaughter of hundreds of millions of people in a nuclear attack. A point of view that is uncomfortably close to that of Heinrich Himmler, who told the commanders of the SS that in order to carry out the extermination of the Jews, they had to be superhumanly inhuman. In both statements, it is not obedience to our moral feelings, but resistance to those feelings that is presented as our obligation. Once the strategic necessity of planning the deaths of hundreds of millions of people is accepted, we begin to live in a world in which morality and action inhabit two separate closed realms. All strategic sense becomes moral nonsense and vice versa and we are left with the choice of seeming to be either strategic or moral idiots."

So the problem is we can no longer be certain of retaliation as a deterrent, because Russia knows very well that morality may interfere with retaliation; it may well be that whoever has that power will decide not to retaliate. What has happened is instability has been built into the nuclear system. It has to be made crystal clear to the Soviet Union, according to the strategists, that they can't be certain that we won't retaliate. There has to be insecurity; there has to be instability and the nuclear theorist, Herman Kahn, has written that, quote, "The brink is not the sharp edge of a cliff where one can stand firmly looking down and decide whether or not to plunge; rather the brink is a curved slope that one can stand on with some risk of slipping. Therefore brinkmanship involves getting on to the slope, where one may fall, in spite of his own best efforts to save himself, dragging his adversary with him."

We have all these systems which build in the instability. We hear about the attacks which are fictitious on the screen; computers go wrong. The SAC bombers are scrambled and sent up and the people are put on alert in the missile silos. Those aren't really accidents; those are intended accidents. They're intended to serve a purpose, to show that it may be impossible to stop a retaliatory strike. That means that we really are on the

brink of disaster because there is no way to stop something once it gets started.

Mr. Speaker, we've arrived at a very dangerous situation and it's not being helped any by the President of the United States. A few weeks ago, I guess it was in March, he went to the National Association of Evangelicals and he addressed the organization and described the Soviet Union as, quote, "The focus of evil in the modern world," and he said that the confrontation with the world's most powerful communist nation is, quote, "A struggle between right and wrong, good and evil," and the Member for Sturgeon Creek says, "That's right," but I'm glad that there are a lot of people in this world who would not agree with the Member for Sturgeon Creek.

I know that in my constituency there is a very large Mennonite community and I'm proud of the fact that this pacifist group has a very strong presence in our community. Just last Friday there was a letter to the editor from Menno Klassen who wrote a very perceptive article; one of the most perceptive letters I've ever seen in the Free Press and he said, and I quote, "The temptation is great for us to get carried away in an extreme form of anti-communist hysteria. We are prone to see all the faults and none of the good in the opposition. On the other hand, we are inclined to see none of our faults, but only the good. This is a false patriotism that is not helpful and it is necessary to change our ways and improve our relationships with others."

Further on he says, quote, "We need to reject, as Christians and Canadians, this self-righteous and hypocritical east-west division of the world. If Canada co-operates in the testing of the Cruise Missile in the manufacture of parts for it, and in supporting this way of dealing with the Soviets, we are supporting something that will not look good in the history books."

Well, that's assuming there is a history book to write on this matter, Mr. Speaker. I'm not sure there will be. In the Mennonite Brethern Herald, Harold Janz writes, he condemns not only the Soviet Union but also capitalism. He's skeptical of both and he notes, quote, "The church in the Soviet Union has not only survived, it has grown. The church in China has grown far beyond anything that anyone might have imagined during the past three decades." He outlines the fact that there is bad everywhere, but there is also potential. He says further on, "But more subtly, the seduction of material ease, the emphasis on self and pursuit of pleasure, the terrible flood of pornography, the easy justification of force, are these not all destructive of faith as well? How can any believer see the struggle between the Soviet Union and America or between a communist state and a capitalist as a struggle between right and wrong? Surely we appreciate the greater freedoms of the west and the material benefits of capitalism, but the scriptures challenge both systems, communism and capitalism."

Mr. Speaker, it is a struggle going on right now between two "isms," capital and communism. The Member for Morris brought out his Bible and quoted from it. — (Interjection) — Whatever he says is I'm sure quite valid. I'm not quite sure what the connection was, but I would invite him to look up a little bit further. — (Interjection) —

SOME HONOURABLE MEMBERS: Oh, oh!

MR. P. EYLER: I would invite him to check a little bit further in his Bible when he's talking about communism and capitalism, and look at the words of Jesus Christ when he says, "I come not to judge the world, but to save the world." That is basically what we are doing here. We are saying we are not going to judge the absolute evil, the absolute good of capitalism and communism, we are simply saying we want to save the world from nuclear war and to make sure that there is room for change in the future, make sure that there is room for us to evolve, make sure there is room for the Soviet Union to evolve. It's better that they should evolve than they should be annihilated. Better that we should evolve than we should be annihilated.

We are now in the midst of a program which is backed by the Government of Canada which will see the development of 3,800 Cruise Missiles in the next several years; 3,800 Cruise Missiles, each of which will have a nuclear warhead of some 200 kilotons. Now, that's very small by present arsenal standards, but still it's 16 times the size of the bomb that was dropped on Hiroshima, so it's certainly not a small weapon. We're going to deploy 3,800 of these in Europe or on submarines or around the world. That's certainly not something that we need to do to deter the Russians. We have enough nuclear arms to kill them I don't know how many times, so there's no need to deter them any further. — (Interjection)—

I would like to put it on the record that I do oppose testing of the Cruise. I do oppose testing of any nuclear weapon in Canada or participation in any nuclear program. This is where I think the Government of Canada has had a very sad record in the United Nations. For example, in 1980, there was a resolution calling for the drafting of an international convention declaring the use of nuclear weapons a crime against humanity. Canada abstained from that vote and then it had the nerve to go out and announce that it had intended to vote against it. In the fall of 1982, despite the policy

of suffocation of nuclear arms, the United Nations General Assembly overwhelmingly supported the idea of a mutual bilateral and verifiable USA-USSR freeze on the production and testing of all nuclear weapons and their delivery systems, and yet despite its policy of suffocation, Canada voted against that resolution.

Mr. Speaker, this sad record that Canada has exhibited in the United Nations is certainly nothing that we can be proud of. If there is anything we can be proud of, it's the fact that this Legislature, I hope, will pass a resolution calling on Canada not to test nuclear weapons, not to participate in nuclear proliferation, to join the countries of Spain, Greece and Denmark which have refused to have the Cruise on their territory and to . . .

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

The Honourable Member for Lakeside.

MR. H. ENNS: Mr. Speaker, I raise a point of privilege on behalf of the Progressive Conservative Party. The first speaker on this resolution this afternoon made what I thought were unsolicited and unneeded remarks about the fact that there would not be representation of the Conservative Party this Sunday on the march that is being planned.

Mr. Speaker, that kind of cheap politics, if they want to play it, they're welcome to it. But most Manitobans know that the Conservative Party is otherwise occupied this weekend. — (Interjection) —

MR. SPEAKER: Order please. The honourable member did not have a point of privilege, but I thank him for that explanation.

The time being 5:30, the House is adjourned — (Interjection) — with the honourable member's permission, the House will stand adjourned until 2:00 p.m. tomorrow (Thursday).