



Third Session — Thirty-Second Legislature
of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS

33 Elizabeth II

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



VOL. XXXII No. 52 - 2:00 p.m., WEDNESDAY, 27 JUNE, 1984.

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

Members, Constituencies and Political Affiliation

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, 27 June, 1984.

Time — 2:00 p.m.

OPENING PRAYER by Mr. Speaker.

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

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

MR. SPEAKER: The Honourable Member for Burrows.

MR. C. SANTOS: Mr. Speaker, I beg to present the Third Report of the Committee on Statutory Regulations and Orders.

MR. CLERK, W. Remnant: Your Standing Committee on Statutory Regulations and Orders begs leave to present the following as their Third Report:

Your Committee met on Tuesday, June 26, 1984 at 8:00 p.m. in Room 255, Legislative Building and heard a representation with respect to Bill (No. 28) - An Act to validate an Expropriation under The Expropriation Act; Loi validant une expropriation effectuée en vertu de la Loi sur l'expropriation, from Mr. Bob Kozminski, Budget Rent-A-Car.

Your Committee has considered:

Bill (No. 6) - The Dangerous Goods Handling and Transportation Act;

Loi sur la manutention et le transport des marchandises dangereuses,

Bill (No. 18) - The Statute Law Amendment Act (1984),

And has agreed to report the same with certain amendments.

Your Committee has also considered:

Bill (No. 20) - The Statute Law Amendment Act (1984)(2),

Bill (No. 28) - An Act to validate an Expropriation under The Expropriation Act; Loi validant une expropriation effectuée en vertu de la Loi sur l'expropriation,

And has agreed to report the same without amendment.

All of which is respectfully submitted.

MR. SPEAKER: The Honourable Member for Burrows.

MR. C. SANTOS: Mr. Speaker, I move, seconded by the Member for St. Johns, that the Report of the Committee be received.

MOTION presented and carried.

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

MR. SPEAKER: The Honourable Minister for the Environment.

HON. G. LECUYER: Mr. Speaker, I'd like to table the Annual Report of the Clean Environment Commission for 1983.

MR. SPEAKER: Notices of Motion . . .

INTRODUCTION OF BILLS

HON. W. PARASIUK introduced Bill No. 31, The Statute Law Amendment (Taxation) Act (1984). (Recommended by Her Honour the Lieutenant-Governor); and Bill No. 32, An Act to amend The Health and Post Secondary Education Tax Levy Act; Loi modifiant la loi sur l'impôt destiné aux services de santé et à l'enseignement post-secondaire. (Recommended by Her Honour the Lieutenant-Governor)

INTRODUCTION OF GUESTS

MR. SPEAKER: Prior to Oral Questions, may I direct the attention of honourable members to the gallery. We have 15 students of Grade 9 standing from the Yellow Quill School under the direction of Mr. Sushelnitsky. The school is in the constituency of the Honourable Member for Portage la Prairie.

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

ORAL QUESTIONS

Public Utilities - future sittings

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. G. FILMON: Thank you, Mr. Speaker. My question is for the Honourable Minister of Energy and Mines.

Yesterday, the Government House Leader was unable to give us an indication of when the next meeting of the Public Utilities Committee to discuss the Hydro Report would be held. I wonder if he can give us an indication now as to when his staff and he will be available for the next meeting.

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

HON. W. PARASIUK: Yes, Mr. Speaker, I will have to have some discussions with staff as to their availability. I do know that some out-of-province meetings have been booked. We had made allotments of time to allow a full discussion in Public Utilities Committee.

I can recall when I introduced the statement on the Northern States Power sale, that I indicated that I had asked my House Leader to confer with the Opposition House Leader to pick appropriate times. I believe we offered the immediate Friday and Saturday; that was turned down. We offered the subsequent Friday and Saturday; that had been turned down. There were some arrangements with respect to a Thursday evening sitting

and at that Thursday evening sitting, the Leader of the Opposition indicated at that time that he didn't want the Public Utilities Committee to sit on Monday morning - this was Monday, June 25th, just a couple of days ago - because rural members of his caucus may not have a chance to get in, so he suggested that we do it on Monday evening and Tuesday morning.

He suggested that if we give that type of consideration to the opposition members, that in three working sessions, with all the information and time for consultation between sessions, that they would get through. He is now indicating that the opposition will require more time.

We certainly will look at the agendas and timetables to try and ensure that the opposition does have an opportunity to review the matters before the Public Utilities Committee, and I certainly would get back to the Minister indicating when that might be possible.

I know that in discussions with the Opposition House Leader, we had agreed that it wasn't imperative that the committee meet when the House is in Session. That's one of the reasons why we had been asking it to meet on Monday morning. It certainly could meet in the first or second week of July, but I will check the schedules and ensure that the opposition does have another opportunity to review the Hydro before Public Utilities Committee.

MR. G. FILMON: Well, Mr. Speaker, I regret that the Minister is attempting to indicate that we are spending too much time considering an agreement that will bind Manitobans for more than two decades, agreements that will have to go before the National Energy Board for careful examination. I regret that the Minister wants to muzzle the opposition.

My question to the Minister is, Mr. Speaker, when is the National Energy Board hearing scheduled for this particular NSP application?

HON. W. PARASIUK: Mr. Speaker, since the preamble to the Leader of the Opposition's question was clearly argumentative, I feel I have to answer that by indicating that we have bent over backwards to try and enable the opposition to have a chance to spend the time to review the material that has been put before it as quickly as possible. We signed the agreement on June 14th and at 2 o'clock it was introduced to the Legislature and tabled and presented to the opposition with attempts made to try and provide sufficient time for the opposition to review it. So it should be clearly understood by everyone that we want everyone to have a clear opportunity to review the material and we would try and do our best, within some constraints that the opposition has and within our own time table of other negotiations, to ensure that everyone has a full and proper review of the material.

With respect to the question, we in fact don't know the exact date because, Mr. Speaker, we have been tied up in the Legislature and we have to now proceed to make the formal application to the National Energy Board, which I indicated to the House when I tabled the statement on the Northern States Power. We will make application to the National Energy Board, they will take a look at the material and I would expect that they would be having hearings some time in the month of possibly late August or September or October.

MR. G. FILMON: Mr. Speaker, I wasn't attempting to be argumentative and I wasn't listing all the days last week when he wasn't available for committee such as Tuesday, such as Wednesday, such as Thursday morning because of his staff commitments and so on.

Mr. Speaker, will he give us the assurance that we will have sufficient time to consider the Hydro Report at Public Utilities Committee prior to the National Energy Board hearings being held on this application?

HON. W. PARASIUK: Mr. Speaker, as I said, we have bent over backwards trying to make ourselves available to the opposition, and we will ensure that the opposition does have the opportunity. I will in fact again check out the availability of staff and I will get back to the opposition. We may be able to have it sooner; it may be that we have to have it some time in the month of July, but I'd certainly inform members so that they would have that opportunity.

MR. G. FILMON: Mr. Speaker, I'm not sure if the Minister indicated it. Do we have his assurance that we'll have sufficient time to consider the Hydro Report prior to the National Energy Board hearings?

HON. W. PARASIUK: Mr. Speaker, I believe that the opposition will have time, whether in fact they consider that sufficient may in fact be judgmental. I notice that the Leader of the Opposition moved adjournment at 10:30 on Monday evening. We could have conceivably gone to 11 or 11:30 if they had more questions. On Thursday evening, June 21st, we in fact moved adjournment at 10:26. We could have had another half-hour or an hour at that particular stage. I know that the Leader of the Opposition, I believe, yesterday left the committee proceedings at I think at about 12:15. He had an extra 15 minutes at that particular time, had he wanted to use it, to ask questions, Mr. Speaker, so we will in fact provide the time, Mr. Speaker, it's up to them to use it in a sufficient way.

MR. G. FILMON: Mr. Speaker, on a point of order, if the Minister insists on listing times at which people were there, I'll list the times at which he took a coffee break in the middle of the meetings and all that nonsense. That's not the point.

The point is, will he assure us that we have sufficient time to consider the Hydro Report so that we then can be assured of having reviewed it properly?

MR. SPEAKER: Order please. That is not a point of order. Does the honourable member have a question?
The Honourable Member for St. Norbert.

MR. G. MERCIER: Mr. Speaker, I have a question for the Minister of . . .

POINT OF PERSONAL PRIVILEGE

HON. W. PARASIUK: Mr. Speaker, I would like to rise on a point of personal privilege.

MR. SPEAKER: Order please. The Honourable Minister of Energy and Mines. Does he intend to conclude his privilege?

HON. W. PARASIUK: Yes, I will. The Leader of the Opposition, on a false point of order, got up and said that I was leaving committee meetings because of taking coffee breaks. Mr. Speaker, I am taking that occasion which occasionally requires me to go to the washroom. And to have the Leader of the Opposition imply to the people that I'm taking coffee breaks when my committee proceedings are under way is, I think, a terrible abuse of the proceedings of the Legislature.

I move, Mr. Speaker, seconded by the Minister of Finance, that the Leader of the Opposition withdraw those remarks.

MR. SPEAKER: Does the member have a copy of the motion?

HON. W. PARASIUK: Mr. Speaker, I don't consider that whole thing a laughing matter, the opposition might. If that's the level they want to sink to, I don't. I am quite shocked and surprised at them, Mr. Speaker.

MR. SPEAKER: Order please. In order for the House to decide what constitutes a matter of privilege, there are two conditions to be met, one of which is that the matter be raised at the first available opportunity which, in fact, the member has; and secondly, that there appears there is a prima facie case that a matter of privilege has existed. Since privilege appears to be or is a matter of obstruction or some means of preventing the House from functioning, I cannot see that what the Honourable Minister of Energy and Mines says, in fact, fulfills that necessity for a prima facie case of privilege.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please. Therefore, I would find that the matter is not a matter of privilege.

The Honourable Member for Lakeside.

MR. H. ENNS: Mr. Speaker, I rise on a point of privilege.

MR. SPEAKER: Could the honourable member state his point?

MR. H. ENNS: I want to indicate to you, Mr. Speaker, that the privilege is not only mine, but that of the House. More particularly, I can't recall in 18 years that the Standing Committee of Public Utilities has not had an opportunity to fully review the Annual Manitoba Hydro Report, one of the most important functions of standing committees in this House.

After all, Manitoba Hydro is one of our largest, the major Crown operation that we are responsible for, that we are accountable for to the people of Manitoba. This will be the first time in my memory, Mr. Speaker - and Manitoba Hydro has gone through many very important decisions, very substantial decisions involving multimillions of dollars, decisions that date back to the important decisions of the Churchill Diversion, of the flooding of South Indian Lake. Throughout all those times . . . I am concluding my point of privilege with a motion, Mr. Speaker. Throughout some of those difficult, hard and controversial times, never has a government shown the kind of arrogance or the kind of petulance in not allowing the official opposition to

conclude its normal review of a major Crown corporation, Mr. Speaker.

It is not for the Minister of Mines to tell us what days he is prepared to allow us to examine Hydro officials or officials of the Manitoba Energy Authority.

Mr. Speaker, we are dealing, as my Leader has said, with probably some of the most important decisions to be made this decade or future decades. We are talking about mega projects in the billions of dollars, whether or not to commit Manitoba taxpayers to the building of a \$3 billion dam and future dams, Mr. Speaker, whether or not we are to commit our resources for the sale to American users for the next 12 years.

For the first time, we have the arrogance of this Minister not allowing a standing committee of this House to review those questions, to review those contracts to his fullest measure.

So, Mr. Speaker, I move, seconded by the Honourable Member for Arthur, that the Minister of Energy and Mines be instructed to allow the Standing Committee on Public Utilities the sufficient time to conclude its review of the Manitoba Hydro Report prior to any application to the National Energy Board.

HON. A. ANSTETT: Point of order.

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

HON. A. ANSTETT: Mr. Speaker, I raise a point of order with regard to the admissibility of the motion, Sir. My understanding of a motion of privilege relates to privileges of the House. The construction of the motion is a motion that would be in order as a substantive motion placed on the Order Paper as notice, but does not constitute a matter of privilege, Sir, because it does not relate directly to the privileges of the House as defined in our Rules and in Beauchesne.

It reflects, Sir, obviously, some discussion that was held in question period before my arrival - my apologies for being late - with regard to the scheduling of committees. But clearly, such a motion that the House request the Minister to schedule meetings or to hold meetings prior to such-and-such a date or any requirement with regard to those meetings is not subject matter of a matter of privilege, but rather is subject matter of a point of order to be debated or a substantive motion, if the House wishes to request a meeting. The subject of the substantive motion for that purpose, Sir, should not be the subject of a matter of privilege.

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

MR. H. GRAHAM: To the same point of order, Mr. Speaker, one of the fundamental things in raising any matter of privilege is that it be raised at the first opportunity that is possible to raise it. My Opposition House Leader has raised it at the first opportunity. He raised it the minute the Minister refused to give any confirmation that the committee would complete its work before the National Energy Board held its hearings. So the matter of urgency is one that has been fulfilled, Mr. Speaker.

I suggest to you, Mr. Speaker, that the Government House Leader was in error when he started quoting

citations from Beauséjour, because the matter of urgency must be prima facie in every case when it comes to urgency and matter of privilege.

MR. SPEAKER: Order please. I am satisfied that the matter was raised at the earliest possible opportunity. I am not at all convinced that a matter of prima facie privilege has been demonstrated which would allow the House to deal with the matter immediately. Therefore, there is not a prima facie case of privilege before the House.

The Honourable Member for St. Norbert.

ORAL QUESTIONS Cont'd Compensation re heavy rains

MR. G. MERCIER: That's right, Mr. Speaker. Mr. Speaker, I have a question for the Minister of Urban Affairs. In the light of the statement yesterday by the Federal Minister responsible for Emergency Planning that the Federal Government was prepared to accept an application from the province for financial assistance for the disaster that has befallen the city in recent days, Mr. Speaker, with respect to flooded basements; in light of the fact that the city has been requested to provide data, but it will take up to two weeks through newspaper and telephone surveys to obtain that data, could the Minister not indicate now, on behalf of the Provincial Government, that they will immediately make that application to the Federal Government in order that a program of assistance to home-owners whose basements have been flooded can be brought into effect immediately?

MR. SPEAKER: The Honourable Minister of Labour.

HON. M.B. DOLIN: Thank you, Mr. Speaker. I wish I had the clipping with me from the paper yesterday. I think it would explain very clearly to members what is happening. The city is gathering the information; they need to give us facts and figures. They are quite aware that any municipality has to do that in any case of a disaster, or perceived disaster. The paper, yesterday, carried a form which had across it, postponed until later notice or whatever, something like that.

I believe that what the city is going to do, and I don't have this confirmation from them, but what I believe from our meeting yesterday, their intent is that they will place a similar but slightly modified survey form in the paper. It was probably too late to change the one they had in, which looked more like an application form, and they are gathering the information through a phone survey. They had that in place already as of yesterday, they were going to begin it. They are going to bring back to us the information on exactly how much aid is needed and we will then proceed with the Federal Government.

Everything is unfolding as it should. The city delegation that met with us yesterday was quite confident that once they've gathered the information and brought it forward to us they had our assurance that we would look at the information, see how it fit into the proposal, the policy that's in place and go to the Federal Government with the information. The

Federal Government has merely said that upon hearing what the disaster, or perceived disaster, amounts to, by way of compensation, yes, they would be prepared to pay their fair share.

MR. G. MERCIER: Mr. Speaker, in the light of the Federal Minister's statement in the House of Commons yesterday, that they are prepared to accept an application from the province and are waiting to hear from the province, would the Minister not undertake to contact the Federal Minister immediately in order to expedite this whole process which is going to take the city at least two weeks to gather all of the data?

HON. M.B. DOLIN: Mr. Speaker, there's nothing that I can tell the Federal Minister with any firmness. There's nothing that the city has brought forward to us yet. The city knows, as with any municipality, and I'm sure the honourable members knows, that you have to come forward with information on the extent of the perceived disaster. You have to know how much money is involved, you have to know what kinds of claims are going to be coming forward. As soon as that information is gathered, and it is presently being gathered, then we will be able to proceed. That is the way it works and I'm sure that the honourable member knows that from previous years.

French language classes - number of pupils

MR. G. MERCIER: Mr. Speaker, I have a question for the Attorney-General.

Mr. Speaker, in the light of the recent decision of the Ontario Court of Appeal, which ruled that The Ontario Education Act conflicted with The Charter of Rights and Freedoms by requiring a certain number of children in order to have French language instruction - the Ontario legislation is very similar to The Province of Manitoba Public Schools Act which requires 23 or more pupils in order to have French language instruction - in the light of the Ontario Government's announcement that they intend to amend their legislation to remove any requirement with respect to numbers, is the Attorney-General or the government considering amending The Public Schools Act in Manitoba which requires 23 or more pupils in order to have French language instruction?

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Well, in the first instance, Mr. Speaker, I would want to read the judgment of the Ontario Court of Appeal to see to what extent, if at all, it is applicable in Manitoba.

I am a little puzzled by the press report because one cannot, as the Member for St. Norbert I think would know, really garner the essence of a decision from a press report because, in fact, Section 23.3 of the Charter provides that the injunction with respect to providing language minority instruction applies wherever in the province the number of children, of citizens who have such right, is sufficient to warrant the provision to them out of public funds of minority language instruction, which would seem to place the right, as well as the

onus, on a province to determine when public funds should be expended.

We do have a provision - I think it's 79 of The Public Schools Act - which sets the number at 23, as it happens, which is not dissimilar from other provinces.

So, having said that, which is only by way of supplying information, which I think is what question period is about, I will get a hold of the case clearly and have officials in my department do an analysis to see what problems, if any, it may raise for The Public Schools Act in Manitoba.

I should finally point out that the decision of the Ontario Court of Appeal is merely persuasive, it is not binding in the Province of Manitoba; what would be, if that case was taken to the Supreme Court, a Supreme Court judgment.

Elections - third-party spending

MR. G. MERCIER: Mr. Speaker, I would pass one further question to the Attorney-General.

Would he also examine another case in the Province of Alberta whereby a decision was apparently made which has struck down provisions of the Canada Elections Act, which restricted third-party spending during elections, provisions which are somewhat similar to those in effect in The Manitoba Election Finances Act; and would he have his department examine that case in order to determine whether there is any similarity and any conclusions that can be drawn with respect to the Manitoba legislation?

HON. R. PENNER: Yes, I am aware of that decision and will certainly obtain the decision and have a look at it. I recall that I had taken as notice some time ago a question from the Member for St. Norbert on that very question and I haven't got back to him in the House on that as yet, but I will, either through this medium; if not, then when we are prorogued, I will get the information to him in another way.

That decision, the judge in Calgary is, at first instance, first level, trial judge level, and again while it might be persuasive, one would have to read the judgment. It is certainly not binding upon us but, nevertheless, we will look at it very carefully to see whether or not it raises issues that we want to be very aware of by the time we proclaim The Election Finances Act, although passed in this House, is not yet proclaimed.

Superior Coach Manufacturing - Morris

MR. SPEAKER: The Honourable Member for Morris.

MR. C. MANNES: Thank you, Mr. Speaker. I address my question either to the Minister of Labour or the Minister of Economic Development.

I have in front of me a copy of the formal notice to the Minister of Labour regarding the discontinuing of operations of Superior Coach that was presented to her on June 8, 1984, as required under The Employment Standards Act.

I would ask either of those two Ministers what action they have taken, or their department has taken, to forestall the closing date of August 8th as indicated within this letter.

MR. SPEAKER: The Honourable Minister of Culture.

HON. E. KOSTYRA: Thank you, Mr. Speaker. I believe I indicated some time ago in response to a question from another member that staff of my department has been in contact with them and are looking for a meeting with the main principle behind that operation, Mr. Delmar Keyes, out of, I believe it's Oklahoma, and that meeting is coming up in the very near future.

MR. C. MANNES: Mr. Speaker, I am wondering if the Minister could shed a little bit more light on that particular case. Can he tell us when that meeting is to take place, and can he hold out any hope to my constituents and some 73 employees of that particular firm who, as of August 6th, I believe, they will have no work? Can he give us some indication as to what the possibilities are for stalling the date, the August 6th deadline?

HON. E. KOSTYRA: I believe it would be premature for me to make any comment on what hope there might be until such time as that meeting does take place and we are in a position to assess what possibilities there are of continued operation.

Compensation re heavy rains

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOWNEY: Thank you, Mr. Speaker. I have a question to the Minister of Agriculture.

In view of the fact that he and his government, Mr. Speaker, froze or delayed the camper drain in his own constituency which has caused the loss of crops of some probably 15 to 20 people, in view of that fact, will the Minister of Agriculture provide assistance to those farmers who are now severely flooded with water?

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. B. URUSKI: First of all, Mr. Speaker, I thank the honourable member for his question, the assumptions of which are totally inaccurate. There was no program or any project on the books, or being considered, Mr. Speaker, that I am aware of. Our department is not involved in drainage, perhaps the Minister of Natural Resources may want to further comment, but there is and has been no holdup of any projects of what the honourable member speaks of.

The concerns of many farmers in the province during periods of excessive rainfall are certainly a matter of concern of this government and this ministry, as well as the ministry of water resources. There is no doubt that, in terms of wanting to provide many of the drainage projects that would be necessary to deal with some of the problems in many areas of the province, would certainly require many many millions of dollars.

I believe that the only way that these matters can be corrected is an annual allotment of drainage, reconstruction and maintenance funds in order to deal with these matters, and they will be looked at on an ongoing basis.

MR. J. DOWNEY: Well, Mr. Speaker, in view of the fact that he has to take the responsibility for not having

such types of drainage installed in other areas where farmers are extremely hard pressed because of excessive water - Elie, for example - will the Minister of Agriculture contact his counterpart, the Federal Minister of Agriculture, and request emergency assistance for those farmers who are undergoing such difficulties with excessive rainfall? Will he approach the Federal Minister for disaster support for them?

HON. B. URUSKI: Mr. Speaker, we have made those kinds of approaches and will continue to do so in light of this year's excessive moisture problems that many areas of the province have experienced. Incidentally, it was not envisaged, and very clearly so, that we started the year off, and the honourable member well knows, as having the history in this province of having the lowest moisture levels that we have had in the past 30 years. However, the good Lord has blessed us in most parts of the province with ample rainfall. However, in some parts it has been clearly excessive and we will want to look at what forms of additional assistance, from what we have now available in regular programming of crop insurance and financial assistance to the farm community; but certainly the honourable member is making the assertion that drainage problems have just occurred as a result of the recent rainfall. Mr. Speaker, the Province of Manitoba and drainage problems have been here a long time and I am sure that they will be here in many areas longer than many of us will remain in this House.

MR. J. DOWNEY: Mr. Speaker, if the Minister had carried on with those that were in place and the projects that we were working on, then some of these difficulties wouldn't have been upon the farmers today.

Mr. Speaker, the Minister indicated that he has talked to the Federal Minister. When was his last discussion with the Federal Minister on flood disaster assistance for the farmers; and what was the Federal Minister's response? Did he get support from him; was it within the last week; or was it several months ago that he had discussions with him? When did he have those discussions and what was the Federal Minister's response?

HON. B. URUSKI: Mr. Speaker, the honourable member should be aware that my colleague, the Minister of Government Services and under the former Minister of Government Services, this province signed an agreement recently with the Federal Government for the provision of flooding assistance and disaster assistance in any parts of the province that would meet that certain criteria. Mr. Speaker, that kind of an agreement was not in place. It was this government that negotiated that type of an agreement. Any matters and any situations that fall under the criteria of that agreement would be eligible for assistance, Sir.

Part and parcel of that agreement is the area dealing with crop damage, and as the honourable member well knows, crop damage as a result of a long-standing federal-provincial agreement is an insurable item and has not in the past been a subject of damage claims and compensation payments. The member well knows that during losses of crop insurance, it would certainly throw into jeopardy the entire Crop Insurance Program.

But clearly, there are fundamental changes required in that program which we have instituted and we are negotiating presently with the Federal Government for those changes and we hope to have those changes in place prior to next year's crop season.

MR. J. DOWNEY: Mr. Speaker, I would ask the Minister of Agriculture to quit patting himself on the back and take action on behalf of those farmers in Manitoba who are hard pressed because of excessive water.

I would also, Mr. Speaker, ask him if the Minister of Agriculture federally, has indicated in the last few days that there will be support for Manitoba farmers? Will there be support for them?

HON. B. URUSKI: Mr. Speaker, I can't answer that question because I don't know who the Minister of Agriculture will be in terms of the new Federal Cabinet. As soon as we know who the new Minister will be, we will be able to reassert our discussions and see what the answers will be.

All-terrain vehicles

MR. SPEAKER: The Honourable Member for River East.

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

There's been a certain amount of concern expressed over new regulations governing the use of all-terrain vehicles in the Whiteshell. I wonder if the Minister has had the opportunity to review provincial policies regulating ATVs in provincial parks?

MR. SPEAKER: The Honourable Minister of Natural Resources.

HON. A. MACKLING: Yes, Mr. Speaker, I thank the honourable member for the question. There have been a number of concerns in respect to development of regulation in connection with these new motorized vehicles. I'm pleased to announce that I have issued instructions in respect to a regulation of them and I can give all of the members some detail as to that.

Three-wheeled motorized trikes are prohibited from all wayside and heritage parks and the following provincial parks: Asessippi, Beaudry, Birds Hill, Grand Beach, and Hecla Island.

They are also prohibited from all cottage subdivisions, camp grounds, day use areas, beaches, and hiking trails. They are allowed in specifically designated areas of a large number of parks: Clearwater Provincial Park, Grindstone, Duck Mountain, Grass River, Nopiming, Pairs Lake, Sprucewoods, Turtle Mountain, and Whiteshell.

Information on the whereabouts of the designated area within these provincial parks is available from the campground attendant and the park office.

Motorized dirt bikes, those are the two-wheel units, and four-wheel-drive units will not have any designated areas for use within provincial parks.

Generally, Mr. Speaker, the Parks Branch is fully aware of the popularity of these vehicles and a study is ongoing to recommend policy in designated areas for their use.

Hunters wishing information on the use of this type of vehicle during the fall hunting seasons are asked to contact the Wildlife Branch at the head office or any regional or district conservation officer.

Ingolf, Ontario - access passes

MR. P. EYLER: Mr. Speaker, one further question. A couple of weeks ago I raised the problem of people travelling to Ingolf, Ontario for their cottages there, having to pay road tolls through the park. Has the Minister been able to address that problem?

HON. A. MACKLING: Yes, Mr. Speaker, I thank the honourable member for asking me that question.

Both he and other members of the House, both sides of the House I believe, have expressed some concern about the opportunity of residents, people who have cottages or camps in the Ingolf area, being able to have access to those camps without the payment of a park pass.

I have taken steps to see that those people have a right of free passage. It is not an unlimited right because we want to determine that those people that are going to those areas are legitimately going there and not just getting admission to our park system on the pretense that they're going to those areas. So we have established guidelines which we think are practical for that.

Whiteshell tour - employees

MR. SPEAKER: The Honourable Member for Emerson.

MR. A. DRIEDGER: My question is to the Minister of Natural Resources and is based on an interdepartmental memo within his department. Can the Minister confirm that 12 staff members in his department received a two-day tour of the Whiteshell with all expenses paid? And can the Minister indicate what was the cost and purpose of this kind of a holiday for his staff?

MR. SPEAKER: The Honourable Minister of Natural Resources.

HON. A. MACKLING: Mr. Speaker, I would have to take the question as notice. I'm not aware of all of the detailed administrative arrangements within the department. If there were specific sections of the department that were given a briefing of new developments within the park, I think that would be most desirable. I don't know the details of the memo that the honourable member refers to. Maybe he can send me a copy of it.

MR. A. DRIEDGER: Mr. Speaker, is the Minister indicating that he is not aware that his priorities within his department are such that they are spending all kinds of money on tours of this nature when there's a lack of COs; and that roadside parks are being closed and that he is prioritizing his expenditures in such a way that his people are having a good time for a two-day outing in the Whiteshell?

MR. SPEAKER: I'm not sure if there was a question in there.

The Honourable Minister of Natural Resources.

HON. A. MACKLING: Mr. Speaker, I don't believe there was a question there. There was a very critical statement. But let me assure the honourable member that departmental staff are not given opportunities to have all-expense-paid visitations to various parts of the province.

Where we have staff training sessions or staff familiarization sessions that are in the interests of the province in order to get full understanding of the regulations or changes within the park system, and that's part of the work training, that I think is most desirable.

To suggest that civil servants are going on junkets is rubbish, Mr. Speaker.

MR. A. DRIEDGER: A final supplementary to the Minister. Is he indicating to the House that these training sessions, as he calls them, are a priority now within his department instead of dealing with the concerns of the COs and poaching issues?

HON. A. MACKLING: Mr. Speaker, it will always be a priority of this Minister, and I trust of this government, to ensure that those people who are working within departments are completely familiar with the responsibilities that they have, and for that purpose I think training sessions are completely in order.

Wayside Parks

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

MR. W. MCKENZIE: Thank you, Mr. Speaker. I have a question for the Honourable Minister of Natural Resources on the same subject matter.

I wonder while he has his staff under these training sessions, if he'll tell them to put back the picnic tables and the washroom facilities that we have in our parks that have now been removed.

MR. SPEAKER: The Honourable Minister of Natural Resources.

HON. A. MACKLING: Mr. Speaker, I know the honourable member who is a very strong enthusiast of Asessippi Park - and I compliment his interest in that - had a particular interest in some facilities which he and some of his friends enjoyed. I won't go into a description of the type of facilities, but you can appreciate that they're not modern in nature, they're very primitive, but due to the kind of demands that existed at the park, there were facilities that were organized to accommodate most people. There may be a few, including the honourable member, who had been privileged to use those facilities who are somewhat discomfited by that rearrangement. I understand that, but we have to look at the interests of the majority of the users of the park, and not a very small minority.

Compensation re heavy rains

MR. SPEAKER: The Honourable Member for Swan River.

MR. D. GOURLAY: Yes, I direct a question to the Minister of Natural Resources. In view of the fact that the Minister had on-site inspections of rain damage in the Garland and other areas of Manitoba, I wonder if the Minister can advise the House whether the province now will be providing assistance to those municipalities and LGD's and property owners that have suffered damage as a result of the incessant rainfall.

HON. A. MACKLING: I appreciate the question by the honourable member, and wish to confirm the correctness of the fact that, yes, I did have an opportunity of overflying the Garland River area; and I did note the flooding conditions there and the flooding conditions to the west of Lake Winnipeg, particularly in the Elie area where there are many hundreds, in fact thousands of acres that have been affected by excess precipitation.

Mr. Speaker, there is no question but there will be crop losses, some of which of course will be dealt with under the crop insurance scheme and administration. Where there are losses of other kinds, of course, we will make assessments. I have had staff and my colleague the Minister of Agriculture has also had staff advising and determining the nature of losses and where those losses are compensable under programs that exist, certainly we're going to be looking at them.

MR. D. GOURLAY: Can the Minister give some indication as to when he will have the assessment that he speaks of - damages?

HON. A. MACKLING: The precise or short answer, Mr. Speaker, would be, no. I really don't know the time frame. We will be getting reports from regional people. I had with me in the survey of the Garland River area, Mr. Towle, our district engineer. I would assume that in a matter of days or certainly not more than a couple of weeks, we will have those reports. I did note that there was some damage to a road under construction there. There may be damage to other structures. We're not sure of that. When we have all those reports we will determine the extent that, under present existing programs of compensation, we can evaluate and consider them.

But I want to reassure members that there is no system that can be devised with reasonable expense that can reasonably contend with the vagaries of nature that we have suffered this year. We started out, as my honourable colleague the Minister of Agriculture has pointed out, with very serious concerns about a drought in this province and now we have a condition where there is considerably more moisture in some areas than we want. But the capacity of our systems to handle these unusual downpourings is just not there, Mr. Speaker, and it is not designed for the unusual circumstances we've had in the last week or two.

MR. SPEAKER: The Honourable Member for Elmwood.

MR. R. DOERN: Mr. Speaker, I would like to direct a question to the Minister of Urban Affairs. In view of possible provincial and/or federal assistance to people who have suffered from flooding in the last week or so, or sewer backups and so on, can she provide any

helpful information to citizens who have experienced that, as to whether or not there is any method or technique being made in anticipation of such assistance?

For example, are people to phone a number and have inspectors come? Are they to save their materials and take photographs, etc.?

Mr. Speaker, I ask this, because it's a real concern. If people simply clean up their basements and then there is no evidence, how are they to demonstrate that they have, in fact, suffered such damage?

MR. SPEAKER: The Honourable Minister of Labour.

HON. M.B. DOLIN: Thank you, Mr. Speaker. Although this has been dealt with, I think that the member is asking for specifics. On behalf of our city colleagues, I can tell you again that the city is doing a survey - I think they mentioned it was something like one out of four throughout the city - to make sure that they determine the areas where the damage took place.

Anyone who has had flood damage, and I certainly lived through the 1974 flood and had a great deal of damage that was finally compensated outside of the City of Winnipeg, knows that you should take pictures, of course. If you have any from before, that's the thing to have. If you take them after, then you show the difference.

What the city is asking for, if the members are willing to listen to the answer that the Member for Elmwood asked for, what the city will be asking for is a fair assessment that the home-owners can make on the damage done to their property. When they total that - and I believe there is an inspection process that is involved with that - they will be letting us know the total amount of the damage, so we will know the provincial and federal contribution that they will be asking for.

MR. R. DOERN: Mr. Speaker, I would like to ask the Minister this. Is there now a number that citizens can call wherein they can make claims in anticipation of possible assistance, or is there an inspection department that will go out and make inspections at the present time, given the fact that it may not be several weeks before a decision is made by the senior governments?

HON. M.B. DOLIN: Mr. Speaker, I am not sure what it takes to get through the point that the city is responsible for gathering the information. They know that. They have not questioned that. They know it's their responsibility. Citizens call the city with that information. The city is putting into the newspapers survey forms that specifically ask for the kind of information. The member knows that it was marked postponed. I assume they are putting one in shortly, perhaps on the weekend.

It would not do any good at all for the citizens to call my office because we would only have to refer them to the city. It is a process that the members are quite aware of, and I would not want to suggest to any resident of the City of Winnipeg that it would be appropriate to call my office to report this information. They do not want to have to make several calls. They

should be calling the city, and I want to give them accurate information on where they should be calling. I think that's what you're asking for.

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

ORDERS OF THE DAY

MR. SPEAKER: The Honourable Government House Leader.

HON. A. ANSTETT: Mr. Speaker, would you please call the two bills standing on the Order Paper as Adjourned Debates on Second Reading, Bills No. 22 and 35 in that order?

ADJOURNED DEBATES ON SECOND READING

BILL 22 - AN ACT TO AMEND THE LABOUR RELATIONS ACT AND VARIOUS OTHER ACTS OF THE LEGISLATURE

MR. SPEAKER: On the proposed motion of the Honourable Minister of Labour, Bill No. 22.

The Honourable Member for Thompson has 32 minutes remaining.

MR. S. ASHTON: Thank you, Mr. Speaker.

When I spoke last time in the brief time I did have available to me, I pointed out the clear fact members opposite and unfortunately too the Chambers of Commerce in their approach to this bill, are tackling it from a position of not having looked at the specifics. It's the same old, timeworn rhetoric they used in 1972, they're now recycling 12 years later, and it has no more validity today than it did in 1972 because the same statements they are making today about these amendments, about Bill 22, are the same statements they made about a package 12 years ago that they are now defending. That is basically what they are seeking, Mr. Speaker, is to preserve the status quo.

Irregardless of their rhetoric, Mr. Speaker, the content of this bill is a good move for Manitoba. It is a progressive move. It will lead to industrial harmony.

Just to point out some of the features of the bill, Mr. Speaker, I would like to spend a couple of minutes to go through exactly what is involved with it, because I really suspect that members opposite and I suspect that the Chamber of Commerce which put out this ad, "The Dark Cloud Over Manitoba," has not read the bill. This ad, for example, makes virtually no reference to the bill itself. There are only about four points listed, at least one of which is totally inaccurate, which is the reference to the first contract legislation which was already passed in this Chamber two Sessions ago.

It's the same if you read through the speeches of members opposite. I took some time to go through those speeches and see how much attention was given to the actual content of this bill. I went through the comments of the Member for La Verendrye. He did address a number of the points but basically stuck to a more general, political attack on this bill. The Member

for Lakeside talked about construction wages, which is totally irrelevant, and mentioned nothing at all about the specific contents of Bill 22 in any of his remaining remarks. The Member for Morris addressed a number of points. He also indicated that he did not know too much about unions and union organizing. I think that is borne out in his comments. They certainly come from a position of someone who does not understand what is going on. The Member for Fort Garry made virtually no reference whatsoever to the specifics of this bill. The same was the case with the Member for Pembina. In fact, he reached new rhetorical heights in terms of what was basically, a strictly political attack on the government, which is something we've come to expect from that particular member.

If you look at what is in the bill, you will see that it involves a number of measures which relate to the settlement of mid-contract disputes, which relate specifically to arbitration, grievance arbitration. There are a number of important measures in here aimed at tackling a severe problem we have at the present time. In fact, today the average length of some of the grievances is as much as 300 days. The shortest tends to be in the neighbourhood of about three months, but many grievance arbitrations go on beyond a year, Mr. Speaker. It's not just labour which is seeking quicker arbitration procedures, it's business as well. That is what this government has responded to. It's responded with a form of expedited arbitration.

There are a number of features of that expedited arbitration. One, for example, says that a grievance cannot be held up strictly because of some technicality related to the wording of the grievance; that grievances will be judged on the basis of the alleged grievance rather than the wording in which the grievance is phrased, which I think is only fair. If members opposite oppose that, I'd like to hear it.

There are a number of other things as well. The decisions have been shielded from traditional review to prevent a whole series of possible appeals and legal delays which once again can lead you into the situation of grievances going for more than a year. There have been a number of other changes as well, Mr. Speaker, in strengthening the arbitration process itself, with the government providing a list of arbitrators, giving the arbitrators themselves, the power to produce documents prior to the hearing of grievance.

There have been a number of provisions in this act aimed at strengthening the board. For one thing, Mr. Speaker, giving the chair and the vice-chair seven-year terms to preserve their independence and their ability to act in an independent way. There have been a whole series of measures aimed at providing a system of expedited arbitration. If members opposite oppose that, I would like to hear. I would really like to hear that, Mr. Speaker, because, as I said, it's not just labour, it's business that has talked about the need to improve our grievance procedures.

There's some disagreement with the business community. I realize that they do not support some of the changes, but they support the general principle and they support some of the changes as well. We've heard virtually nothing from members opposite on that point. They've chosen instead to concentrate, when they have addressed specifics, on areas related to organization, the organization of unions. There are a number of

provisions that have been brought in in this area, a number of very important provisions which relate, for example, organizing drives to the date of application. There are provisions in this bill, Mr. Speaker, to stop unfair and illegal interference. There are provisions for interim and discretionary certificates as well.

I think if you analyze what is being done by these changes, you will find that really what it is doing is allowing for employees to express their views in terms of organization, without having unfair labour practices, without having pressure placed on them, pressure which is often very intense, following their originally signing a union card and indicating they do want to have a union. What it really does, Mr. Speaker, is improve the ability of a system to reflect the wishes of the employees.

That's not what you hear from members opposite. Members opposite have come up with all sorts of dark scenarios about what this actually means. If you analyze, what they're really doing is arguing for the present situation. They apparently feel it's okay - after a situation which say 60 percent of the employees in a particular bargaining unit say that they want a union - for other people there to put pressure on those employees to get them to change their minds. They think that is fair.

I would assume from this ad of the Chamber of Commerce, that they think that is fair too, that there should be allowance for that, that they should be allowed to use unfair labour practices without any penalty, because that's what they're saying when they oppose some of the changes we've made in that regard in this bill.

Mr. Speaker, as the Attorney-General points out, the remedial clause in this bill is taken right from Ontario. In fact, if you look at the various provisions in this act, you'll find it's taken from provinces from one coast to the other under Social Credit Governments, under Conservative Governments. There are even provisions in here which are similar to provisions that the Federal Liberal Government has.

So, what are they so concerned about? Why is the Chamber of Commerce now saying that this is "a dark cloud over Manitoba," this particular bill? Is it a dark cloud over Ontario or Newfoundland or British Columbia or Saskatchewan or Canada as a whole? Is it a dark cloud? Well, I suggest not, Mr. Speaker. As I said, when you analyze the specifics of this bill, you will find that each and every one of the provisions in this bill, when looked at objectively, when looked at fairly, are reasonable provisions. There is nothing radical about any of those provisions whatsoever. Nothing radical at all. The members opposite know that. I believe the Chamber of Commerce know it as well.

The question then is, why have they chosen to approach this bill in this particular way? Well, there are various possible scenarios, Mr. Speaker. I suspect that the most likely background of this particular thing, as I said, when changes are made to The Labour Relations Act as they were in '72 and they have been in 1984, the natural approach of members opposite and the Chamber of Commerce, is to oppose it no matter what, based not on the idea that the changes themselves are necessarily bad - as I said, many of these are already in place in other jurisdictions - but I think it's based on the concept that by somehow making a big fuss about this, there will not be other changes in the future. I really think if you look at that, the lack of relevant

debate from members opposite, the lack of relevant discussion of Bill 22 in this newspaper advertisement, that's obviously the theory behind what they are doing today.

I'd like to examine that for just a moment. What is that based on? In a lot of cases, I think it's based on a fundamental misconception that members opposite and some people in the Chamber of Commerce and the business committee have about labour relations and industrial relations in Canada. We have one of the highest strike rates in the world, but do we have one of the highest levels of union organization in the world? No, Mr. Speaker. We have one of the lowest. In fact, if you compare it, I believe only the United States and maybe one or two other countries, have lower levels of union organization than we do. Yet we have the highest rate of strikes in the world, and we've had that over the last 20, 25 years.

What about other countries? You can take them from different political backgrounds. Sweden, for example, has virtually no strikes. We all know it has a Social Democratic Government. West Germany, until recent years, has had a very low level of strikes, regardless of the stripe of the government that has been in there. In fact, you can look at country after country and you will find there is no direct relation.

Yet members opposite have this idea. You still hear it. You can see it in their mentality that there is something wrong with unions because they lead to strikes, or that the union movement is the cause of the fact that we have such a high level of strikes in Canada. Well, that's clearly not true. What is at fault is the system that we have in Canada at the present time. What is at fault is the system and that, I think, is clear.

The question then is, what do we do about that? What do we do about that? The Tory approach is to hamper union organization. In some provinces, Mr. Speaker, it is to directly fight unions, try and take away some of the rights they have gained over the years to help organize employees. That's what they've been doing. That's what they've done in Alberta and Saskatchewan and with their ideological friends in B.C., we've seen that. But is that going to lead to greater industrial harmony which surely is the goal that we all seek? Is it going to lead to improved economic health?

I would suggest the answer is no, because there's another factor at work in many of the countries which have the lower strike rate. It's partly the system, Mr. Speaker, but beneath that there is an overall general acceptance by all parties, government, business and labour, of the basic rights of each component organization.

In those countries, Mr. Speaker, they do not question the right of a union to organize. In those countries, Mr. Speaker, there are not organizations set up specifically for the purpose of advising companies on how to remain union-free, as is the case in Canada, with such groups as the Advanced Management organization. There is no push for right-to-work legislation, as we find today in some areas in Canada which would fundamentally destroy the viability of unions and the ability of employees to bargain collectively and yet, they have low strike rates. Why, Mr. Speaker, why? The answer is obvious, and that is that the basic recognition of the rights of the parties involved, particularly the rights of unions to organize, is at the very root of their success

in terms of industrial harmony and, I would submit, their overall record of economic growth.

I would submit further, Mr. Speaker, that the changes that are outlined in this bill are a step in that direction. There is no dramatic shift in the balance of power really if you analyze this. As I said before, there are some - and I would tend to agree with them - who would argue that the scales today are balanced in favour of business. As I said yesterday, the fact that business does have the right to hire replacement employees, scabs if you like, in all provinces except Quebec, that's surely a fundamental power they have which unions don't. If there is any balance between the right to lockout and the right to strike, it surely is weighted toward business on that basis alone, on the basis of their ability to hire scabs. That's not contained in this bill. There's nothing about anti-scab.

There are, in fact, no other major changes in regard to the handling of collective bargaining agreements in the sense, for example, that we might have seen with the final offer selection, which I personally feel had a great deal of merit and I would hope would be considered. It's not free of fault, but it certainly has its role to play.

As I said, these things aren't in there. What we have are various items aimed at improving the collective bargaining system, the grievance system, and improving the system we have of organization into collective bargaining units. As I said, Mr. Speaker, the immediate reaction of members opposite is to oppose that. They see that as favouring unions. They see unions as being bad, therefore, they oppose it.

But I say, Mr. Speaker, what it does is it allows, on a voluntary basis, employees to organize without some of the interference that can take place at the present time. I think that is positive. It spells out some of the rights of unions that we have in this bill which are not clear at the present time, which I think is positive. It improves our ability to handle mid-contract disputes, Mr. Speaker, which is fundamentally important because that in many jurisdictions is a proven cause of many strikes.

I've been through a strike, Mr. Speaker, most recently in 1981, and I can tell you that one of the factors behind the strike was not the collective agreement solely per se, but was the fact that there were serious problems related to mid-contract disputes.

So when I look at it, Mr. Speaker, I view this as a progressive step. It's going to lead us towards the industrial harmony that we all seek. It is only when the members of this House, all members of this House, recognize that. It's only when the Chamber of Commerce puts away its rhetoric, the kind we have seen in newspaper ads over the last few months, that we're ever going to achieve that.

We can continue to live in the dark ages; we can continue to fight on the basis of rhetoric. What we will do is continue to have high strike rates; we will continue to have problems with industrial harmony; but there is another route, Mr. Speaker. That is to move progressively towards the kind of things outlined in Bill 22, and move towards an industrial harmony in Manitoba and for that reason, Mr. Speaker, I support this bill and I think if anybody reads it they will support it as well.

MR. SPEAKER: The Honourable Member for Minnedosa.

MR. D. BLAKE: Thank you, Mr. Speaker.

I just want to say one or two things about this particular bill that we are debating at this time. It has been covered at some length, and will be covered further before the debate finishes so I won't spend too much time on it. It was interesting to hear the great defence from the Member for Thompson and I'm sure he's knowledgeable in bills such as this, because I'm sure after the next election he'll become a union organizer and will further his knowledge of labour laws and various other labour activities.

Mr. Speaker, what I want to say on this particular bill and why there has been some objections to it and why the Chambers of Commerce have seen fit or found it necessary to take out full-page ads in the paper, it's because no one trusts this government. That's the problem. The Throne Speech, the love-ins that this government has had with various groups such as the Chamber of Commerce and the Manufacturers' Association and various other groups, have led them down the garden path and said, look, we want to get along with business. We want to co-operate. We want input from you and, through consensus, we're going to arrive at legislation that is going to be beneficial to all of the people of Manitoba and be good for business and labour.

The Chamber of Commerce pointed it out in a letter to the Premier before the ads and before they did their assessment and after being led down the path to believe that this government was going to listen to some of their views and incorporate some of their views in the legislation, they say, "We are appalled to see the almost total disregard of the many concerns expressed to you and your Cabinet by the business community. We were surprised by the inclusion of new material never discussed." That's why they have found it necessary, Mr. Speaker, to oppose this legislation so vehemently. There are, apparently, things in this bill that were never discussed with the business community — (Interjection) — are you calling the Chamber of Commerce liars? Well, that's on the record, Mr. Speaker. They're calling the Chamber of Commerce a bunch of liars.

MR. SPEAKER: Order please. The honourable member has been in this Chamber long enough to be able to use parliamentary language and to avoid unparliamentary language.

The Honourable Member for Minnedosa.

MR. D. BLAKE: Mr. Speaker, I was just repeating what the members opposite have said and if that's unparliamentary, I could change it to statements by members opposite and the truth very seldom run parallel.

Mr. Speaker, that is why the business community are jittery over things that this particular government does. They go along and say we want to get along with the Chamber of Commerce. We want to get along with the business community. We want to co-operate. We want your input. And we know exactly what they think of the Chamber of Commerce, Mr. Speaker, and various other business interests. We know exactly what they think of them.

Every now and then, they have a little love-in and the business community get taken in and say, well,

these guys maybe aren't bad. They want to confer with us, they want consultation and they are going along with us. Then they turn around and stab them in the back. I think the opening statement was, we have been misled, disillusioned and zapped was what one of the articles describing the bill when it was finally brought down in its final stages.

But, Mr. Speaker, there is no harm in carrying on some further consultations; that's been pointed out by some of my colleagues on this side of the House. There is no great rush. It's not being brought into effect immediately. Well, the Minister is pointing to other headlines in the paper. The fact that it was necessary to hire \$600-a-day lawyers, and I suspect, Mr. Speaker, that if the whip wasn't on over there, there might not be full consensus in that caucus too on passing this bill holus-bolus if the truth were known, Mr. Speaker, if the truth were known.

A MEMBER: I'll bet Sam didn't agree.

MR. D. BLAKE: But when you hire high-priced lawyers like this, and it was admitted earlier that they were rushed - they were rushing to put the thing together - why not take another few months and have some more consultations? They promised hearings. There could be a lot more dialogue, Mr. Speaker, to iron out some of the points that are contentious and where there is some disagreement. Iron them out. Then if you are so firm in your resolve to say, well, to hell with your views, we're going to ram this thing through anyway, okay, then do it, but give them a chance to express their views which they will do in committee.

I understand there are some 30 presentations going to be made and I hope the Minister does as was promised in the Throne Speech and other speeches that were made that will listen to the dialogue from both sides and appreciate the input and the reasons for it. — (Interjection) —

Well, the Minister is talking about economics, Mr. Speaker. We are not going to get into that because I don't what this bill is going to do for economics. It's been stated by some of my colleagues before that it is really not going to encourage employment; it's not going to encourage someone to come here and set up a small business that he might want to run . . .

A MEMBER: As a matter of fact, it's just the opposite.

MR. D. BLAKE: . . . and wake up some morning and find out that he has been unionized overnight and there is nothing he can do about it for two years.

Mr. Speaker, fair is fair, and what they call unfair labour practices, the employer might feel that it's his right to do that just as it's the right of half a dozen organizers to hit town overnight and blitz his little operation. He maybe feels that he has just as much right to point out some of the other benefits of not being unionized to his employees. There are a great number of businesses that aren't unionized, that their employees have numerous benefits that are equal to anything they might get under a union.

A good example is the Co-op store in my home town, it was decertified about 3 years ago. They found that they were paying union dues for nothing and they just

decided we don't need a union and they got decertified. Now belonging to a union for that small group of employees didn't help them one bit. They were paying \$30 a month or something in dues for nothing, so they have been decertified. It hasn't hindered the operation of the two or three stores there at all, the garage, the hardware store and the grocery store. It hasn't hindered that operation a bit. The employees are happy; everybody is getting along fine. They have an employees' association that meets regularly, but this is what can happen.

These are some of the objections and some of the flags that the Chamber and various other people are raising, Mr. Speaker. There are some things in this bill that they don't like, and they want to point that out to the Minister and point it out in very strong terms. So that has been the theme of the speeches on the side, not the detailed examination of the labour legislation as the Member for Thompson seems to think we should be hitting all of the sections of the bill. — (Interjection) — No, that can be done in committee and I don't think that's the point of the speeches. They are pointing out the philosophical differences of union organizers and small people that are in business, that are maybe going to be hurt by this bill.

So, Mr. Speaker, I just want it to be on record as saying that this government is not trusted. They carry on the facade of wanting to talk to business and wanting to talk to the Chamber of Commerce and then they turn around and stab them in the back. That's the perception that this government has.

I don't know why they insist, Mr. Speaker, on bringing in controversial issues that are alienating them from more and more people all the time. They must know it; they're looking at the polls. They want to get out of here and try and brush up their image, but they are not going to do it if they continually step in one after another, Mr. Speaker, such as they have been doing over the past couple of years. They just get into one predicament after another and they just don't seem to learn.

Thank you, Mr. Speaker.

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

MR. G. FILMON: Thank you, Mr. Speaker.

It is my privilege to be able to speak to Bill 22, a bill that I think most of us would rather not see on the Order Paper, because, Sir, the people on the government side have been making the very simplistic argument that, well, this is just another little addition to labour legislation in this province; that in fact all of the speeches and all of the objections that have been raised on this particular bill are the same as they were in 1972. Twelve years has passed and in fact nothing adverse has happened in Manitoba as a result of that labour legislation, and this is just another little step along the way and certainly no harm is going to come.

But, Mr. Speaker, we always have to look at what we are being presented with against the backdrop of what exists today. In 1972, we were dealing in an expansionary economy. We were dealing at a time when investment was coming in and inflation was causing businesses to increase. In fact, there wasn't any degree

of negativity that was cast upon the climate for investment, the climate for economic development and the climate for job creation at that time.

Just maybe, Mr. Speaker, the government was lucky, because had they been dealing with a situation that had the unemployment rates that we have today, had they been dealing with a situation that has the great concern, the great air of lack of confidence that we are dealing with today, they may have had some serious ramifications to that legislation in 1972.

When I talk about that whole air of confidence, Mr. Speaker, we have to go back to the old saying that many of us have repeated over and over again. It was a saying that Flaubert had, and he said, "There is no such thing as truth; there is only perception." The fact of the matter is that the perception — (Interjection) — Well, Mr. Speaker, the Member for Thompson, who has had his turn to speak already, is now attempting to get on the floor and debate with me by saying the perception is only on our side.

I want to say to him, Mr. Speaker, that the perception is right throughout the provincial economy, is right throughout our provincial society. The perception is, that this is going to be damaging and negative to investment and job creation in Manitoba. It's not just my perception; it's the perception of the largest group of employer groups in this province: The Manitoba Chamber of Commerce, the Winnipeg Chamber of Commerce, the Canadian Manufacturers Association, the Prairie Implement Manufacturers Association, all of those groups - the garment industry - on and on and on. I don't have to repeat them; I know that members opposite have heard from those groups. I have copies of most of their letters.

Their letters say some very damning things about their perception, admittedly, of what this legislation will do to the climate in Manitoba. It will indeed erode further the confidence that people have in their ability to make a living, to create job opportunities, to expand their operations, to attract new investments from outside. It will do all of those things, all of which will be negative, Mr. Speaker.

Today, I think many people have said that there is relative equality in the way that the labour legislation exists today in terms of how it serves both labour and management. Yes, there are complaints on both sides. If you were to ask both sides, they would tell you that they would prefer a little more on their side, a little more on the other side; they would always do that, and I suggest that would be the case at any time. If we were to examine existing legislation in any province on labour law you'd probably be able to have each side come up with their suggestions as to how, from their perception, you could improve it.

I believe that this is typical of the approach that this particular government has had throughout its tenure of office, it's two-and-a-half years, and that is that they only listen to one side, that they only listen to the interests of special interest groups of people. In this particular case, it's organized labour and beyond that it's the leadership of organized labour in this province. We're talking about the Bernard Christophes, and we're talking about the Dick Martins, and we're talking about those people who have very strong vested interests in giving more power to the leadership of unions to further enhance their power base by organizing and gaining

greater bargaining units, certification of more bargaining units in this province.

Mr. Speaker, we saw the ads after the last election that leadership of organized labour ran, the articles that they had in their magazines boasting about how they delivered Manitoba to the New Democratic Party, how they were able to deliver it by their power and their authority and their ability to organize this province.

Now, Mr. Speaker, if in 1977 the Chamber of Commerce had run boastful stories in its magazine about how they had delivered the province to the Lyon Government, the public would have been outraged, absolutely outraged, but yet organized labour printed articles in its magazines throughout this country stating boastfully that they delivered this province to the NDP.

Well, Mr. Speaker, there's no question that this is a payoff. Indeed, Mr. Speaker, we are at a time when this government has told people, the Premier told people throughout this province, that this Session would see very little legislation on the table; that whatever legislation was put on the table would be for the most part legislation that would be housekeeping in nature; that they would be non-confrontationist in their approach to the province in its affairs; that they had had enough of the kind of public confrontation that they'd caused in the first two years.

In their Throne Speech, for instance, Mr. Speaker, there's one sentence that gives an inkling that something might happen in the field of labour relations. That one sentence was: "My Ministers will also propose measures to streamline and modernize labour relations procedures."

How innocuous! The Premier, as I say, had been on television and in radio interviews prior to this Session saying we are not going to attempt to do anything of major consequence this Session; we have a lot of housekeeping and a lot of loose ends to tie up, but it will be the lightest legislative load that we've had to deal with in a decade or more. And that's true, we look around and, unless there are more bills to come, Bills 31 and 32 are on the Order Paper today and we are given to understand that's the end of the load, and that's a very light legislative load, we all have to acknowledge that. We know that the New Democratic Government has had such major problems, in terms of their relationships with the public and their ability to put through legislation in this House. The opposition that they've had, not only from our side of the House, but from the public at large, who they've alienated in large measure, we know that it was their intention to do as little as possible.

Why, Mr. Speaker, would they choose as a priority, legislation that puts them in confrontation with all of the major job creators in the private sector in Manitoba today? Why would they put themselves in a position of head-on impact with these people at a time when we need these people desperately, to be taking risks, to be making investments, to be giving the kind of stimulus to our economy that you can't possibly get from government-sponsored investment, from government focused in on short-term, make work activities and job creation that lasts on-average 13 weeks. We know all of that. We've tried it and it isn't good enough, so we need desperately for the private sector to have the confidence to make the investment and take the risks for our province's betterment in an economic sense.

We don't have any perception of that on the other side; we don't have any recognition that is necessary. Oh sure, the Throne Speech referred glowingly to the new recognition of the role of the private sector. Gone were the days of either ignoring or confronting the private sector. Now, the Jobs Fund was going to shift its focus and orientation onto the private sector.

Well, little did we realize, Mr. Speaker, that shift of focus was going to be to further damage the relationships that exist in the Manitoba economy today, to put further road blocks in the way of investment in new job creation and economic development, that focus which maybe the private sector felt was going to be a good thing, was going to be assist in economic recovery; that focus turned to be a negative one, to now confront that very sector of society that we need to have strong and able to expand and help our economy grow.

Well, Mr. Speaker, we have to believe that this follows on the pattern that was established in the first two-and-a-half years of the New Democratic Party in government in Manitoba; that it follows directly on the same mistakes that they encountered in those first couple of years, of only listening to one small special interest group, the vocal minorities who had an axe to grind. — (Interjection) — Mr. Speaker, the Member for Thompson asks who do I listen to on rent control? I listen to everyone. I listen to all people who need help, who have an idea or a concern to share, I listen to them, believe me. Regardless of who they represent, if they have a problem, an idea or a concern to share, I listen.

Mr. Speaker, the same problems that they got into in the first two-and-a-half years they're getting into with Bill 22. Those problems are that they get together behind closed doors with small special interest groups and they become convinced that this is the way to go and then they spring it on an unsuspecting public.

We saw them do it in the last couple of years; we saw them do it with their Manitoba Cattle Producers Act; we saw them do it with their Farm Lands Ownership legislation where they listened only to the Farmers' Union people, only to that group of special interest people who have an axe to grind, Mr. Speaker. We saw them do it when they listened to only one side of the picture on the French language issue, Mr. Speaker. They got caught with their deal behind closed doors with a small special interest group, they got caught into saying, yes, and then springing it on an unsuspecting public, and they're doing it again on the labour legislation, Mr. Speaker. — (Interjection) —

Well, the Member for Wolseley says we had 18 months of public discussion but, from my information, Mr. Speaker, there was no consensus during that 18 months. The people they were speaking to were telling them that they would be confronting the private sector, that they would be damaging investment in this province - job creation activity, economic development, all those things - if they proceeded, and they still insisted on proceeding, Mr. Speaker, they still insisted on proceeding.

I want to tell you that this is a very unusual set of circumstances because traditionally, in coming forth with labour legislation in this province, it has been a principle dating back to the Roblin era that they ought to have consensus in that group that's known as the Manitoba Labour Management Review Committee.

In this particular case, the Manitoba Labour Management Review Committee does not support this legislative change, in fact, I don't think that they were even given this to deal with, Mr. Speaker. Rather, the Minister, with a strict set of guidelines gave one lawyer in Manitoba, Marta Smith, the task of reviewing everything, having public representations, having people from all different sectors come forward and, having done that review, Mr. Speaker, she came forward with recommendations.

Well, it's my understanding that those recommendations are so wild and woolly, Mr. Speaker, that that manifesto would blow the lid off this government for all time in future. So the Minister could not release that report or will not release that report because that might indicate to investors, to business people, to the job creators of this province, just what she and her government have in mind in future for this province. They couldn't afford that risk because, Mr. Speaker, if that indication were put on the record there would never be job creation in this province in the future. There would never be.

So, rather than do that, the Minister hired some labour legislation draftspeople to turn that major report, with its dynamite recommendations into a digested White Paper, into something that was much less onerous, much less difficult in terms of what it presented to the public, but it was still too much, and they were told so. They were told so by all the employer groups that if they were to go for that, even that White Paper, they would be going much too far and in fact, Mr. Speaker, that they would be doing permanent irreparable harm to the job creation opportunities of this province in the future. So that's what she did, that she backed off from the Marva Smith review, she backed off to the White Paper and now she's left with this. Well, Mr. Speaker, even this does not have the consensus of the Labour Management Review Committee in terms of its support. It doesn't have it.

Mr. Speaker, this is just one further impediment to private sector investment and real job creation. That's the bottom line. That's the perception that's being placed in front of the public today. Manitoba already has had, during the past two years, a drop in private sector investment over the first two years of this New Democratic Government. Members opposite laughed, when in question period I started with a preamble to a question to the Minister of Labour, acknowledging that Manitoba has had relatively good climate for labour relations in our province over the past year or two; the fact that we haven't had strikes in proportion to what they've experienced in other provinces.

I'll give credit where credit is due, not only to this government but to the previous government, because we had in our government, an individual, Ken MacMaster, who was acknowledged in many quarters as the best Labour Minister this province ever had. He ensured through his stewardship that we kept that fine balance in labour legislation in this province; that we balanced off the interests of those who wanted to create jobs and to create economic development on the management and investment side and those on the labour side who are arguing that they needed more powers, more authority and more things to be done.

Mr. Speaker, that's not always easy to keep that fine line of balance. As I say, previous governments can

take credit for arriving at the point today where we have good labour relations in this province in a relative sense, so balance is the key, Mr. Speaker.

There's a place for unions, there's a place for organized labour. They have to have the countervailing for us. The Member for The Pas says I'm progressing. My father was a member of a labour union in this province. My father was on an executive of a labour union in his early workdays in this province. I recognize that the unions provide a countervailing force to the major might and force of investment capital of management. I've never said otherwise. I'm saying to you that the key is, let's ensure that we have the kind of balance in the system that doesn't allow one side to have such powers over the other side, that we have a very negative impact on our economy. Either way, if it were significantly out of balance, it would have a negative impact, I say that and I agree with many people who have argued that. Labour lawyers on both sides of the issue have said that the whole objective is to achieve balance. Not to throw it out completely on one side.

Mr. Speaker, I believe we have that balance today. I believe that it has been working over the past half decade or more in that sense. So what we have is something that works and the government is now determined to fix it. That seems to be the chief thrust and intent of so many different things that they've been doing over the past couple of years.

We had boards of directors on Crown corporations, businesses that they got into in the '70s, the MacKenzie Seeds, the Flyer Industries, the Manfor, various different things. Those were ongoing businesses owned by the Crown and it's always difficult at the best of times to put them on a competitive level with other people because of the very nature in which they have to operate in the public eye. They don't have the same ability to keep their decisions tightly held amongst people. The public's right to know demands, that they do things out in the open; and demands as well, that they make certain decisions sometime to keep employment up rather than take a good hard business decision and things of that nature. But still with good business expertise on the board, we proved in our term of office, that you can make those businesses profitable. They were working. They were working at least in a manner that provided benefits for the people of Manitoba without costing millions of dollars.

They came in, changed boards of directors, and what did we have happen? It's become very apparent this year, after two years, that all of these businesses started sliding backwards again into the same downward spiral that they were before when the NDP ran them and they were down to the point where this year, collectively, those three businesses have lost almost \$40 million. One year. You know, they were working before, they had good business expertise on the board, they immediately changed that business expertise and put their own friends on and it was all downhill from there. It was working, but they had to try and fix it, Mr. Speaker.

They threw aside the practical necessities and the practical requirements that there are to running businesses; they threw them aside for ideological reasons. Turn the profits into losses, Mr. Speaker. Here we have the same kind of thing happening. A system of labour relations that apparently is working reasonably

well; maintaining a good balance of rights and responsibilities and maintaining a good balance of power that has resulted in good labour relations, very few work stoppages; has now today been shoved aside so that they can bring in more labour legislation to satisfy the union leadership that they are beholden to, Mr. Speaker.

Our problem was investment attraction, not a change in labour legislation, but investment attraction. As I pointed out earlier, over the first two years we had a net decrease in private sector investment. Why? Well, there's obvious reasons why. Payroll tax, a major increase in Workers Compensation fees, an anti-business attitude of many Ministers who speak for this government right from Day One.

I can recall the former Minister of Economic Development - now the Minister of Community Services and Corrections - in her first year of office as Minister of Economic Development, preaching that we had to change the system of our economy. "The free enterprise system," she said, "is not working." She said, "We need a new economic structure, because free enterprise isn't working in this province," and that she and her colleagues were going to create that kind of new economic structure in Manitoba. Is that designed to make business people feel good? Well, is that designed to make business people feel good? Is that designed to make investors feel confident? Of course not.

Then we have the Member for Inkster who's constantly railing away against the multinationals - the oil companies; against Alcan, for all of the tragedies that he says they perpetrate on society today. That's the kind of thing that's designed to give investor confidence to people coming into Manitoba.

We have the Minister of Energy and Mines who in one of his first tasks in office, orders Alcan not to advertise in Manitoba. Not to advertise in Manitoba or else they'll cut off talks with them. Now that's designed again to show their relationship with business; how good they feel about business that they order them not to advertise in this province or they'll cut off talks.

We have the Member for River East who talks all the time about the tax loopholes and the people who avoid tax and don't pay their share and don't do their share in society today. He's the one who's always talking about loopholes and people who get away with not paying their fair share and not doing their share for our society today. He's the one who is always talking about loopholes, you know, and people who get away with not paying their fair share and not doing their share for our society today, talking always about the private sector, Mr. Speaker, always opposed to the things, the breaks, the tax initiatives, the incentives, whatever they get.

Well, I wonder where he was in caucus when they decided to bring in the Manufacturing Investment Tax Credit scheme in this new budget. I wonder what he was thinking, Sir, when the Minister of Finance brought in the scheme to sell the properties of the taxpayers of Manitoba to a private corporation to dodge \$30 million worth of federal tax. I wonder where he was with his principles and his mad-on for the private sector of society when that kind of proposal was brought forward, that preferred share scam that was brought forward.

So with these impediments that we already have to investment in Manitoba today, Mr. Speaker, why would

the government want to take a further step and destroy that fragile balance that exists in labour relations today in Manitoba? Why would they want to give in to a small, aggressive, special interest group, and further place roadblocks in the way of the economic expansion, and particularly job creation, at a time when we need it so desperately in this province?

We talked about that confidence. What is investor confidence? Who knows just exactly what triggers it, what makes it go in one direction rather than another? All you have to do is look at the stock market and try and predict why, when one announcement of somebody winning a leadership or a presidency is made, it goes up and when another announcement is made, it goes down.

You look at the 76-cent dollar that we have today vis-a-vis U.S. currency, and you know that the whole trick is, that the market does not have confidence that Canada can operate its economy as well as the U.S. Economists tell us that our dollar should be much stronger than 76 cents, that there is no rationale for it to be down at 76 cents U.S. today. But it's not a matter of rationale, it's a matter of investor confidence. It's as simple as that, and nobody can change it.

So we are dealing with a concept, investor confidence, confidence in the marketplace and confidence in our economy that is so fragile that any move that gives a perception that we're moving against business, against investment, against job creation, can change it.

A MEMBER: Take a poll. That's reality.

MR. G. FILMON: Mr. Speaker, the Minister of Agriculture has just come in to debate with me on a subject that I spoke about just a few minutes earlier. So I invite him to read my comments in Hansard about the difference between reality and perception.

So we have this fragile relationship that has to do with investor confidence in Manitoba today asking, where do you think you'll make a better return on your investment? Will it be Manitoba or will it be somewhere else in Canada, in North America, or somewhere else in the world? We have people asking themselves the question, can we survive and grow in Manitoba if we make an investment here? They look at the atmosphere and they say, well, that's questionable.

We have a government that brought in the payroll tax, a payroll tax that isn't in existence in almost any other jurisdiction in North America. It's one other place, it's in Quebec.

We have a government that has moved against business in terms of bringing in new costs and new impositions that were never here before, moved immediately to bring in massive increases in Workers Compensation fees to change entirely the relationship of the Workers Compensation Board; a government that is threatening to get into the life insurance field. At a time when the life insurance industry has over \$2.4 billion invested in this province, they want to move in and muscle in on their territory.

Mr. Speaker, all of these things add to the uncertainty of whether or not the investor can answer those questions in the affirmative that, yes, he has confidence that he can form a business here that will grow and prosper; or yes, he can be able to do better here than

he could elsewhere. All of these things have impacted upon the confidence that goes in behind that question and now we're adding another straw.

So when the Member for Thompson talks about the fact, that in 1972 gloom and doom was being preached and everything turned out fine, I say that you're taking a risk that this is the straw that breaks the camel's back; that you already have a negative atmosphere, a poor climate for investment, and this may be that one extra straw that makes it beyond what is normal and reasonable.

Mr. Speaker, the Member for Lakeside has just pointed out to me the comment that was made in the Throne Speech about improved private sector consultations. "My Ministers firmly believe that no other administration in the history of this province has made a greater effort to be accessible and to listen to the concerns and suggestions of representatives of business, labour, agricultural groups and others on so many key development issues."

As I said yesterday to the Minister of Labour, the point of consultation and listening isn't just simply to be there and to listen and to speak. The point is to do something that's being asked of you. When you listen to all, but only take action based on the advice of some few, then you're going off on the wrong tangent, Mr. Speaker.

I didn't say further when I talked about the attitude of some of the Ministers of this government and how they portray themselves, the very attitude that's been portrayed by the Minister of Labour herself who is looking at me with a great deal of scorn and obviously upset at the fact that I would take issue with her bill and her legislation, Mr. Speaker.

But, Mr. Speaker, what did she say when the Chambers of Commerce and major employer groups came out yesterday with an ad? In response to their advertising, in response to their concern, she said: "It's absolutely ludicrous." That's what she said of the Chamber of Commerce. "It's crazy," she said of the ad that the Chamber of Commerce put in. She said, it's a fear campaign, misleading and unfortunate, she said, all of those things, Mr. Speaker. She said there is no negative impact on job creation at all in this bill.

A MEMBER: How many jobs has she created? How many jobs is she creating?

MR. G. FILMON: Mr. Speaker, the very fact that people out there believe that this will be negative on job creation will make it negative on job creation. That's what we are dealing with.

The Minister says, she has created thousands of jobs in the economy, Mr. Speaker. Well, they are the ones that we know full well about. They're the ones that lasted on average 13 weeks last year, some of them as short as one day. We know about those jobs that she created in the economy last year.

So, Mr. Speaker, she can take very little credit or comfort for that, because the over 40,000 unemployed are taking very little credit and comfort from her actions in real job creation in this province and she can join with them in that little credit and comfort that they're taking in her actions.

Mr. Speaker, we get then to the other topic of who's the target. We know who the benefactors are. We've

already indicated who the benefactors are. Who's the target of this whole piece? Is it the large multinationals that the Member for Inkster loves to hammer away at? No, I don't think it is. Is it those major corporations that the NDP and their philosophies always like to talk about, that they have too much power and too much influence? No, I don't think it's them either, Mr. Speaker.

I believe that small business is the target in this legislation because when you come right down to it, Mr. Speaker, this is the group who in the past have tried to perpetrate the myth that they aren't really against small business. In fact, they're the friends of small business. They really hate big business, but small business they like. Of course, the obvious question that was asked is, when does a small business become a large one? Is it at 30 people or at 50 people? Or when does their love turn into hatred?

Well, Mr. Speaker, here we see that their dislike for business comes all the way down to the small businesses, no question about it, because the people who will be hardest hit by this will be the small entrepreneurs and operators who will find that this legislation makes it much easier for a bargaining unit to be certified in their business. It makes it much more difficult to decertify a bargaining unit, and puts much greater power in the hands of the Labour Board.

Of course, the Minister of Labour will automatically say, well, of course, the Labour Board is an objective third-party group who has no axe to grind and, really, is out there to help everybody, including the small businessman.

A MEMBER: Who is on the Labour Board?

MR. G. FILMON: Mr. Speaker, the problem is that the Labour Board consists of people who are appointed by the Minister and her government and carry with them the philosophies and the biases of that government and that Minister. Mr. Speaker, they will undoubtedly carry out orders, carry out decisions that are really made to keep them in the good graces, in the good books of the Minister. No question about it. If a Minister is getting flack because of decisions of the Labour Board, she won't say anything publicly, but you had better know that she's going to make sure that they're aware that she doesn't agree with their decisions and, if they don't take any notice of that, they will be replaced just like the Racing Commission was replaced, just like so many other boards and commissioners have been replaced by this government because they weren't carrying out . . . The Surface Rights Board was replaced, they weren't carrying out the will of the Minister and his government.

Mr. Speaker, so the small operator, as I believe the Member for La Verendrye said, the grocery store in Beausejour is going to find that now his employees have a much easier time being certified by some big union organizer who comes out with his heavy-handed tactics, who comes out with all of his organizational ability on a big pay cheque - believe me, the union leaders get paid twice as much as you and I do in this Legislature - and they have all of the staff. You know, when I look at the list of people who are going to be appearing on behalf of the unions at the hearings tonight, they've got some of the highest-priced lawyers

in this province working for them, so money's no object. They have power and might beyond the capability of any small business, of any small grocery store in this province, believe me that's the case.

These small people are going to be sitting ducks in a pond for the big organizers, for the big unions in this province. These little operators, entrepreneurs, will be totally ill-equipped to fight the might and the power of these union organizers. Mr. Speaker, they're the ones who are going to suffer and they're going to suffer throughout all levels of our economy, throughout all levels of our province because of the attitude of this Labour Minister and her absolute determination to steam roller through this kind of legislation.

Well, Mr. Speaker, I'll acknowledge at this time that there are some positive aspects to this legislation. I'll tell you this that, among other things, some of the things should be lauded and commended. I would say, on balance, that the employer groups of this province would just as soon have had none of it if they have to take the negatives with the positives, and that's what they're faced with, but certainly they have said in the past that there are some.

The comments are in today's Winnipeg Sun by Bill Gardiner who represents a number of employer groups. They have told us, Mr. Speaker, that the aspect of secret ballot votes for strike is a positive one that they have been arguing for for some time.

Mr. Speaker, the beefing up of the Labour Board in some respects is a positive thing. It all depends on what the Labour Board does with their power, does with the muscle that they're going to do. — (Interjection) — Mr. Speaker, if they're being given more powers so that they can make discretionary decisions in areas that they never could before, that could be a negative as well as a positive, but I'll acknowledge that's one area that some of the business community, some of the employment community have said could be a positive one.

Mr. Speaker, there are other ones and I have presentations by various different groups that list all of these potential positives and negatives, but there are certainly many more negatives.

Mr. Speaker, one of the presentations, that is in the hands of the Minister of Labour and the government, states among other things in consideration and concern that first and foremost this legislation grants more power to the large unions. It says, among other things, that the removal of the prohibition for using undue influence and the disregard of bad-faith bargaining by unions during first contract is a very negative aspect of this bill. The extended time limit before decertification and allowing no time for individuals to change their mind about membership cards, broadens the whole of organizers over potential members, the narrowing of the definition of religious objectors. The imposed right of organizers to have access to premises after certification further removes items which limited the power of unions. Further, one of the presentations said, the average business will be in a state of disarray that will force it to have constant legal advice.

Well, as I said earlier, is this aimed at the big businesses? Of course not, because 90 percent of them are already unionized. It's aimed at the little guy who can't afford that constant state of legal advice on ready that he has to have in order to fight the power and

the money-backed power and might of so many of those major unions.

Mr. Speaker, here's a letter that was sent to the Premier today by a small business in this province and it says:

"Dear Mr. Pawley: What are you doing to small and family businesses? Stop Bill 22 now. You will destroy the hand that feeds you. By removing freedom, you will create chaos, threats, and intimidation amongst good honest workers and management. Why are you tampering with the labour law now? It's as good as it can get. At least there is some consideration for small and family businesses and workers.

"You say that you have no objection to the proposal of Bill 22. Who and what small business firms were informed or invited to assist in formulating this vicious and destructive Bill 22? In the name of sanity, let's have good government for all people, not just for the benefit of a small group.

"Currently, our company is involved in a substantial expansion which will create more jobs in our community. Up until now, we were proud that we could do something to create more jobs for Manitobans. For 40 years, the members of this local family-owned company have done without and saved to build a good family firm with a policy that its employees are more important than management itself. As a matter of fact, the majority of the employees are family related.

"Now you've proposed to destroy all our years of hard work, destroy our jobs, destroy our purpose in life, and destroy, above all, our pride as Manitobans. Through years of experience and hard work, we in Manitoba were able to take responsibility, employ people, and development a small viable competitive organization. By instituting Bill 22, you will destroy jobs in small plants, whereby consumers will look to the U.S. side for products. To date, we are just managing competitively to keep as many U.S. products as possible south of our border.

"Do not take away our freedom, destroy Bill 22."

That's what a small business firm said to the Premier today in a letter. Mr. Speaker, as I said earlier, this is not legislation that is necessary today.

The other thing that I have to remark on is the haste with which the government propelled itself into the presentation of this legislation. We were assured that there would be nothing of major controversy, no confrontative legislation in this package. In fact, I believe that the government didn't intend to bring this legislation in until they were subject to immense pressure from certain groups of people. Then, they had to turn because they didn't have the capability of drafting this legislation. They had to turn to three outside legal counsel at \$600 a day. I believe at least two of the three were from outside our province and they brought them in under great panic to put together this legislation in short notice and bring it here to this Legislature.

Well, Mr. Speaker, I believe the Minister has done this in such haste that there are all sorts of drafting errors - I hope I am not wrong - but I would like the Minister to assure us that when this goes to committee that we are not going to be flooded with all sorts of amendments that are caused because of drafting errors, oversights, omissions and all sorts of things.

I believe that they have acted in such haste that it is probably going to be the next thing that hits us; bad

enough as it is to be dealing with this on short notice without proper consultation, without proper consideration from all the employer groups, but probably she is going to hit us with all sorts of amendments because of drafting errors in haste.

Mr. Speaker, I just want to leave on the record that the negative impacts and effects of this bill are that, firstly, it's going to be very difficult on small business because it's going to be easier to certify bargaining units, more difficult to decertify bargaining units and, finally, it is going to have the perception inside our borders and outside our borders that we are taking one further step into the hands of the heavy duty union organizers and union leaders in this province; that we will once again be held to ransom by aggressive special interest groups, Mr. Speaker, who have the government totally under their influence and control.

Mr. Speaker, especially following on first contract legislation, and there are many comments that are going to be made at committee by people who have concerns about first contract legislation, multiplied by some of the aspects of this legislation being even more onerous in their negative effects on new business in Manitoba.

Putting together all of that, we simply have to say to the Minister, what's the rush? What's the necessity? Why should we destroy the balance that exists? And why should we put forward legislation that is going to be anti-investment, anti-job creation, anti-employment in this province today? It's not necessary and it ought to be withdrawn, Mr. Speaker.

MR. SPEAKER: Are you ready for the question?

The Honourable Minister of Labour will be closing debate.

HON. M.B. DOLIN: Thank you, Mr. Speaker. I am both saddened and amazed by the love of confrontation that seems to drive the opposition.

To build into amendments that are clearly designed to create harmony, to clarify issues that the courts have said need to be clarified, to build in some kind of fear amongst small business, most of these small businesses not even covered by The Labour Relations Act but by The Employment Standards Act, which isn't even being dealt with, I really cannot understand why they want to do this.

The people that they say that they support, they are the ones in whom they are creating this fear. They have been drawn in by the fearmongering, hate campaign of the Chambers of Commerce which I also do not understand. They are the ones who, through this fear campaign if there are any jobs lost in Manitoba, will be the cause of those lost jobs, not a government that is dedicated to creating and enhancing industrial harmony.

They don't understand the difference between a Labour Relations Act and an Employment Standards Act.

A MEMBER: You don't say. They don't understand.

HON. M.B. DOLIN: You don't understand. Mr. Speaker, I speak of the opposition.

The Chamber says that its ad was written by a lawyer. I think we all know who that lawyer was. He speaks

to us now and then; he speaks always in the same vein. He stands to lose some of his clients perhaps because of the clarifications contained within the act.

I also want to point out that there is one very large group of employers that did not become a part of this group, and that is the Canadian Manufacturers Association and I applaud them for maintaining the consultative relationship that we have worked so hard to establish.

I am offended as well, and I believe my colleagues are offended, by the personal attacks that continue from the members opposite to those who are elected or hired to work on behalf of groups of employees who wish to be represented by a single group.

Do they also attack those people who work full time to represent employers or professionals or school trustees or any other group that hires a staff to carry out its business? Do you also attack them? No, they do not attack them, Mr. Speaker; only those who are hired by employees to represent their interests. They are anti-worker, I would say.

There are a few other errors that have been mentioned in this debate that I think are important to clarify and I will do so briefly.

First of all, Mr. Speaker, there has been a lot of comment on the removal of the phrase "undue influence." They did not take the time, apparently, to pursue the fact that it has been removed in every other jurisdiction in this country, with the exception of New Brunswick, because "undue influence" everywhere - Ontario, B.C., everywhere, Alberta . . .

A MEMBER: Is that going to scare away the Social Credits?

HON. M.B. DOLIN: . . . Yes, that's right, removed everywhere. It's not a good term in law. Now I am not a lawyer, but I have great respect for those who are and who can advise us . . .

A MEMBER: . . . some of them.

HON. M.B. DOLIN: That's right, that's right, some of them, those that don't charge too much; a great deal of respect for those who are advising us from both sides of the fence on this particular phrase. It's not a good phrase.

The phrase that is used now is "coercion and threat." Now I think that's a phrase that is understood by most people in this Chamber; most members of the public would understand what coercion or threat mean. It is a better term in law. So only New Brunswick still has it in, and I wouldn't be at all surprised if that province also removed it from their labour law.

So why all of the fearmongering, why all of the campaign using the fact that we are removing "undue influence" from the law? Why not tell the whole truth, Mr. Speaker?

There were other comments made about the Labour Board, and I think it's very important to note to members opposite who maybe don't remember how they appointed the Labour Board - it hasn't changed too much - the employer groups and the employee groups submit a list of people. All that is done on behalf of the government or by the government is that some

people are named regular members and some as alternates. This is often based on how much time they have to give to the Labour Board.

The Labour Board consists of eight regular employer representatives and eight regular employee representatives; eight alternates from each side as well; two part-time chairpersons - Mr. Sigurdson, Mr. Leon Mitchell - and a full-time chairperson, Mr. Korpesho, who received the unanimous agreement of everyone concerned when we appointed him.

We have depoliticized in the amendments the appointment of the chairs and vice-chairs. The other parties are named by the employers and the employees. It is very important that this be maintained.

What I hear opposite is that the members don't have any faith in the members of the Labour Board. Who are they talking about? Are they talking about the employer representatives? They have to sit on every case as an employee representative does, and when there is a sole person sitting on a case, it's either the chair or one of the vice-chairs. So I think that those remarks are clearly made without any understanding, Mr. Speaker, of how the Labour Board is appointed and how it operates. They had better check back with their business and worker friends to see if what they are saying actually represents what the rest of the public thinks, because I don't believe it does.

Mr. Speaker, we are all workers in one way or another, we are all workers. Most of us are represented by someone else in our professional careers, in our work careers. We are represented by someone that is hired by a professional body to be the staff. We are represented by those in whom we put our trust and our faith to do things for us that we do not have the time to do. I believe that if the members opposite will think about that they will see the relationship that I am drawing.

Mr. Speaker, it is clear from some of the same articles that the Leader of the Opposition was quoting from, that indeed the Chambers of Commerce and other employer groups had good hearings and frequent hearings with us and that they were heard and found nothing to be negative about. Let me quote please, "Indeed, the Chamber met numerous times with Dolin and when approached by reporters at those times Chamber officials had little negative comment." Never have the presidents of the Chambers, the previous presidents - they now both have new presidents - denied that they had access to our offices, to our staff, to myself, to my colleagues at any time that they asked. We listened to them, we discussed points with them. All groups who wish to meet with us - some chose not to - zapped, hoodwinked and missiled, as the Member for Strurgeon Creek says. I don't know if he was reading Batman comics or whether he was the proponent of the cruise, I couldn't quite decide, but those are the words certainly of someone else. It is our clear intent to enhance and to modernize the rules that govern industrial harmony in this province, and that intent, Mr. Speaker, has not been changed.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable Member for Lakeside. Call in the members.

MR. H. ENNS: On division.

MR. SPEAKER: On division?

A MEMBER: Right.

MR. SPEAKER: On division.

**BILL NO. 35 - AN ACT TO AMEND
THE CONSTRUCTION INDUSTRY WAGES
ACT**

MR. SPEAKER: On the proposed motion of the Honourable Minister of Labour, Bill No. 35, the Honourable Member for Lakeside.

MR. H. ENNS: Mr. Speaker, this bill, 35, is a very simple one-clause bill, which in the eyes of the government and of course in effect does remove a section of The Labour Act that has been there for many many years. I believe it dates back to '63 or '64. True, it is a section of the act that has not been used a great deal, and when I say not been used a great deal, it has not been formally used by employers and/or employees.

Mr. Speaker, for the edification of those members who may not be fully familiar with that section of the act, what it does is it allows co-operation between employers and employees. What it does is it allows for common sense in some cases to prevail. I suggest that the removal of that section, in essence, does away with the provisions for making this continue to be the case.

Mr. Speaker, let me very quickly put on the record, it has nothing to do with the "minimum wage," as the Minister of Labour tried to mislead the House - or, pardon me, I withdraw that comment - but suggested to the House that it did. Mr. Speaker, when we speak of the minimum wage, we generally, and most Manitobans understand the minimum wage to be the minimum wage which is currently operable in the Province of Manitoba. What we are talking about here are wages set as standards by the Standards Division of the Labour Department for the heavy construction industry and these can be wages for different categories of operators of heavy equipment. They can run anywhere from the \$12, \$13, \$14, \$15, \$18 range per hour and so it should not in any event be confused with the phrase that most Manitobans identify with the word "minimum" wage, or when the phrase "minimum wage" is used.

Mr. Speaker, the government will make the point and has made the point in the introduction of this bill that some lawyer and some employer found this old clause in the bill which nobody thought existed and nobody had really used for many years, but was now successfully used and challenged in the courts and upheld by a judge of the Queen's Bench that enabled an employer and his employee group, who had mutually come to an agreement to work for something less than these set standards and had not complained about it within the 30-day period, and as such took advantage of that section of The Labour Act that permitted that to happen.

Mr. Speaker, that was challenged in the courts and it was subsequently upheld in favour of the employer and the employee and of the act. What the judge did,

Mr. Speaker, did not rule in favour of the employer, did not rule in favour of the employee, he simply rules in favour of upholding the law as it stood, of the act, of The Labour Act.

Mr. Speaker, let me go on further to say, although I cannot prove this, but I will warrant you and I will guarantee you that there are many many situations throughout the province, where by common consent, by common-sense application of what can or cannot be done, employees and employers have gotten together and said, "Look, on this particular contract, on this particular job, I can't pay you the \$17 an hour that I should be paying you for running a D10 cat. Besides, my D10 that I have is not really that great a D10. It's an old machine, more like a D8 for which the scale is a little less. I can pay you \$14 an hour and if you agree to work for me for \$14 an hour we can do this little bit of work, this contract, we can bid on this contract. I can provide the employment in the local community and I can at least recover my costs and make a profit." Mr. Speaker, those kind of arrangements are going on all the time in the province right now. I can guarantee you that. Mr. Speaker, why shouldn't they? This is no attack on the standard of wages. The act specifically says that it can only be done if nobody objects to it. If there's a complaint filed in the 30 day-period, then the director of Labour Standards from the Department of Labour goes in and that employer must pay the agreed-to wages for that particular categorization of work. There's no question here of an employer taking unfair advantage of an employee. There's no question of the employee not being protected by the act. The employee can, on the second, on the third, on the 29th day say, "No, I believe that I should be getting the full \$18 an hour not \$17.50," and that employer will be forced to do that, Mr. Speaker.

So all protections of the act are there, Mr. Speaker. What we are removing from Bill 35 is an opportunity - and sometimes I suggest it's the only opportunity provided for some job creation, particularly in small communities - for those jobs to be had and created particularly in smaller centres in rural Manitoba and, far more important to me, Mr. Speaker, we're removing the opportunity of employer and employees to sit down and come to a common agreement about a working relationship that is mutually beneficial to both. The employee gets the job at good wages. The employer gets the contract.

Mr. Speaker, this government wants to remove that opportunity. I don't refer to it as a loophole in the act, Mr. Speaker. I believe that section was put in the act for a very good reason in 1963 and 1964. It's a common sense piece of legislation, Mr. Speaker, particularly as inflations keep pushing wages higher and higher, I see all the more need for that piece of legislation. I, Sir, will not be supporting this act.

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

MR. R. BANMAN: Mr. Speaker, I move . . .

MR. SPEAKER: Order please. The time being 4:30, Private Members' Hour.
The Honourable Government House Leader.

HON. A. ANSTETT: Mr. Speaker, I believe there may be an inclination to dispense, by leave, with Private Members' Hour today. If that's the case, then debate could continue on Bill 35 if members are willing. I can advise members that, upon conclusion of debate on this bill, I would then be asking for leave to continue with second readings on bills distributed today, and then calling bills that are on the Private Members' list, by leave of course.

MR. SPEAKER: Is there leave to dispense with Private Members' Hour today? (Agreed)

Bill No. 35 - the Honourable Member for La Verendrye.

MR. R. BANMAN: Thank you, Mr. Speaker.

I want to, at the outset before I make several comments and observations with regard to Bill 35, ask the Minister if she will not the next time when she is introducing a bill be a little more forthright and straightforward when dealing with the opening remarks?

Mr. Speaker, she might not realize it, but she really in her opening remarks, left the distinct impression that workers within the construction industry were not being paid the minimum wage. The minimum wage, Mr. Speaker, as many of us know, is established for all employees in this province, and there is nobody in this Legislature that, for one minute, will condone the actions of any employer that does not pay those minimum wages. What we are dealing with here is not the minimum wage.

Mr. Speaker, I just want to, for the Minister's benefit and to show how she introduced this bill - and maybe she's got some bad writers in her department. Mr. Speaker, just some excerpts: "According to that rule, Sir, any Manitoba construction worker receiving less than the minimum wage . . ." Another section: "The Payment of Wages Act provides for an effective method for the recovery of minimum wages in other sectors of the economy." Here's another section: ". . . are entitled to the minimum wage and to the enforcement procedures to protect that right."

Mr. Speaker, we are not dealing with the minimum wage. We are talking about a wage schedule established for the construction industry which the government wants everybody to adhere to. So it's not as though we're going ahead and depriving people of the minimum wage. This is a different schedule that we're talking about. We are not talking about the minimum wage as we all know it. I would ask the Minister to be a little more forthright the next time she puts forward a piece of legislation and introduces it like this.

I believe, Mr. Speaker, it is a very opportune time to discuss this bill, because it follows on a few areas of concern which members on this side of the House have expressed to the government in the last little while. The construction wage schedule as put forward, because it is not flexible, is really serving as an anti-employment vehicle as far as young people in this province are concerned.

Mr. Speaker, you only need talk to many of the employers throughout the province who would like to hire a youth, a young person, under either the Careerstart Program or even just someone that they wish to offer a job. But, Mr. Speaker, if the Employment

Standards Branch indicates that this person falls within the categories of the construction wages, then that employer is forced to pay that \$12, \$13, \$14 an hour.

Mr. Speaker, that employer is not going to hire, in all deference, a student who is just coming out of school, a Grade 12 student or a university student who, for the summer months, wishes employment. That employer does not want to pay that kind of money. Mr. Speaker, not only doesn't want to, he can't because everybody will acknowledge that a lot of the people are not skilled and, therefore, just can't make the return to the employer that is necessary to sustain that job.

Mr. Speaker, this particular section which we are debating today is one which, I believe, in the past, as the Minister has mentioned and I think as my colleague mentioned, has not been used to any great extent by any employer because, I think if we check around, many of the people in the heavy construction industry as well as in the building trades didn't even know this particular clause existed. Therefore, Mr. Speaker, I don't think that a lot of people have taken advantage of this.

The reason this is now before us is the fact that it was taken to court. There was a court decision which indicated that the section of the act was indeed valid, and that employers who with their employees arrived at a wage settlement that was less than the schedule set out by the government, if that person didn't complain within 30 days, that indeed was deemed to be the wage that would be paid.

Mr. Speaker, I say to the Minister that this is an opportunity here that we have to deal with the problem of youth unemployment. It is one of the areas of the largest unemployment sector in our province today. This section or this act that we're dealing with right now, to a large extent, does contribute to that particular unemployment.

Why, if the Minister wants to maintain the construction wages schedule, wouldn't she think about allowing a percentage of the employees employed by an employer during the summer months to be designated as being student employment which would be exempt from the construction wages payment? Mr. Speaker, I say that would be an eminently good way of doing it, and I throw that out as one suggestion to the Minister who, hopefully, is looking to try and create some jobs for these young kids. I believe that there is an opportunity here to get some of the young students some badly-needed employment, and put some of these people to work.

So I say to the Minister that, while she might not be in a position today to deal with that, there is an opportunity to provide some more jobs without really costing the taxpayer of Manitoba one red cent. You don't have to have all kinds of incentive programs and Careerstarts and all these things. You don't have to use any taxpayers' money. It's just a program that could be established by a few either legislative or regulation changes to allow people to work.

I say to the Minister in the strongest terms - it was highlighted by the Careerstart problem which was brought up about a month ago in the Legislature where an employer just couldn't hire that particular individual because Employment Standards said the job was defined as being one of construction. Therefore, the individual had to pay more than he was able to for that particular job. It was highlighted, because there is no flexibility within the system to allow these young students to get employment.

I say to the Minister also that really what is happening with the construction schedule, of course, is the other thing in rural areas where it really hurts the small entrepreneur, the small local businessman, and it does also cause some problems for municipalities. I know the municipal authorities are asking for some change in the way the regulations are, the way the act is being administrated, because many of them, Mr. Speaker, hire a maintainer operator for the year-round. Because the maintainer operator likes to be paid on a monthly basis rather than working 80 hours a week in the summer, or whatever it is, and then no hours in the wintertime, he would like to be paid on a regular monthly basis, because in the winter months he might come in, have fewer hours and maybe do some snowploughing, it's an arrangement that is arrived at by the maintainer-operator, as well as the municipality. It's a mutually acceptable arrangement.

The problem that they face, of course, is that under the construction payment of wages, what happens is that the flexibility really isn't in place - and here is another area which I know the Minister will have to look at because the municipalities are asking for some flexibility within that system to go ahead and be allowed some variations on this.

Mr. Speaker, the strict adherence to this particular piece of legislation is not in the best interests of Manitobans and is not in the best interests of job creation, which this government is talking about. I say to the Minister, there is a case to be made, a good one, for a number of exemptions, for students, for municipalities, possibly for small contractors in rural areas, where a mutually acceptable arrangement can be worked out between the employer and the employee. Because the strict adherence to this is definitely anti-job creation and is not serving the best interests and the needs of people of Manitoba who are desperately looking for employment.

So I say to the Minister that the lack of this government's willingness to look at some of these changes, really leaves us no choice on this side, but to vote against this bill for the exact reasons that I have just put forward.

MR. SPEAKER: Are you ready for the question?

The Honourable Member for Virden.

MR. H. GRAHAM: Thank you very much, Mr. Speaker.

Mr. Speaker, when the Minister introduced this bill for second reading, the comments that she passed on to the members of the Assembly were not very extensive. I would think that probably the advice the Minister got, prior to bringing in this bill, was not very extensive because I think the Minister has received very bad advice when she brought forward this bill.

Mr. Speaker, you have to consider the time element that's involved. It was only last week that this court case came to the attention of the Minister, and in just a few days, she has come up with a piece of legislation. I would like to know who the Minister talked to? Who gave her the advice to bring forward this type of legislation? Because I would have to say, Mr. Speaker, that the people that she was talking to could not have been thinking, could not have understood the construction industry, because the Minister either totally

misled the House - she said we totally misunderstand it - so she was the one that introduced the legislation . . .

MR. SPEAKER: Order please, order please. The honourable member should not suggest to the member the government has misled the House, even in a hypothetical manner.

The Honourable Member for Virden.

MR. H. GRAHAM: Mr. Speaker, I apologize to you and I apologize to the Minister. Mr. Speaker, the Minister has been answering from her seat and probably that is not - I shouldn't be listening to what she is saying.

Well, Mr. Speaker, it does concern me because I know a little bit about the construction industry and I know a little bit about rural Manitoba. I know that the Minister has not been talking, could not possibly have been talking to the municipal people in rural Manitoba, or could she have been talking to the small contractors in rural Manitoba, or to the workers that work in the construction industry in rural Manitoba. I'm referring to the heavy road construction industry, Mr. Speaker. She may very well have been talking to people in the building trades and I fully concede, Mr. Speaker, that there is a difference in the building trades, in structural building, as opposed to the heavy construction industry.

But, Mr. Speaker, this law has to apply to everyone and you have to make provisions for all people. That's probably why that previous section was in The Labour Act in the beginning, because I know what goes on in the heavy construction industry in rural Manitoba. A municipality may have two or three pieces of equipment and have a staff of four or five men, men who want work year round — (Interjection) — women - and in the process of hiring, they would prefer to have the same wage for 12 months of the year. So they are quite willing to have an agreement that gives them an annual wage, rather than an hourly wage, and yet, if we follow this through and the hourly wage works out to be less than that, that they are being paid on an annual, then the Minister can impose a wage readjustment and the workers and the municipality have no say in it.

The Minister, on her own volition, can intercede and change what has been a very practical, workable arrangement where everybody is satisfied, but that doesn't appear to be what the Minister wants to do, because she wants to remove from the law that section that allowed that to go on. I would want to know why she wants to remove it and I would ask her if she would please tell us why when she closes debate.

So without any further adieu, I'll sit down and listen, because I want the Minister to tell us why and tell us who she talked to when she made these arrangements to change The Labour Act legislation that vitally affects rural Manitoba.

MR. SPEAKER: Are you ready for the question?

The Honourable Minister of Labour will be closing debate.

HON. M.B. DOLIN: Thank you, Mr. Speaker.

Very briefly, let me say that the members opposite who spoke on this have completely missed the point of the bill that is before them. The bill that is before

them eliminates a clause that worked against an employee, and possibly an employer, who had made an arrangement to pay less than minimum wage, but did not know that it was less than minimum wage, and if the employee did not find out about this for 30 days and therefore did not complain until 32 days, nothing could be done according to the recent court ruling.

Now our lawyers had told us that this section of the act - I don't know how it ever got in there - I know it went in some 20 years ago or 21 years ago - our government lawyers, outside lawyers had told us that this is one clause that had to be removed and we intended to do it, perhaps along with some other changes to the Construction Industry Wages Act, or the Construction Industry Wages Board, in another Session, in a future Session. Because of the ruling from the courts, it's necessary to do it now or the entire principle of minimum wage is totally wiped out, totally wiped out.

Now, minimum wage is a concept that we all agree to. Obviously the members opposite agree to it or they would have changed, both the construction industry minimum wages and the minimum wage plan that they had in place throughout their terms in office. They know that in the construction industry minimum wage is set by a board of employers and employees from the industry appointed by the industry, and that is an unanimous recommendation that comes forward and is approved, therefore, by Lieutenant-Governor-in-Council. They know that's how it happens. If they didn't like it that way, they would have changed it. They know why minimum wages are set at a higher rate for the construction industry than for workers in other industries because of the seasonal nature and all of the issues that they raised around municipal employees that work you around, and so on, are peripheral to this, do not relate to the act and should not be thrown in as red herrings. They are issues that will be dealt with in another forum at another time.

A MEMBER: Blue herrings.

HON. M.B. DOLIN: Blue herrings, right. The Member for La Verendrye suggests that employers had they known this section existed would have used it more often. Well, I think that is a perfectly terrible thing to say about employers in this province. I don't believe they would have tried to employ a worker for less than the minimum wage and not tell them about it for 30 days and, then, therefore, have them lose their right to earn the minimum wage. I don't believe our employers do that sort of thing. I don't believe that he should be suggesting it. I think it puts him in some trouble to do so.

The bill is a minor change in the sense that it is small. It removes a clause that needs to be removed, it is outdated. I don't think any of us remember why it is there. Our lawyers had advised us that at some point it could be interpreted in the way that it was just recently, and so we are rectifying the situation.

QUESTION put, MOTION carried.

MR. H. ENNS: On division, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Lakeside on division.

BUSINESS OF THE HOUSE

MR. SPEAKER: The Honourable Government House Leader.

HON. A. ANSTETT: Mr. Speaker, before we call any additional business, I would, in view of the passage of the two bills which would be slated for the Industrial Relations Committee, I would now like to formally confirm the meetings that were tentatively scheduled for the Standing Committee on Industrial Relations for this evening at 8, tomorrow morning at 10, and tomorrow evening, if necessary, at 8:00 p.m.

I would also, Mr. Speaker, like to tentatively suggest to honourable members that on the assumption that we may be able to deal with the two private bills that are on the Order Paper today, that the Standing Committee on Private Bills would meet tomorrow evening at 8:00. That, Sir, would require leave of all honourable members under our Rule 115 which requires two full days notice for that meeting to take place, and I'll be requesting that leave.

Sir, there are also two bills which I understand there may be an inclination to deal with yet today that are private members' bills which will require reference to the Standing Committee on Statutory Regulations and Orders and I would like to tentatively schedule that Committee for tomorrow morning at 10:00 a.m.

Sir, I've just been advised that it will be possible to hold a committee meeting of the Standing Committee on Public Utilities to deal with the report of the Manitoba Energy Authority and Manitoba Hydro as requested by members opposite this evening at 8.

So, Mr. Speaker, I have those committee announcements to make. I believe . . .

MR. SPEAKER: The Honourable Member for Lakeside.

MR. H. ENNS: Well, Mr. Speaker, I don't know just how mad I should be getting right about now. The government is fully aware we have accommodated the government in moving through a very important piece of labour legislation, fully aware that we have members sitting on Industrial Relations Committee. In fact, while I'm on my feet, Mr. Speaker, I'll make the motion that I want you to make to change Messrs. Mercier for Enns, Mr. Nordman for Filmon, and Mr. Steen for Mr. Banman to be placed on Industrial Relations Committee, so that we can be present to listen to the presentation to those two important bills.

I find, Mr. Speaker, this three-hour notice about scheduling simultaneously an important committee meeting such as Public Utilities to further the discussions on Manitoba Hydro totally unacceptable. I ask the Honourable House Leader whether or not he does not really wish to reconsider that suggestion?

HON. A. ANSTETT: Mr. Speaker, I regret that I hadn't had an opportunity to consult with the Opposition House Leader immediately prior to getting the information from the Minister responsible, that he was able to have staff available for a meeting this evening. Although I missed part of the discussion in question period today, I thought that members had expressed some urgency about dealing with that. They have been advised in discussions

at the committee meeting and in other discussions the last two days of the difficulty of assembling staff because of ongoing negotiations. If tonight is unacceptable, it appears that we will have to wait until some time in July, as members were advised, for a further meeting of the Committee.

I withdraw, Sir, the suggestion then, and we will not be calling the Standing Committee on Public Utilities and Natural Resources for this evening and that meeting will have to be scheduled for some time in July to complete consideration of the Committee reports.

I accept the admonition of the Member for Lakeside, the opposition House Leader that the two committees shouldn't sit together. I went to some lengths this afternoon to try to accommodate the concerns that were expressed with some urgency, I understand, during question period. I'd hoped that accommodation would be mutually agreeable; since it is not, I don't want to call the meeting and I agree with the honourable member it shouldn't be called. We will have it some time in July.

MR. H. ENNS: Mr. Speaker, the request on the part of my Leader was very clear and very appropriate, I thought. He asked in the first instance that we be assured that we could conclude the Public Utilities hearings with respect to Hydro prior to any application that this government goes forward to the National Energy Board; that's No. 1.

We did not receive that assurance, Mr. Speaker, and that's what caused some of the difficulty earlier on in question period. I still believe that arrangements could be made for hearings in the next few days, but I do not, and we have so indicated, necessarily insist that they be concluded within the next day or two. We want the assurance that we can conclude consideration of Manitoba Hydro prior to any application, any discussions proceeding to the National Energy Board.

HON. A. ANSTETT: Mr. Speaker, I understood the request of the Honourable Leader of the Opposition to be that the further meetings of the Standing Committee on Public Utilities and Natural Resources to deal with the Energy Authority and Manitoba Hydro be held prior to any hearings before the National Energy Board. I am prepared, Sir, to give a commitment that those meetings will take place before any hearings of the National Energy Board. I expect that we would schedule those some time in July.

I cannot give a commitment, because I don't know when it'll happen, as to when those hearings will be scheduled, that's at the discretion of the board, and some material will have to be filed with that board, but the actual hearings, I believe, are some months off and, certainly, although we may not be able to hold the committee meetings this week or early next week, I'm willing to give an assurance that a mutually acceptable time will be found in July and that will be before any hearings before the NEB.

Mr. Speaker, I trust that the others meetings that were announced are acceptable to members and, I believe, the Whip on this side, Sir, in addition to the Opposition House Leader, has some committee changes with regard to the meetings that are scheduled and, then, we can proceed with some of the other business.

MR. SPEAKER: The Honourable Minister of Energy and Mines on a point of order.

HON. W. PARASIUK: Yes, I would just like it very clearly understood by all members of the House that the province will be applying to the National Energy Board for a licence to export. As I indicated to the Leader of the Opposition today, the hearings would be held some time subsequent to that, possibly at the end of August or September or October. I did make the commitment in the Legislature that we would provide an opportunity for the Committee to meet before at such time as hearings took place.

COMMITTEE CHANGES

MR. SPEAKER: The Honourable Member for Riel.

MRS. D. DODICK: I have a committee change, Mr. Speaker, on Industrial Relations: the Member for Seven Oaks substituting for Flin Flon, the Member for Thompson substituting for Rupertsland, the Member for Churchill for Inkster, and the Member for Interlake for Osborne.

MR. SPEAKER: Would the Honourable Government House Leader indicate the next item of business?

HON. A. ANSTETT: Thank you, Mr. Speaker.

Mr. Speaker, in accordance with your ruling yesterday, I would ask for unanimous consent, thereby leave, to call from Private Members' Hour Bill No. 29 for second reading, standing in the name of the mover, the Honourable Member for Minnedosa.

SECOND READING

BILL 29 - AN ACT TO AMEND AN ACT RESPECTING THE AGRICULTURAL AND COMMUNITY DISTRICT OF NEWDALE

MR. SPEAKER: The Honourable Member for Minnedosa.

MR. D. BLAKE: Thank you, Mr. Speaker, and I appreciate the accommodation by the House Leader.

MR. D. BLAKE presented Bill 29, An Act to amend an Act respecting The Agricultural and Community District of Newdale, by leave, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Member for Minnedosa.

MR. D. BLAKE: Mr. Speaker, this bill is an act to amend the community and district of Newdale, Agricultural Community Act which governs the operation of their community hall. It's about the third time, I think, since I have been the member for representing that area that I have had to bring a private bill in increasing the mill rate. As we all know, the costs of maintaining a hall, fuel and energy and maintenance costs, have all

increased and we are increasing it from one mill to two mills.

This bill eliminates the amount of the levy and it says it will be raised by an annual levy of an amount of mills on each dollar of the last revised assessment on the taxable land zones and so on and so on.

So it enables the committee to raise whatever funds are necessary to maintain their hall. It also enables them to set up a reserve fund should they decide to undertake any major renovations or should they want to build an addition to the building, but any such expenditures like that are subject to Section 13, upon receipt of a petition signed by least 60 percent of the ratepayers.

So there is nothing unusual in the bill. It is just requesting some updating in order that they can raise sufficient funds for the maintenance of their hall, to set up a reserve fund for renovations or repairs and also if they want to undertake an addition to it, if they have the consent of the ratepayers. That is all done by the trustees that are elected for the purpose of running their agricultural community hall.

So it is a straightforward bill, Mr. Speaker, and as I say, it's about the third amendment to it that I have brought into the House. I have received the co-operation of members opposite on all occasions in passing it, and I recommend it to the committee.

MR. SPEAKER: Are you ready for the question?
The Honourable Government House Leader.

HON. A. ANSTETT: Mr. Speaker, I have just one question for the honourable member. The levy, is it attached only to the UVD of Newdale or to the whole of the R.M.?

MR. D. BLAKE: The UVD has no authority to raise taxes on the village itself. So it is the Municipality of Harrison.

HON. A. ANSTETT: I believe I wasn't clear on the question. Is the levy assessed to all ratepayers in the whole of the R.M. or only a section served by the Agricultural Society of Newdale?

MR. D. BLAKE: The section reads, Mr. Speaker, that this money shall be raised by an annual levy of an amount of mills on each dollar of the last revised assessment on all the taxable land in the district, which is reasonable and is approved at the annual meeting of the trustees.

Now I would assume that that's the mill rate of the municipality. How would you divide it when you are looking at districts?

HON. A. ANSTETT: Mr. Speaker, perhaps the honourable member could clarify at committee, and that is why I asked the question. The wording in the section is "district," and I would like the honourable member to ascertain at committee stage the boundaries of the district and whether or not they are contiguous with the boundaries of the rural municipality.

Other than that, Mr. Speaker, we have certainly no opposition to the bill. It's an opportunity for a local agricultural society to organize itself on the basis of

all those who benefit. Paying the costs of operation in those community halls are very much part of the vitality of our rural communities, and we support the spirit and intent of the legislation.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable Government House Leader.

HON. A. ANSTETT: Yes, Mr. Speaker, I would once again ask for leave of the House to call Bill No. 7 on Page 5, The Central Trust Company Act, 1984.

ADJOURNED DEBATES ON SECOND READING

BILL 7 THE CENTRAL TRUST COMPANY ACT, 1984

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

The Honourable Member for Lakeside.

MR. H. ENNS: Mr. Speaker, the Honourable Member for St. Norbert adjourned the debate for myself, having given me the necessary information to respond to this bill.

Mr. Speaker, I have the information from the lawyers acting on behalf of The Central Trust Company Act that are requesting these changes that come about as a result of legislative action taken in the Province of Ontario that makes it difficult for the Central Trust Company to act as custodians of some of the business that is to be transacted in the Province of Manitoba.

I would advise the mover of this bill that it may be helpful to have somebody from Central Trust available at committee stage for further clarification if any members of that committee so request.

I put that on the record because my colleague, the Member for St. Norbert, specifically asked me to request that it would be advisable for somebody as is, I might say, the tradition when private bills of this nature are being requested to be acted upon by this Legislature, that persons or spokespersons for that action be present at committee stage to answer any further questions, Mr. Speaker.

I commend the bill to the House.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable Government House Leader.

HON. A. ANSTETT: Thank you, Mr. Speaker. I would ask the House for leave again, Sir, to have you call Bill No. 13 on Page 6.

BILL 13 - AN ACT TO AMEND THE COURT OF QUEEN'S BENCH SMALL CLAIMS PRACTICES ACT

MR. SPEAKER: By leave, on the proposed motion of the Honourable Member for St. Norbert, the Honourable Government House Leader.

HON. A. ANSTETT: Thank you, Mr. Speaker. I adjourned this debate for the Honourable Attorney-General.

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Mr. Speaker, very briefly, while I am not at all unsympathetic to the bill which, in essence, calls for lifting the limit for small claims from \$1,000 to \$3,000, in view of the imminent amalgamation of the County Court and the Court of Queen's Bench taking place on Friday of this week, and the need to review the whole of the Small Claims procedures, indeed, to ascertain whether or not those procedures should be an adjunct of the Court of Queen's Bench or handled in another way, I regretfully must oppose the bill at this stage because it's one small piece of a larger improvement that I think has to be made based in part on recommendations made by the Law Reform Commission. I would, however, assure, it'll be on the record, the Member for St. Norbert and the members opposite that I and the government is sympathetic to raising the limit, but we just don't feel it's opportune to do it at this time on a piece-meal basis.

Therefore, Sir, we'll be opposing it on this side.

QUESTION put, MOTION defeated.

MR. H. ENNS: On division, Mr. Speaker.

MR. SPEAKER: On division.

The Honourable Government House Leader.

HON. A. ANSTETT: Thank you, Mr. Speaker.

I would once again ask for leave of the House to call Bill No. 17.

BILL 17 - AN ACT TO AMEND THE DENTAL MECHANICS ACT

MR. SPEAKER: The proposed motion of the Honourable Member for Concordia, by leave, standing in the name of the Honourable Member for Lakeside.

The Honourable Member for Lakeside, Bill 17.

MR. H. ENNS: Mr. Speaker, I adjourn this bill on behalf of my colleague, the Honourable Member for River Heights.

MR. SPEAKER: The Honourable Member for River Heights.

MR. W. STEEN: Thank you, Mr. Speaker.

I'm personally opposed to this bill for a number of reasons. I think that a major study in the area of dental mechanics should be undertaken by the Minister of Health. There are some areas of the bill that I'm particularly opposed to. The name change from dental mechanics to denturists in my opinion is going to, perhaps, give more of an opportunity for the dental mechanics to run a storefront operation where perhaps at some future date they will be able to put the letters behind their name MDA - Member of the Denturists Association - which I believe is going to be most

confusing to the general public and is going to, maybe in some cases, mislead the general public as to think that these people are professionally trained in some manner similar to a dentist.

Their training is nowhere near what a dentist receives. A dentist takes two years of pre-dental and four years of dental schooling, which is equivalent to what a medical doctor does. The medical doctor subsequently goes on and does some internship work. A dental mechanic, and there are some 50-60 in the Province of Manitoba, usually apprentices or works within a dental mechanic's office or lab and that is the extent of his training, some three or four years, and has no technical training such as training at Red River Community College.

There are two community colleges in Canada that do train dental mechanics - Northern Alberta Institute of Technology in Edmonton and the George Brown Institute of Technology in Toronto. These are two junior colleges or technical schools that are recognized as training centres for dental mechanics. I am informed that there isn't one dental mechanic in the Province of Manitoba operating that has attended either one of these two recognized schools.

I say, Mr. Speaker, that the training of a dental mechanic is, in my opinion, nowhere near the training of the other persons working in the dental health field. That refers to not only dentists, but the technicians that work within dental offices.

Another area of this bill that I'm opposed to is the Admissions Committee. The Admissions Committee, Sir, is going to be made up of two appointees from the Dental Mechanics Association, or the Denturists if their name is to be changed, and one person to be a member of the Faculty of Dentistry at the University of Manitoba.

Sir, I think that you've got a three person committee here and two of them have invested interest, and that is those two that are dental mechanics and then you have a makeshift person who is appointed by the Faculty of Dentistry, but that member from the Faculty of Dentistry we all know is going to be outvoted 2 to 1 on many cases on this Admissions Committee. This Admissions Committee is going to have the powers to say who is going to be accepted as a denturist or dental mechanic and who will not be a member of their association. I think that the powers within the association are too broad and that they are giving sole power to who can be a member of their association. They can discipline their own members and there's no recourse as far as the general public is concerned.

Another area of great concern, Mr. Speaker, is that currently dental mechanics can work on a person, providing that person doesn't have any live teeth in their mouth. Now the door is being opened so that the dental mechanics can work on partial plates and I say that this is not what should be asked for, and that denturists or dental mechanics should never be able to, in my opinion, be able to work on living people who still have what is termed as live teeth in their mouths. I think that a significant study should be undertaken by the Minister of Health before this bill is proceeded with. The amendments are going to let the dental mechanics have total control over their education, their own examinations as to who will be permitted to be licensed. They are going to have total control over the

discipline procedures of their own association, and they're going to be a very powerful inner group of persons who can say who can be a dental mechanic and who cannot be a dental mechanic.

I would say, Sir, if a person who is currently a dental mechanic and working with dentists on a prescription basis was to have a falling out with his fellow denturists or dental mechanics, it wouldn't be long before he would be disciplined, and perhaps put out of business and not be permitted to make a living as a dental mechanic.

As I mentioned earlier, the aspect of the possibility of the name change and the denturists operating a storefront operation, and convincing the public that they are semi-dentists is a possibility. I am opposed to that because, as I have mentioned, their education is nowhere in comparison to what a dentist goes through at the School of Dentistry.

The Dental Mechanics Act, by definition, they are only to work on the jaws of persons who have no live teeth. Yet, the amendments of this act would allow denturists to make partial dentures for persons who still have some live teeth within their mouths. I think that this is a most misleading bill.

I wish that the sponsor of the bill would withdraw the bill, and perhaps reintroduce it next year after the Minister of Health has had a thorough study of this area of oral health. I am totally opposed to it. Perhaps I have a vested interest in that my father was a dentist for 52 years, and I know a number of dentists personally.

I still think that we are taking the wrong step here, Sir, because dental mechanics don't even receive the same amount of technical training at Red River Community College or any other recognized school as an automobile mechanic does, and they have no experience working on people, and 20 percent of the students in the Faculty of Dentistry work on living people in this particular area of dentures.

I think that what we are doing is opening up the door for some 50 to 60 dental mechanics to try and move into an area that is being well-served in Manitoba by some 450 dentists. I say that if persons opposite were to say, well, dentists charge too much for their services and if there were people today that couldn't afford proper dental health, every year I'm sure that we all see the ad in the Winnipeg newspapers saying that the Manitoba School of Dentistry is looking for patients for student dentists to work on and to work with. They have difficulty filling up the number of needed patients at the dental school. These are student dentists that are working under the direction of qualified dentists, so there is no need in this day and age for Manitobans to have to go and buy something wholesale in the area of oral health.

The dentists today tell me that in the City of Winnipeg anywhere between 60 percent and 80 percent of their patients are covered by dental health insurance programs. I know that the dental health insurance programs do not permit denturists' bills to be accepted. Only work done by denturists on a prescription basis is acceptable.

So, Mr. Speaker, with those comments, I would say that I personally am going to vote against this bill. I would ask the sponsor of the bill if he might give some consideration to laying the bill over to another Session and having the Minister of Health have some proper meetings with both the Faculty of Dentistry and the

Manitoba Dental Association as to what are some, what I consider, pitfalls that will result as a result of the passing of such a piece of legislation.

MR. SPEAKER: Are you ready for the question?

The Honourable Member for Fort Garry.

MR. L. SHERMAN: Thank you, Mr. Speaker.

I will assure the House that my remarks will be brief on this subject, but I do want to endorse the objections that have been placed on the record by my colleague, the Member for River Heights, and also say that I think the Minister should be very concerned about this legislation. It seems to me that the Minister is inviting a great deal of difficulty for himself, a great many problems, particularly under the provision in the legislation that sets up a board of directors to administer the affairs of the association, and lays out the proposed make-up of that board and establishes it in such a way that gives 52 dental mechanics complete control of their membership, training and licensing. I think there's a possibility, a very strong potential and possibility, Mr. Speaker, that could boomerang on the Minister of Health and I'm surprised that he, himself, would not see the pitfalls contained here and raise some objections to it.

I think it's absolutely essential that we proceed in this proposed direction, that there be dentists appointed to that board, or at least one dentist appointed to that board. It's my understanding that persons who have had contact with and service on the current committees, the Dental Mechanics Committee, believe that it's very valuable to have dentists in their membership on that committee. The present committee consists of two dental mechanics, two dentists and two lay people. The new board that's proposed to run the affairs of the association calls for four denturists and two other persons.

In other words, Mr. Speaker, there is an intent on the part of the dental mechanics to have a board in place that does not have representation from the dental profession, that does not include dentists, and I think it's absolutely important. It's demonstrated by the members of the existing committee who have had the experience and it's certainly in the best interests of the Minister that at least one dentist be appointed to that board.

I think also that the use of the term "denturist" is premature or the granting of the right to the dental mechanics to use the term "denturist" is premature not only for the reasons outlined by my colleague, the Member for River Heights, but because, Sir, there are not standards of training and qualification in place at the present time. I think that first and foremost we have to ask the association to offer firm evidence and assurance that standards of high training and qualification will be in place, so that the term "denturist" will be really meaningful and then the Legislature could be asked to confer the authority on the association and its members to call themselves by that new term. But short of that demonstrated proof and assurance that those high standards will be there, I think such a move is highly premature.

So I want to express my concern over the legislation, my opposition to it in this form, and assure the

Legislature that should it move beyond this stage and into committee, Mr. Speaker, at that point in time I think very substantial amendments are called for.

MR. SPEAKER: The Honourable Member for Niakwa.

MR. A. KOVNATS: Thank you, Mr. Speaker.

I, too, shall be very brief. I will be supporting this bill. I'm not supporting the bill because of my anti-feeling of the dentists in the province, I'm supporting it because of my support of the dental mechanics. I just went through a very trying situation and I can speak very highly of one particular dental mechanic who worked with me, in conjunction with a dentist, and I am completely satisfied with the results. I'm able to eat and speak and I don't care whether you call him a dental mechanic or a denturist. I know that I have received the benefits of that particular trade, and on that behalf I will be supporting this bill.

MR. SPEAKER: Are you ready for the question?

The Honourable Member for Concordia will be closing debate.

MR. P. FOX: Yes, Mr. Speaker. I want to thank all the members who contributed to the debate on this bill, and I want to reassure the Member for River Heights and also the Honourable Member for Fort Garry that I'm afraid that they have been mislead or they have misread the bill.

The powers of the Minister have not been diminished one iota in this bill. This bill does not permit the denturist to do anything they were not able to do as dental mechanics.

As far as the composition of the board is concerned, there still is a member of the dental profession on the qualifying board, and again, the board can only make recommendations in respect to denturists' licensing, the Minister is the one who still makes the licence, and consequently I believe your fears are unfounded.

Thank you very much, Mr. Speaker.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. H. ENNS: Yeas and nays, Mr. Speaker.

MR. SPEAKER: Call in the members.

Order please. A member has requested that the members be called in for a standing vote. Does he wish to withdraw that request?

MR. H. ENNS: We're all here waiting for the vote, Sir.

MR. SPEAKER: The question before the House is the second reading of Bill No. 17. Those in favour, please rise.

MR. B. CORRIN: Point of order.

MR. SPEAKER: It's rather unusual. Does it affect the calling of the vote?

MR. B. CORRIN: Yes.

MR. SPEAKER: Would honourable members take their seats, and I will hear the point of order from the Honourable Member for Ellice?

MR. B. CORRIN: The point of order, Mr. Speaker, is with respect to the rights of individual members to be notified of the fact that a vote is taking place. There is cause for concern if a member is absent during a particular vote insofar as he and she may be regarded as being absent from his or her duties at the time the vote took place.

I think it should be a practice that, if a recorded vote is called for, there is at least an opportunity accorded members who are in the building to come and be present if they wish.

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

HON. A. ANSTETT: Thank you, Mr. Speaker.

Yes, to the same point of order, while I'm sympathetic to the concern expressed by the honourable member, as recently as this past winter, Sir, you ruled that the clearance by the two Whips was the signal that ended the bells. That clearance was given after you asked that members be called in, even before the Deputy-Sergeant-at-Arms had had an opportunity to turn on the bells. That signal could have been given five seconds after they were turned on, and no member would have had time within that five seconds to attend the service of the House.

So, Mr. Speaker, that ruling you made last winter binds us to observe the concurrence of the Whips that members are in attendance. I think we are bound by that ruling. We may wish, Sir, to consider for the future some warning mechanism for members, but members' obligation to attend the service of the House is there at all times.

MR. SPEAKER: Order please. Our Rules require, even with the 15-minute limit, that both Whips indicate that their respective sides are prepared to vote. I have received that indication that both sides are, in fact, prepared to vote, and it shall proceed.

The question before the House is the second reading of Bill No. 17.

A STANDING VOTE was taken, the result being as follows:

YEAS

Anstett, Ashton, Bucklaschuk, Corrin, Cowan, Dodick, Dolin, Enns, Evans, Fox, Harapiak, Harper, Hemphill, Kostyra, Kohnats, Mackling, Malinowski, Parasiuk, Penner, Phillips, Santos, Schroeder, Smith, Uruski, Uskiw.

NAYS

Banman, Downey, Filmon, Johnston, Manness, McKenzie, Nordman, Sherman, Steen.

MR. CLERK, W. Remnant: Yeas, 25; Nays, 9.

MR. SPEAKER: The motion is accordingly carried.

The time of adjournment having arrived, this House is adjourned and will stand adjourned until — (Interjection) — the Honourable Government House Leader.

HON. A. ANSTETT: Mr. Speaker, I believe there may be an inclination to extend the time of the sitting for a number of minutes to ensure that some bills which members wish to address can yet be considered at this sitting. I think there may be leave for that extension of sitting hours today.

MR. SPEAKER: Is there leave to suspend the normal time of adjournment? (Agreed).
The Honourable Government House Leader.

HON. A. ANSTETT: Thank you, Mr. Speaker.
I would ask for leave again, Sir, to call the next item of business in Private Members' Hour, Bill No. 25.

BILL NO. 25 - AN ACT TO AMEND THE LIQUOR CONTROL ACT

MR. SPEAKER: On the proposed motion of the Honourable Member for Morris, Bill No. 25, by leave.
The Honourable Government House Leader.

HON. A. ANSTETT: Thank you, Mr. Speaker.
I adjourned this bill on behalf of the Honourable Attorney-General.

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: I'm thinking of throwing my hat into Fort Garry. Be careful.

SOME HONOURABLE MEMBERS: Oh, oh!

HON. R. PENNER: Believe me, you need a strong NDP candidate.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

HON. R. PENNER: Mr. Speaker, again I must indicate here that while I'm not at all unsympathetic to the motion of the Member for Morris, and indeed am prepared to give it favourable consideration, it addresses in a small part a larger problem and I am seriously considering bringing forth at least one amendment to The Liquor Control Act in the near future on licences, reordering of the licences. There are 26. There probably should only be about 12 and one of the licences to be addressed is a sports facility licence. There have been a number of requests and just to do it with respect to golf clubs at this time and not bowling alleys - there's been some requests, and we'd want to consider that, and other sports facilities - would be to do it piecemeal. Therefore, but with regret, we will be opposing this resolution.

MR. SPEAKER: Are you ready for the question?

QUESTION put, MOTION defeated.

MR. SPEAKER: On division?
The Honourable Member for Lakeside.

MR. H. ENNS: On division.
That's a mistake.

MR. SPEAKER: The Honourable Government House Leader.

HON. A. ANSTETT: Thank you, Mr. Speaker. I would once again ask for leave of honourable members to call Bill No. 26, standing in the name of the Member for River East.

SECOND READING

Bill NO. 26 - THE CHIROPRACTIC ACT

MR. P. EYLER presented Bill No. 26, The Chiropractic Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Member for River East.

MR. P. EYLER: Thank you, Mr. Speaker.
I recognize the time is late and the people who are asking for this bill are very concerned that it should pass this Session. I would simply like to say that this is one of several health professional bills which has come forward in the last few years.

It follows the guidelines which have been established for the health professions, and I believe the process has been suitably followed by Dr. Johnson in his role of brokering between the various interest groups. This is a potentially controversial bill, I would imagine. Most people know that the role of chiropractors in society is not a uncontroversial subject; however, I believe Dr. Johnson deserves a lot of credit for getting the agreement of all the professional groups involved on the periphery or directly with this bill in agreeing to the terms of the bill.

I understand that the Health critic will be following shortly with his acknowledgement of his acceptance of the principles of this bill.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. SHERMAN: Yes, Mr. Speaker. I wish to assure the House that we're prepared to see the bill pass second reading and moved to committee. There was considerable consultation among parties involved in the drafting of the bill, in the preparation of the final wordings that appear before us. One of the major difficulties had to do with the definition of the practice of chiropractic, Mr. Speaker. That difficulty was a fairly lengthy one, a fairly complex one, but as the proposed bill now appears before us in the wording contained therein that definition now seems to be reasonably acceptable to all parties, so that major stumbling block has been removed.

You will recall, Mr. Speaker, that during the years of our administration under Premier Sterling Lyon,

between 1977 and 1981, a number of legislative measures passed the Legislature of the Day having to do with self-governing health professions and occupations, self-governing authority. Licensing and administrative authority were granted to a number of professions and occupations in the health field and this bill is consistent with those steps and measures that were undertaken at that time. So we have no objection to it, Sir.

There is one other saving clause or saving feature of the bill that I think deserves reference and that is the fact that the legislation calls for lay representation on the board, which is vital, and it also places the onus on government and leaves the authority with government to add or to prohibit services which a chiropractor may perform. Hopefully, Sir, that will remove the concerns, allay the concerns of the College of Physicians and Surgeons of Manitoba.

Some members of the college had expressed objections to the fact that chiropractors would have the right to define their own scope of practice, but hopefully that provision removes those concerns, Sir.

QUESTION put, MOTION carried.

BUSINESS OF THE HOUSE

MR. SPEAKER: The Honourable Government House Leader.

HON. A. ANSTETT: Thank you, Mr. Speaker.

I have two other items I would like you call, but before I do that, after consulting with the Clerks and the Opposition House Leader, became aware of some concern that two of the committee meetings tomorrow would have only two bills; and I understand that under Rule 114, the two private bills that we've passed in the last hour could be referred to another Standing Committee, so rather than scheduling both Statutory Regulations and Orders tomorrow at 10 and Private Bills at 8 tomorrow, I would like, Sir, the referral of the two private bills, An Act to amend The Dental Mechanics Act, Bill No. 17, and the bill just passed, Bill No. 26, to be referred to Statutory Regulations and Orders and the two private bills, Sir, Bills Nos. 7 and 29 to be referred, by leave, under Rule 115, to Statutory Regulations and Orders and that all four of those bills be considered by that committee at 8:00 p.m. tomorrow. That would eliminate the requirements, Sir, for a meeting tomorrow morning of that committee and tomorrow night of Private Bills, if that's agreeable.

MR. SPEAKER: Does the House agree to those two proposals? (Agreed) Agreed and so ordered.
The Honourable Government House Leader.

HON. A. ANSTETT: Thank you, Mr. Speaker.

Mr. Speaker, two bills moved for first reading today, standing in the name of the Minister of Finance, have been distributed and I believe there may be an inclination to grant leave for those bills to be moved for second reading: Bill No. 31, The Statute Law Amendment (Taxation) Act (1984) and Bill No. 32, An Act to amend The Health and Post Secondary Education Tax Levy Act.

MR. SPEAKER: Does the Honourable Minister have leave? (Agreed)

SECOND READING

BILL NO. 31 - THE STATUTE LAW AMENDMENT (TAXATION) ACT (1984)

HON. V. SCHROEDER presented Bill No. 31, The Statute Law Amendment (Taxation) Act (1984), by leave, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister.

HON. V. SCHROEDER: Mr. Speaker, this bill contains a number of changes that had been announced in the Budget dealing with tax increases in the area of tobacco, locomotive diesel fuel, gasohol, the corporate capital tax on banks; also reductions in the area of the investment tax credit which is credit against new buildings, machinery and equipment used in Manitoba in manufacturing and processing for investment between midnight April 24, 1984 and December 31, 1985, and the low income tax reduction on the income tax schedules, some minor changes in the Farmers Capital Gains Tax Rebate Program to take into account federal changes to RSPs and increase the amount eligible from \$100,000 to \$150,000, some changes in sales tax, eliminating certain sales taxes.

There's some housekeeping changes to conform with changes made by the Federal Government. Under the terms of our Canada-Manitoba Tax Collection Agreement, the province is required to maintain its legislation in parallel to the Federal Act and we can get further information on those in committee stage.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. H. ENNS: Mr. Speaker, we appreciate that this bill of course is necessitated by the changes as per announced in the Budget and it is a regular or normal type of updating taxation legislation when tax changes are affected. We will be looking at the bill in more detail when it gets to Committee of the Whole and under those circumstances are prepared to pass the bill to Committee of the Whole.

MR. SPEAKER: The Honourable Minister of Finance will be closing debate.

HON. V. SCHROEDER: I don't have any further debate on that one.

QUESTION put, MOTION carried.

BILL NO. 32 - AN ACT TO AMEND THE HEALTH AND POST SECONDARY EDUCATION TAX LEVY ACT

HON. V. SCHROEDER presented Bill No. 32, An Act to amend The Health and Post Secondary Education Tax Levy Act, by leave, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister of Finance.

HON. V. SCHROEDER: Mr. Speaker, this implements the changes announced in the Budget with respect to the elimination of the tax on the first \$50,000 or people having payrolls of up to \$50,000 and the changes between \$50,000 and \$75,000.00. It also eliminates the minimum \$20 penalty and provides a percentage.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. H. ENNS: Mr. Speaker, this bill is very understandable. Again, it flows from the change that was announced by the government with respect to exemption from the payroll tax; but, Mr. Speaker, I'm sorry that once again, even in a relatively minor way, this government chooses not to take advantage or going out of its way to prevent the creation of a job. It's unbelievable, Mr. Speaker.

I ask the Minister to read the comments of the Member for Turtle Mountain and to consider seriously the suggestion that he made. We accept and we acknowledge that it was a good political move on the part of the government to exempt the irritant and the nuisance of having businesses with payrolls under \$50,000 to have to pay and go through the paper work of the payroll tax. Why not go the one step further, as suggested by the Member for Turtle Mountain, and do it on a graduated scale. Simply, the first \$50,000 of payroll are exempt from the taxation. That way, an employer who is in the border line has to decide sometimes - and you may not believe it, Mr. Speaker, and that's because not too many people over there meet a payroll - but there are employers that will look at it and say, look, if I hire that extra youngster, if I hire that extra person on that payroll, I'm going to have to pay a payroll tax. If I don't hire him, I don't have to pay payroll tax, and a job can be gained or lost for that simple reason.

Mr. Speaker, I simply ask the Minister of Finance to reconsider that. I'll give him advance warning that we will moving an amendment to the act, to the effect to concur with the principle or the purport of the bill, of the \$50,000 exemption, but we say, let's simplify it, simply put it on the first \$50,000 of payroll and save yourselves a lot of unnecessary paper work, an unnecessary imposition on the part of small employers who have to take that into consideration in assessing their overall costs of doing business in the Province of Manitoba.

Mr. Speaker, we will move on that amendment at committee stage and I want to indicate to the Minister

of Finance that I hope he gives that some serious consideration between now and when we deal with this bill at committee.

MR. SPEAKER: Are you ready for the question? The Honourable Minister of Finance will be closing debate.

HON. V. SCHROEDER: I'm somewhat surprised at the remarks of the Member for Lakeside at a time when we have the lowest unemployment rate in the country. When we came into office, we were somewhere around No. 3 or No. 4. That was the range where they had it. We've had a large increase in population, for the first time since 1919 our population increasing beyond the national average. We have got large increases in employment in this province, and here they're saying that somehow we're preventing employment increases. What a pile of nonsense!

We're doing far better than other parts of the country. Maybe some time, they should search their souls to try to find out why it is that they do so poorly, that Manitoba's economy does so terribly under their administration when they think they're doing things that are so wonderful by eliminating taxes, not adding taxes when sometimes you need taxes in order to provide services.

We don't apologize for being No. 1, the lowest in unemployment in the country. We're working hard to decrease our unemployment even more, but we don't believe that the way to do that is just to cut back on taxes and increase deficits. Certainly members opposite haven't told us where it is that we're supposed to find all of the revenue that we would lose from this. What would they do? Absolutely. What would they do?

They keep saying, don't tax, and yet they keep saying, build more highways; build more hospitals; build more senior citizens' homes; do this; do that - more drainage, more agriculture, less taxes, less deficit.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable Government House Leader.

HON. A. ANSTETT: Thank you, Mr. Speaker. I would like to move, seconded by the Honourable Member for Niakwa, that the House do now adjourn.

MOTION presented and carried and the House adjourned and stands adjourned until 2:00 p.m. tomorrow (Thursday).