

LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, 22 May, 1987.

Time — 10:00 a.m.

OPENING PRAYER by Madam Speaker.

PRESENTING PETITIONS

MADAM SPEAKER, Hon. M. Phillips: The Honourable Member for Elmwood.

MR. J. MALOWAY: Madam Speaker, I beg to present the petition of the Pine Ridge Golf Club Incorporated, praying for the passing of An Act to amend an Act to incorporate Pine Ridge Golf Club Incorporated.

MADAM SPEAKER: Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees . . .

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

MADAM SPEAKER: The Honourable Minister of Co-op Development.

HON. J. COWAN: Madam Speaker, I beg leave to table the Annual Report of the Department of Cooperative Development for the fiscal year 1985-86; and would also like to table the Supplementary Information for Legislative Review of the 1987-1988 fiscal year Estimates.

MADAM SPEAKER: The Honourable Minister of Energy and Mines.

HON. W. PARASIUK: Thank you, Madam Speaker. I beg leave to table the Supplementary Information for the Legislative Review of the 1987-1988 Estimates for Manitoba Energy and Mines.

I'd also, while on my feet, Madam Speaker, like to table the Oil Activity Review for 1986 published by the Department of Energy and Mines.

MADAM SPEAKER: The Honourable Minister of Labour.

HON. A. MACKLING: Thank you, Madam Speaker. I'd like to table the Supplementary Information for Legislative Review of the 1987-88 Estimates of the Ministry of Consumer and Corporate Affairs and Labour.

MADAM SPEAKER: Notices of Motion . . .

INTRODUCTION OF BILLS

HON. G. DOER introduced, by leave, Bill No. 39, an Act to amend The City of Winnipeg Act (2); Loi modifiant la Loi sur la Ville de Winnipeg (2). (Recommended by His Honour the Lieutenant-Governor)

HON. L. DESJARDINS introduced, by leave, Bill, No. 40, The Human Tissue Act; Loi sur les tissus humains.

ORAL QUESTIONS

Manufacturing sector - would government strike committee to study problems

MADAM SPEAKER: The Honourable Leader of the Opposition.

MR. G. FILMON: Thank you, Madam Speaker. My question is for the Premier.

We have news today of another critical comment from another group in the manufacturing sector.

HON. R. PENNER: Shame on you.

MR. G. FILMON: Madam Speaker, the Attorney-General is embarrassed about these comments. He gets very sensitive when I raise them in the House, and I understand his sensitivity on the matter.

MADAM SPEAKER: Order please.

Does the honourable member have a question?

MR. G. FILMON: Yes, Madam Speaker.

Today we have another critical comment from the Canadian Manufacturers' Association, who have indicated that this administration, this NDP Government in Manitoba, is partly to blame for a tailspin in the manufacturing sector that has wiped out 11,000 jobs in our province in manufacturing since 1981.

Madam Speaker, they put forth reasons that they believe, under this government, have caused that tailspin. But I believe that they conclude with some rather positive suggestions, one being that, and I quote: "I think we are at a crossroads now. We have to sit down and come to grips with the situation and say what do we have to do to improve the Manitoba business environment."

Would the Premier be willing to strike a committee of businesspeople, of potential investors or people from the manufacturing sector to study this problem and to recommend changes in policy that would, once again, make Manitoba a good place to invest, a good place in which companies can grow and create jobs?

SOME HONOURABLE MEMBERS: Oh, oh!

MADAM SPEAKER: Order please.
The Honourable First Minister.

HON. H. PAWLEY: Madam Speaker, regrettably the Leader of the Opposition continues to work under a misconception as to what the economic situation is in the Province of Manitoba. Since 1981, when this government assumed office, the number of Manitobans with jobs has increased from 461,000 up to 493,000 with jobs. Madam Speaker, that is indicative of growth, of employment growth, and I can say to honourable members across the way, with the exception of Ontario and Quebec, Manitoba's record by way of job creation,

investment growth and other major economic indicators is amongst the best in Canada.

Unlike when the Leader of the Opposition was a member of the Treasury Benches from 1977-1981, when it was commonly known throughout Canada that the Conservative Government of Manitoba during those years, had caused Manitoba to rank No. 10 in all of Canada, this government has a clear course of action which has resulted in a record which is amongst the best in Canada.

The Manitoba Labour Relations Act - refer to Industrial Relations Comm. re freedom of speech

MR. G. FILMON: Madam Speaker, it's regrettable that the Premier is saying that he is prepared to do nothing to change the environment that has destroyed 11,000 manufacturing jobs. But, Madam Speaker, if I am labouring under a misconception, then so too . . .

MADAM SPEAKER: Does the honourable member have a question?

MR. G. FILMON: . . . are the Investment Dealers' Association who have recently criticized . . .

MADAM SPEAKER: Does the honourable member have a question?

MR. G. FILMON: Yes, of course, Madam Speaker.

MADAM SPEAKER: Would you please place it?

MR. G. FILMON: That's why I'm on my feet.

MADAM SPEAKER: Good.

MR. G. FILMON: Madam Speaker, in view of the fact that the Investment Dealers' Association has recently indicated their concern for the investment climate and for the potential for job creation; in view of the fact that the Conference Board of Canada downgraded their assessment of Manitoba's economy for the next year; in view of the fact that recently the Royal Bank has also downgraded their assessment for Manitoba's economic prospect, in addition to the concerns of the Canadian Manufacturers Association; and in view of the fact that, specifically, they have cited Manitoba's Labour Relations Act and Manitoba's taxation policies, would the Premier now refer The Manitoba Labour Relations Act to the Standing Committee on Industrial Relations, which my colleague from Brandon West, which many of our members have advocated throughout the Session, so that we can remove those negative provisions that take away an individual's freedom of speech; that see Jennifer Campbell, an 18-year-old, being slapped with a \$3.2 million lawsuit; that see business opportunities destroyed in this province? Would he refer that Labour Relations Act to the Standing Committee on Industrial Relations so that we can remove those negative provisions and get Manitoba back on the road to prosperity?

HON. H. PAWLEY: Madam Speaker, since the Leader of the Opposition covered the waterfront in his question,

I reserve the right, of course, to deal point-by-point by way of response. The Leader of the Opposition dealt with a broad range of areas in his question, and I'm not critical of that. That was apparently the approach the Leader of the Opposition proceeded with.

First, the Leader of the Opposition dealt with the Investment Dealers' Association Report very, very neatly, Madam Speaker, avoiding the encouraging references within the Investment Dealers' report. The very final paragraph in the Investment Dealers' Association refers to the economic outlook for Manitoba being encouraging. The Investment Dealers in the very first paragraph indicated to Manitobans that economic growth in Manitoba has outpaced the national average in each of the past three years, and the trend will continue into 1987. Why didn't the Leader of the Opposition read that to members of this Chamber? Why is the Leader of the Opposition using selective material, that which meets his doom and gloom theory, Madam Speaker?

The Leader of the Opposition refers to downgrading by the Conference Board of Canada. Why doesn't the Leader of the Opposition point out that the Conference Board of Canada has downgraded their projections insofar as economic growth is concerned for Canada as a whole? Why did the Leader of the Opposition not point that out in this Chamber? Why didn't the Leader of the Opposition point out that the Conference Board has indicated that Manitoba, with the exception of Ontario and Quebec, will demonstrate leadership above the national average? Why was that not pointed out to this House by the Leader of the Opposition?

Madam Speaker, when the Leader of the Opposition talks about labour-management relations in Manitoba, why didn't he point out that days lost to work stoppage in Manitoba is preferable to any other province in Canada, with the possible exception of Prince Edward Island? Why did the Leader of the Opposition not emphasize that in his question in this Chamber?

What the Leader of the Opposition is interested in doing, of course, is painting a very coloured picture, a very biased picture, a very anti-labour picture in this House, one that does not reflect the views of ordinary Manitobans.

Manufacturing sector - positive prospects to attract investors

MR. G. FILMON: Madam Speaker, I didn't emphasize that because that isn't the position that was put forward by the Canadian Manufacturers' Association. They, very clearly . . .

MADAM SPEAKER: Order, order please.

May I remind all honourable members that question period is not a time for debate. A question should not be a speech, and a long question provokes a lengthy answer, and a supplementary question needs no preamble.

MR. G. FILMON: I agree, Madam Speaker.

Given that the Canadian Manufacturers' Association has specifically zeroed in on the tax regime and, in fact, the spending of this government as one of the major problems, will this government change their

outlook that saw an obscene tax increase of \$369 million slapped in this recent Budget on the people of Manitoba? Will they stop their spending increase at twice the rate of inflation, and try and live within the means of the people of Manitoba so that, once again, our prospects can be positive to attract private investment and job creation for Manitoba's future?

HON. H. PAWLEY: Madam Speaker, I make no apologies in this Chamber for not being a spokesperson for the Canadian Manufacturers' Association. The Leader of the Opposition may wish to do so, the Premier of the Province of Manitoba, the current Premier of the Province of Manitoba, does not intend to be a spokesperson for the Canadian Manufacturers' Association.

Madam Speaker, insofar as the allegations by the Leader of the Opposition, he can't have it both ways. He can't be calling, day after day, for more and more expenditures in Health and Community Services and Agriculture.

I believe, Madam Speaker, we already have an extra bill of some many, many hundreds of millions of dollars as a result of demands issued by members across the way in the past three months, demands for extra expenditure on the part of the Treasury Benches of this government, Madam Speaker. Then the Leader of the Opposition has the audacity to rise in his place in this Chamber and to suggest, despite his demand for extra expenditure, that some way or other we should wave a magic wand and to avoid our responsibility to ensure . . .

MADAM SPEAKER: Order please.

HON. H. PAWLEY: . . . that there is the maintenance of social programs at the same time as the gradual reduction of the deficit.

Closure of beds - no. to be closed

MADAM SPEAKER: The Honourable Member for River East.

MRS. B. MITCHELSON: Thank you, Madam Speaker. My question is to the Minister of Health.

Has the Minister received recommendations from the Manitoba Health Services Commission regarding the number of beds that will be closed in Winnipeg and Brandon this summer?

MADAM SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: Madam Speaker, I wonder if I could be allowed to ask what is the wish of this, after the speech from the Leader of the Opposition. Is it the wish to open more beds? I'd like to know before I answer that -(Interjection)- either all together or one at a time. Talking about act together! I'd already told you to sing in unison. Either that or don't sing.

I want to know where you want us to cut the taxes and what you want us to do in Health, because I would love to have your advice. Then I would do the opposite, and I would be safe.

MADAM SPEAKER: Order please.

HON. L. DESJARDINS: Madam Speaker, I told the members of this House many times that, when and if anything is approved from the commission, I will announce it.

Closure of beds - statement in House

MRS. B. MITCHELSON: Well, I thank the Minister for that. I thank him for indicating that he is going to make an announcement, and I'm wanting to ask the Minister now to tell this House whether he will be making a statement in this House when the decision has been made to cut hospital beds and reduce services for Manitobans.

A MEMBER: No, you'll get a flunky to ask the question and then . . .

HON. L. DESJARDINS: It's unfortunate that such a charming member would follow the leader, but . . .

A MEMBER: That's sexist, Larry.

HON. L. DESJARDINS: All right, you're not charming. I know it's a little word, but "if" is still a word. If and when, I will make the announcement. If you want me to make a statement in the House for you, I'll make a statement in the House.

CAT scans - 6-month wait

MRS. B. MITCHELSON: Can the Minister confirm that Manitobans are still waiting, in some instances, for six months for badly needed CAT scans, Madam Speaker, and that those who can afford it are going to North Dakota and those who can't afford it are having to wait here in Manitoba? What steps is this Minister going to take to provide financial assistance for those poor who cannot afford to go to North Dakota to receive the services that others can get?

HON. L. DESJARDINS: If I have no answer, there'd be a hell of a fix in the United States where there are 35 million people who have no insurance at all, who have to run around to different hospitals to get service. I still say that we have the service, but we are going to have a system that we don't have to put everybody in an institution. That is not the way to go and we will change that. We'll do everything possible to bring alternative methods of caring for the people, and we'll take that in cooperation and we'll do it without your cooperation, if you're not going to give it to us.

Institutionalization - what provisions for those not being institutionalized

MADAM SPEAKER: The Honourable Member for River East with a final supplementary.

MRS. B. MITCHELSON: Madam Speaker, with a final supplementary, I'd like to ask the Minister what

provisions he is putting in place in the community, what extra provisions are being put in place in the community for patients that won't be institutionalized?

HON. L. DESJARDINS: How much time do we have, Madam Speaker?

A MEMBER: Make light of it, Larry.

HON. L. DESJARDINS: No, I'm not making light at all.

A MEMBER: You are.

HON. L. DESJARDINS: I'm not making light at all, but I would like to have somebody who would have - give me your program, tell me what your program is. You're talking about -(Interjection)- Don't point so much, lift your head up so I can hear you. Quit chewing your necktie, then I can hear what the hell you say.

MADAM SPEAKER: Order please, order please.
The Honourable Minister.

HON. L. DESJARDINS: Madam Speaker, we've made it quite clear that we want to improve. It's not an easy matter. For a number of years, the people of Canada here view the way that the hospitalization program was started, where acute care beds were covered and no other services at all. That encouraged people that there were a lot of beds, and it's going to be difficult because the people like what they have here.

But the point is that we can improve the standards. It has been proven that, if you improve the standards, you don't have to hospitalize everybody who has the least little bit of sickness. The point is that home care will be improved. That's one of the things we'll do, and we hope to improve -(Interjection)- Well my honourable friend doesn't approve of that, well all right. You don't approve of that, but we'll still do it.

Now there's another thing that we intend to do also is improve the day surgery for one thing, that's another; then also in prevention that we've heard so much about is try it with education and so on to get people out of institutions to look after themselves and so on; and then to work, I would hope, with the medical profession to be able to deliver those services that we don't have to be just in the institution.

I think that we can improve the standards and we would hope we can stay within our means. I've said many times that the budget this year is \$1.2 billion. If we do just what we're doing now with giving you the chance for the same criticism, in five years, it'll be \$2 billion. What are you going to say then? Take some more out of labour? Don't pay labour, bring back slavery so people can save the . . .

MADAM SPEAKER: Order please, order please.

Conference Board of Canada - impact of downgrading

MADAM SPEAKER: The Honourable Member for Morris.

MR. C. MANNES: Madam Speaker, the other day I asked the Minister of Finance a very specific question

dealing as to what the forecasted tax revenues, how they would be impacted, given that now the economy of this province was forecasted to be downgraded in a growth fashion from 3.5 percent to 2.4 percent. As usual, the Minister of Finance in his programmed manner told me how poorly the economies were doing in Saskatchewan and Alberta.

Again I ask him that specific question: What impact will these major downgradings of the provincial economy have on the tax revenue projections? What impact, therefore, will that have on the deficit of the province?

MADAM SPEAKER: The Honourable Minister of Finance.

HON. E. KOSTYRA: Thank you, Madam Speaker.

As usual, Madam Speaker, we have the Member for Morris continuing his position of putting forth misinformation in the preamble to his questions. We saw that when he raised issues regarding sales tax and raised the issue that people ought not to pay sales tax. We saw that when he dealt with the Manitoba Properties Incorporated.

MADAM SPEAKER: The Honourable Member for Morris on a point of order.

MR. C. MANNES: I ask the member to withdraw that. If you search the records, I never ever did say that people ought not pay increased sales tax. I ask the Minister of Finance to withdraw that statement.

MADAM SPEAKER: A dispute over the facts is not a point of order.

The Honourable Member for Morris.

MR. C. MANNES: That was not a dispute over the facts. I asked you to look at the record and to ascertain whether I have ever advised Manitobans not to pay sales tax.

MADAM SPEAKER: The honourable member rose on a point of order. A dispute over the facts is not a point of order.

The Honourable Minister of Finance.

HON. E. KOSTYRA: Thank you, Madam Speaker, and I thank the member for that clarification on what he has said. I would hope that he would clarify the other points that he's raised in terms of misinformation with regard to Manitoba Properties Incorporated with respect to the economic forecast.

What is clear, Madam Speaker, with respect to the economic forecast - whether it was the Conference Board, whether it was the Royal Bank's Report, whether it's other agencies - is they expect that Manitoba's economy is to continue on track, is to continue to be the fastest-growing economy in Canada outside of the two central provinces. Those are the presumptions that were behind the Budget. Those are the presumptions that are behind the forecast for this province, and we expect them to continue on track, as does the Royal Bank, Madam Speaker.

MR. C. MANNES: Madam Speaker, I'll phrase the question in a different manner.

The Budget was predicated on tax revenue coming in, provincially, roughly in the area of \$2 billion. That was based on the economic growth in this province at a rate of 3.5 percent. That number is being downgraded now in the area of 2.4 percent. My question: What revenue reduction can be expected as a result of the reduced forecast as to the economic growth in this province?

HON. E. KOSTYRA: I'll answer the question the same way as I did the previous question.

We expect that the presumptions that were behind the Budget in terms of economic growth, in terms of revenue growth, are to continue, as have the other agencies that the member is relating to. The Royal Bank, in its report, says that they expect the economy of Manitoba to keep on the track that they previously projected.

The answer is, we expect it to continue in that fashion and that the presumptions behind the Budget, the assumptions that we made, will continue.

Layoff of 4 worker-assistant workers for post-mentally ill

MADAM SPEAKER: The Honourable Member for River Heights.

MRS. S. CARSTAIRS: Thank you, Madam Speaker. My question is to the Minister of Community Services.

Madam Speaker, the mentally ill in our society, particularly those who are deinstitutionalized, are being caught between the cracks of two departments within this government's administration. In the Estimates, for example, which we have just about completed, in Community Services, not a single mention was made in the Minister's preparation materials on the mentally ill.

Will the Minister explain to the House why four worker-assistant workers, three in Winnipeg and one in Portage who were to provide job opportunities and find job opportunities for the post-mentally ill have been laid off?

MADAM SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: Madam Speaker, this is something that comes under the Department of Health, and I'll take that as notice.

Program for post-mentally ill - why terminated and what alternative?

MRS. S. CARSTAIRS: With a supplementary question, Madam Speaker.

There's been a report made available to the government on why this program has in fact been terminated and an evaluation. Would the Minister make that report available to members of this House and community workers within the mental health field? Will he also tell us what alternative programs will replace it?

HON. L. DESJARDINS: Madam Speaker, I'll take that under consideration.

Provincial Parks - increased fees

MADAM SPEAKER: The Honourable Member for Emerson.

MR. A. DRIEDGER: Madam Speaker, my question is to the Minister of Natural Resources.

Since 1981, the revenues in his department have increased by 103 percent and expenditures have increased only 16 percent. One week after the biggest long weekend in Manitoba's camping history, the Minister yesterday announced new fee increases for park users. Can the Minister indicate whether these fees were in effect last weekend? What other fee increases is the Minister planning to impose on Manitobans during the course of this summer?

MADAM SPEAKER: The Honourable Minister of Natural Resources.

HON. L. HARAPIAK: Thank you, Madam Speaker.

There is no magic in terms of administering the parks, which belong to the people of Manitoba. There are two sources of revenue. We can fund the parks through the general tax base, where there are some revenues that accrue to the parks by way again of general revenue from the users of the parks. At this point, 40 percent of the cost of operating the parks are paid by users, and 60 percent is supported by the taxpayers through general revenue.

The fee increases which were tabled at the time of Estimates, so the member was aware during the course of the Estimates that the fees were being brought in, we'll see a slight increase in revenue. But clearly, even with this increase in revenue, the general tax base will contribute to a 50 percent subsidy to the parks' users.

Provincial Parks - what services in full cost recovery

MR. A. DRIEDGER: Madam Speaker, to the same Minister.

On the same release, the Minister announced that he will move toward full cost recovery in the future. Does the Minister have a plan in place as to when and how he intends to move in this direction? Will the users be able to indicate as to what kind of services they will be receiving under this program?

HON. L. HARAPIAK: Madam Speaker, we always rely on the users of the parks for input. There are surveys conducted of users of the parks to determine the kinds of services that they see as being in need. We feel that there are services within the parks that are generally available to the public, which are quite understandably supportable through the tax base.

Then there are specific services that individual users of the parks require and demand that it is reasonable that they should support through their own contribution. So it is in that area of those services demanded by parks' users which go beyond the general base of service to the public that we would seek to have the users pay for the services demanded. It is in that area that we would be moving toward full cost recovery.

Provincial Parks - guarantee that revenues used for cost and services

MR. A. DRIEDGER: A final supplementary to the same Minister, Madam Speaker.

How can the Minister assure the people of Manitoba that the revenues generated from his department will be used for costs and services provided in those directions?

HON. L. HARAPIAK: Madam Speaker, I'm not sure that the majority of the parks' users, nor would the majority of people in Wildlife or in Fisheries subscribe to what I think the Member for Emerson is suggesting, that those fees that are charged in a particular area should be directed to that resource and they should be supported directly. Because if you look at the different areas, whether it be in Wildlife, in Fisheries, or in Parks, the users make a reasonable contribution, but they do not pay fully for those fees. So I would not agree with the suggestion made by the Member for Emerson that fees should be directed specifically to that service and there should be no other fees.

VIA Rail - response to telex

MADAM SPEAKER: The Honourable Member for Kildonan.

MR. M. DOLIN: Thank you, Madam Speaker. My question is to the Minister of Transport.

Watching the news last night and the Hon. Federal Minister of Transport, I find it difficult to understand whether the Federal Department of Transport is trying to either sabotage VIA Rail, or just whether they're totally incompetent, or whether they're singling out Winnipeg for punishment. If any of these are the case, I'm wondering if the Minister of Transport has received a response from his federal counterpart yet to his telex explaining which one out of the three is the possibility for Winnipeg.

MADAM SPEAKER: The Honourable Minister of Highways and Transportation.

HON. J. PLOHMAN: Madam Speaker, no, I have not received a response. But in all fairness, there's been a very short period of time since the telex was sent, and obviously the Federal Minister will need some time to get his response together considering the fact that there has been so much confusion surrounding this decision and this announcement. The fact remains that we have enormous amount of confusion here.

I know that the members opposite are sensitive about this issue, because they don't like to see this kind of confusion at the federal level. I know the federal Members of Parliament are sensitive about this because they have been, once again, not at the forefront of decisions that are affecting Manitoba as they should be. But notwithstanding that fact, we want to give them an opportunity to put together a response and ensure that they can . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MADAM SPEAKER: Order please.

HON. J. PLOHMAN: . . . represent Manitoba in an effective way, and that we will indeed see a major presence of a VIA Rail maintenance centre in Winnipeg.

The Canadian VIA Rail Passenger Act - reintroduction of

MR. M. DOLIN: A supplementary, Madam Speaker, to the same Minister.

At the last Session of Parliament, an act, the Canadian VIA Rail Passenger Act, died on the Order Paper which might have given some rationale. Will the Minister in a supplementary response or in contact with the federal counterpart ask that the Canadian VIA Rail Passenger Act be put back on the federal Order Paper?

HON. J. PLOHMAN: Well, Madam Speaker, the fact is that there continues to be confusion over a national policy with regard to VIA Rail that is impacting on VIA's operations and on their planning, and therefore is having a negative impact on Manitoba. For that reason, it is important that the Federal Government take action quickly, Madam Speaker, to introduce the National Rail Passenger Transportation Act, so that there will be some long-term policy for VIA.

Now, we haven't agreed with their use-it or lose-it policy that they were putting forward, Madam Speaker, but it is important that there is some long-term direction for VIA. We will be making that point known to our federal counterparts once again, so that we do have some direction for VIA and they can get on with their plans.

VIA Rail - new tenders for rail cars

MR. M. DOLIN: A final supplementary to the same Minister, Madam Speaker.

New rail cars were not purchased because there was an artificial pork barrel consortium set up by the Federal Government. Can the Minister also, in his discussions with his federal counterpart, ask him to ask for real tenders for new rail cars so perhaps VIA can actually perform a service in this country?

HON. J. PLOHMAN: Well, Madam Speaker, clearly that was a major point that we made in the message to the Federal Minister, that refurbishing ancient equipment is not going to turn VIA around and make it into the kind of efficient service that all Canadians would like to see for our rail passenger transportation in Canada. They do indeed need to take steps to purchase new equipment with modern technology that is going to ensure that people are attracted back to this very important mode for Canadians. This decision to refurbish old equipment is not going to turn Via around and we've made that known to the Federal Minister.

Jobs Fund - tabling of detailed structure

MADAM SPEAKER: The Honourable Member for Roblin-Russell.

MR. L. DERKACH: Madam Speaker, my question is to the Minister responsible for the Jobs Fund.

We in the Opposition, as well as the Provincial Auditor I might add, have had great difficulty in attempting to reconcile the expenditures under the Jobs Fund. In

addition, requests both verbally and in writing to the Minister have not provided sufficient information.

I would like to ask the Minister, first of all, whether he would consent to tabling in the House a detailed administrative structure of the Manitoba Jobs Fund?

MADAM SPEAKER: The Honourable Minister of Industry, Trade and Technology.

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

I don't think that the administrative structure of the Jobs Fund is the area where either the Opposition or the Provincial Auditor has had a problem. The Provincial Auditor is suggesting that he would like to see more detail before the expenditure, but he's certainly not suggested that he's not receiving the detail after the decisions are made during the year. Those details are provided. The details are provided to the Opposition as well and, certainly on the matter of the administrative structure, we're prepared to provide that to the Opposition, although I believe they've had that for about three years.

What I would like to see them do is talk a little bit to the people of Manitoba about how important the Jobs Fund has been in ensuring that we have tens of thousands more people working today than we had in 1981, that we have a stronger economy and simply a better Manitoba because of the Jobs Fund, which is what they don't want to talk about.

Jobs Fund - money spent to date

MR. L. DERKACH: Madam Speaker, in view of the fact that the Minister indicates that the Jobs Fund is such an important element and in view of the fact that some \$817 million has been allocated to the Jobs Fund over the last four years, can the Minister indicate to the House how much of the \$817 million has been spent to date?

HON. V. SCHROEDER: Madam Speaker, I'll take the specifics of the question as notice, but there are very few Manitobans who have not either had a job themselves, a relative or a friend have a job as a result of the Jobs Fund.

Community centres have seen the signs out. They know the improvements in their centres. We have churches, we have other facilities that have been improved as a result of the Jobs Fund. There are very few Manitobans, outside possibly that bunch in the Opposition, who don't see the improvements in Manitoba as a result of the money spent in the Jobs Fund.

Jobs Fund - direction to be taken re information

MR. L. DERKACH: As usual, Madam Speaker, this Minister either ignores or is unable to answer the specific details of questions that are posed to him.

I have a new question to the Minister, Madam Speaker. On May 2, I wrote the Minister a letter requesting some specific details with regard to the Jobs Fund. In his letter he replied and I quote, "I recommend that you contact the various administering departments directly for the detailed information."

At his suggestion, we did that, Madam Speaker. We phoned the various departments, only to receive a phone call from the Minister's office indicating that any requests we had with regard to the Jobs Fund should be directed in writing to the Minister's office.

I would like to ask the Minister, Madam Speaker, what direction he intends us to follow to gain information from his department, or does he know?

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

It's pretty clear to me that members of the Opposition haven't taken the time to read all the additional information which has already been provided to them.

This year for the first time, which they have not acknowledged, we have provided the Supplementary Information ahead of time for the Jobs Fund for the first time, in accordance with a request from the Opposition and by the Provincial Auditor. We will have the opportunity, as the members well know, to discuss the issues in committee in great detail.

Madam Speaker, one of the questions they were asking, as I understand it - and I haven't seen them specifically for some time - is exactly who every single applicant, every single name of people employed, people who had received not only as employees but as employers and so on. You know, quite frankly, we don't have the kind of time to do every single bit of nit-picking detail.

When it comes to the programs, such as for farmers, they never ask that kind of detail. They recognize that there is a certain amount of privacy Manitobans are entitled to.

MADAM SPEAKER: Order please, order please.

Non-returnable cans - program for recycling of, monitoring of

MADAM SPEAKER: The Honourable Member for Niakwa.

MR. A. KOVNATS: Madam Speaker, I would direct my question to the Honourable Minister of the Environment and Workplace Safety and Health.

Has the Minister's department been monitoring the program of the collection of non-returnable soft drink cans, and has the return ratio for recycling been improved?

MADAM SPEAKER: The Honourable Minister of Workplace Safety and Health.

HON. G. LECUYER: Thank you, Madam Speaker.

The program that the member refers to, set up by the soft drinks association, started sometime late last fall. At that time, Madam Speaker, we indicated that we would be keeping close watch on the program and assessing the degree of progress that it has made. After two months - we get periodic updates on that - it does seem so far that it will prove to be fairly highly successful, but only time will tell if that is satisfactory.

We said, Madam Speaker, at the time, that we would allow a year for them to completely set up to include Northern Manitoba, and I know that . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MADAM SPEAKER: Order please, order please.
The Honourable Minister has the floor.

HON. G. LECUYER: Madam Speaker, at this time of the year, they're in the process of establishing the program in Northern Manitoba wherein there will be some people, and they propose to also collect plastics as part of that process.

As well, Madam Speaker, I might indicate that in the upcoming Environment Week, they propose to be highly involved in promoting this system of voluntary return of aluminum cans, in particular, for the value of the aluminum.

I'm having a hard time of understanding myself, Madam Speaker.

SOME HONOURABLE MEMBERS: Oh, oh!

MADAM SPEAKER: Order please, order please.
I presume the Honourable Member for Niakwa wants to hear the answer to his question.

HON. G. LECUYER: I think, Madam Speaker, that the Member for Niakwa does want, but I think it is an indication of the interest on environment from the other members on his side of the House. They have so far in this Session showed that they have absolutely no interest . . .

MADAM SPEAKER: Order please, order please. Order!

Non-returnable cans - government regulation re

MADAM SPEAKER: The Honourable Member for Niakwa.

MR. A. KOVNATS: Thank you, Madam Speaker.
I too am having a great bit of difficulty understanding the Minister. Madam Speaker, I really didn't get the answer that I wanted, but to the same Minister, the Minister has allowed the industry to be self-regulatory and I have been monitoring the collection, particularly in my area, and I don't see it to be as successful as has been indicated.

I would wonder whether the Minister is now going to correct the situation by imposing government regulations.

HON. G. LECUYER: Madam Speaker, if the member had been listening and perhaps if he had been able to understand what I was saying, he would have heard that I said that we have indicated, as this program was being set up, that we were providing a year for them to establish the program and for us to get a good understanding in terms of how successful the program was in improving the return of especially aluminum can containers. When that year is up, Madam Speaker, we will be able to provide detailed information in terms of how much better this system is than what was happening before.

We have indicated, as the program was established, Madam Speaker, that if it was not to our satisfaction, we would consider legislation.

MADAM SPEAKER: The time for Oral Questions has expired.

The Honourable Leader of the Opposition.

MR. G. FILMON: Madam Speaker, I ask leave to make a very brief non-political statement.

MADAM SPEAKER: Does the honourable member have leave? (Agreed)

NON-POLITICAL STATEMENT

MADAM SPEAKER: The Honourable Leader of the Opposition.

MR. G. FILMON: Madam Speaker, I know that all members of the Assembly will want to join in recognizing today as a significant day, the day of the triumphant homecoming of Rick Hansen having completed a 26-month odyssey that, of course, involved a very well-received welcome in Manitoba as he passed through, an odyssey that was an amazing undertaking and challenge that will probably, I think, be remembered in the annals of history as one of the most significant achievements of an individual with a cause and a very strong belief in that cause, who wanted to ensure that the world was aware of the cause and, I think, raised that issue to public esteem and public concern throughout the world.

I would ask, Madam Speaker, if members of the Assembly would agree to having a telegram sent on behalf of the Manitoba Legislative Assembly to Rick Hansen at his official homecoming in Vancouver today, indicating our esteem, our support for his amazing effort, and recognizing, along with tens of thousands of people worldwide, the accomplishment of an individual with a dream and a mission and a commitment.

I would suggest and request of the Premier that such a telegram be sent on behalf of this Assembly to Rick Hansen at his homecoming.

MADAM SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Madam Speaker, I'm certainly pleased to associate the government benches with the comments by the Leader of the Opposition vis-a-vis the Rick Hansen tour. Certainly a telegram is a constructive suggestion. I'd like to point out that I've already forwarded a letter to Rick Hansen. It was hand-delivered in fact by Peggy Hays, whom we all know so very well, who was so involved in the Manitoba part of the Rick Hansen tour, commending Rick Hansen on his idealism and his commitment to his mission that has consumed two years of his time, contributing to his fellow humankind.

Secondly, arising from the Rick Hansen visit to Manitoba was the inspiration of the bringing together of different groups representing the handicapped in the province. The Minister of Community Services and I had the opportunity to attend that meeting with Rick Hansen and, flowing from that, a coordinator has been set up in Manitoba, which in fact did exist prior to, but to work on some of the plan of action that was evolved during that meeting with Rick Hansen.

I understand that is being done as well. Some of that work is being done now in other provinces too, so that

Rick Hansen's legacy to Canada, to Canadians, will go on from Newfoundland to British Columbia. The vision that he expressed so very clearly articulated the effort that he put behind his tour, as one that certainly all Manitobans can commend and can wish and participate with to ensure that it is continuing beyond the actual project itself.

INTRODUCTION OF GUESTS

MADAM SPEAKER: Before moving to Orders of the Day, may I direct the attention of honourable members to the gallery where we have nine Grade 8 students from the Gainsboro School from Gainsboro, Saskatchewan, under the direction of Mr. Denis Roy Dick, visiting with us this afternoon. These students are neighbours of the Honourable Member for Arthur.

On behalf of all the members, we welcome you to the Legislature this afternoon.

ORDERS OF THE DAY

MADAM SPEAKER: The Honourable Government House Leader.

HON. J. COWAN: Yes, Madam Speaker, would you please call Second Readings for Bills No. 36 and No. 37, in that order.

SECOND READING

BILL NO. 36 - THE RELIGIOUS SOCIETIES' LANDS ACT

HON. A. MACKLING presented Bill No. 36, An Act to amend The Religious Societies' Lands Act; Loi modifiant la Loi sur les biens-fonds des communautés religieuses, for Second Reading.

MOTION presented.

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

HON. A. MACKLING: Thank you, Madam Speaker. I have a copy of the spread sheet and a copy of my notes for my critic.

Madam Speaker, as is my practice, I will not refer to the specifics of the legislation but deal with the principles and then I will follow a written text I have, but digress later to make sure that I've covered the principles outlined in the bill.

The Religious Society Lands Act was enacted in order to allow religious societies to be incorporated for the sole purpose of holding title to land which is used as a site for place of worship or cemetery. As the land is held in the name of the religious society, rather than the names of the individual trustees of the society, there is no need to make any changes to the title when a change occurs among the trustees.

As members can appreciate, back before this act was brought into being, it was a very costly and troublesome course of events that had to be followed to provide for the change in names of trustees in landholding. Trustees would leave the country or not

be available, and it worked a hardship to those who were interested in the ongoing religious activities of the particular denomination.

So, the rationale for the act was to ensure that there would be a reasonable administrative course followed so that when there was any transition, it didn't necessitate a wholesale change in the land title. Incorporation as a religious society under this act is useful to the public as well because, after the time of incorporation, there's no need for any regular filings in order to maintain corporate status.

(Mr. Acting Deputy Speaker, C. Baker, in the Chair.)

The bill that I'm presenting to the House today will serve to simplify the incorporation and name amendment procedures for religious societies. Rather than filing copies of very complex and very involved wordy resolutions and affidavits, religious societies will now file a simplified incorporation and name amendment forms. I will go into that in a little more detail later, Mr. Deputy Speaker.

As well, the bill makes provisions which will allow records maintained under the act to be on microfilm and provided by way of information through computers as well as on paper. Certified copies from these records will be made admissible in court in the event that record is needed in respect to the ownership of the title of lands. These provisions are modelled after existing such provisions in The Corporations Act.

Now members can appreciate that, while we're in the process and when we get into my Estimates in the Consumer and Corporate Affairs' portfolio, of developing more efficient information systems by utilizing the modern technologies of computers and microfilming - and as my colleague, the Minister of Finance, is concerned - it is quite expensive. But in order to better serve the public, we are in the process of modernizing the storage of that information, the processing of it, so that the public has greater measure of use from it and over the long haul, after the initial expense is borne, there will be a savings of money. I want to reassure the Minister of Finance in connection with that.

But this bill that is before us will facilitate our use of microfilm and computer in respect to the handling of that information. As I indicated earlier, a provision of this bill will make for clarity of presentation of evidence in court, that there will not be any question of the admissibility in court of a copy of the information which is on file pursuant to this bill. Without having that provision in the act, it could well be that some - I wouldn't call him unnecessarily an astute lawyer - but someone who merely wants to frustrate the legitimate presentation of evidence or the proceedings in court otherwise might, on a technicality, be able to frustrate the otherwise smooth production of evidence in court.

Another provision of the bill will allow the Corporations Branch not to have to produce originals of documents where copies of documents are produced in another form, that is, on microfilm. Therefore the Corporations Branch will not be obliged to hold the originals indefinitely once they have been microfilmed. And I might say that I think that is one of the major problems with government and government record keeping is that, without there being provisions such as

the ones that have been crafted into this act, there is an obligation on government to maintain all of those original documents, amendments and, over the course of time, Mr. Deputy Speaker, it gets to be a very, very expensive item for government.

I know the Minister of Government Services is concerned about the cost to government of the storage of immense piles of, I know, very important documents. Particularly when you're dealing with land and land rights and ownership, it's very important that you have the original or at least legally qualified documentation in the event that information is necessary. So it's very important, we feel, in this act to make provisions for substitution of the original documents by microfilm, and that is specifically provided for in the act.

(Madam Speaker in the Chair.)

Another provision of this bill clarifies the right of the Minister to issue Certificates of Search or certified copies of documents filed under the act, and that is a similar provision to that contained in The Corporations Act, which appears to have been accepted and working well.

I'm just getting a message here.- (Interjection)- Someone says, the hook; no, I don't think it was the hook.

There is another new provision dealing with articles, and I want to elaborate a bit further there. In the bill, there is a definition provided for articles, and that is new. It's being added. As the documentation which must be filed in order to incorporate a religious society, it's being changed to a standard type of form, and they're called articles. So it's necessary that a definition of the word "articles" be inserted in this act.

Articles, by the way, is not a new term from a corporate law point of view because there have long been articles of incorporation, and so it's not an entirely new concept that is being added in this bill, but it does make provision by putting this definition or this definition is required because of the change in filing requirements under the act.

There is another provision to provide for the deemed continuance of religious societies, Madam Speaker, which is a transitional provision necessitated by the proposed change in incorporation filing procedures. Presently, religious societies are incorporated by the filing of resolutions with the Corporations Branch. In the future, a standard type of form called "Articles" will be filed in order to incorporate a religious society. This provision will serve to clarify that resolutions which were filed under the existing legislation to incorporate a religious society were just as effective in incorporating a religious society as the articles will be in the future.

This provision, to put it another way, Madam Speaker, is to ensure that there cannot be a questioning again in law on the basis that, because of the change we're making here, providing new forms by which the corporate status is accorded to the society, that in any way the previous resolutions and incorporation procedures were inadequate or invalid in any way. So it was necessary to provide for this transitional change.- (Interjection)- One of my colleagues is concerned about resolutions. Well, resolution would be by a board of the directors of the religious society itself.

Now, in the future, rather than filing a resolution, the religious society -(Interjection)- Madam Speaker, I refuse

to be dissuaded by the interruptions from my colleagues that I have to contend with from time to time, or from the heckling, the very pronounced and vicious heckling that I'm feeling from the other side of the House on this important bill.

Madam Speaker, I want to put it on the record that my critic in the area of Consumer and Corporate Affairs is a cooperative critic. What I said just now was in jest.

A MEMBER: You'd never be a baseball pitcher.

HON. A. MACKLING: I like playing left field, and I would like to pitch left-handed but I'm right-handed.

In any event, Madam Speaker, I do want to press on. In respect to the bill, rather than the resolutions being required, the articles simply will be filed. So rather than a religious society filing a resolution, there will be a standard Articles of Incorporation form that they can use. It will be simpler for the association and much easier for the public in searching documentation to understand and to deal with.

As I've indicated earlier, Madam Speaker, sections in connection with filings and change of name facilitate the processing of all of this documentation by the branch, therefore minimizing the costs of that sort of thing.

I'd already referred to the use of the term "articles." Madam Speaker, accordingly this legislation, while it really is not the kind of legislation that receives a broad public concern, does facilitate in a very meaningful way particular groups in society. There are large numbers of groups, religious groups, who in order to ensure the continuity and the ongoing operation of their religious belief, do own property. To facilitate those organizations and to ensure that the handling of the information is orderly and reasonable, the act was first introduced and these amendments are now going forward.

I believe that they are straightforward and should not receive any criticism, either publicly or otherwise. I certainly expect that my critic, who is a very reasonable critic, will want to add his words and see this proceed to the committee for consideration.

Thank you, Madam Speaker.

MADAM SPEAKER: The Honourable Member for Riel.

MR. G. DUCHARME: Madam Speaker, I move, seconded by the Member for Virden, that debate be adjourned.

MOTION presented and carried.

BILL NO. 37 - THE LIQUOR CONTROL ACT

MADAM SPEAKER: The Honourable Attorney-General.

HON. R. PENNER presented Bill No. 37, An Act to amend The Liquor Control Act; Loi modifiant la Loi sur la réglementation des alcools, for Second Reading.

MOTION presented.

MADAM SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Madam Speaker, although I will try to be reasonably brief, I can't undertake to be as brief as the Minister of Consumer and Corporate Affairs in introducing the previous bill, because what we have here this year is a much more extensive amending bill to The Liquor Control Act than any of the bills that I've had the pleasure, indeed the privilege, of introducing in the last several years.

I think, if I could just discuss the process for a moment, members will be aware that in each of the last four or five years fairly substantial amendments to The Liquor Control Act have been brought in rather than an attempt to revise the whole bill. There are good reasons for that.

I think that, in dealing with a piece of legislation as significant to the social life of the province, both in terms of the income obviously that is enjoyed from that particular Crown corporation and, more importantly, from the social effects of the consumption of alcohol, both positive and negative, one must tread warily in making such amendments.

I think it's even more important that we try as much as possible to make sure that we consult, and I'm just going to just mention some of the consultation which has taken place in leading to this bill, both externally with affected agencies, with affected corporate entities and with the Opposition. I always do hope but of course can't guarantee that amendments of this kind will attain the support of the Opposition. I think that with a piece of legislation of this kind, which I don't see as having any particular political or ideological significance, that it moves forward as consensually as possible.

Just one other remark in that context, the members will of course recall that prior to our assuming office in November of 1981, just shortly before then, the Michener Commission Report had been filed with some very, very good recommendations. While we sort of had some of those recommendations in mind in bringing in amendments to The Liquor Control Act - and indeed, if one were to take each one of the amending bills over the last number of years and cross-check it with recommendations in the Michener Commission, one would find that indeed many - I would say indeed the majority - of those recommendations made by Michener have been brought into law.

The particular significance of the amending bill this year is that we are doing something which ought to have been done much sooner - let me be the first to admit it. That is a revamping of a very archaic licensing network, substantially reducing some 25 or 26 licences to about 11 classes of licence, and it's a much more rational structure.

Let me make this comment about the revamping of the licence structure. I know this is a matter of some considerable interest to the Member for Sturgeon Creek. That is, in the first instance, the recommendation came from the Liquor Control Commission and it's chief executive officer and corporate officers. I think that's wise. They are the ones who were, in effect, on the front line and know some of the problems administratively, know some of the developments and can be of considerable help to the policymakers. But ultimately, of course, the bottom line is political, the responsibility of those of us in elected office to make sure that those recommendations indeed conform to the better part of public policy. - (Interjection) - I'm sure

that I will be finished before noon, I would think, in any event. Madam Speaker, I'll try to make it even five to twelve, if I can.

This is an important bill, and I think a number of things have to be put on the record. I was just about to comment with respect to the consultative process that, with respect to the revamping of licences and, in particular, with respect to the conditions of the licences, extensive consultations were held with the Manitoba Hotel Association and the Manitoba Restaurant and Food Association. These are very important associations in the life of Manitoba, very important to the tourist industry, very important to the social life of the province. I would like to say that, as a government, we've had excellent relationship with both associations.

During the development of the proposals which now find their effect in bill form, there were some differences of approach between those two associations in terms of the conditions of the licences. What I would like to do, just parenthetically, is to commend those associations for in fact having resolved those differences as between themselves. I made it clear that I didn't feel, in this area, I wanted to be a referee so much as a facilitator, and it was in the course of several meetings that a consensus was attained on what, after all, is an area of competition between those two associations.

Very well, those are the general introductory remarks, and what I would like to do now is to first speak about the reorganization of licences. Madam Speaker, in doing so, I want to make sure that all members in the House fully understand the import of what is being proposed.

That section of the present Liquor Control Act which deals with licences is being rooted out entirely and is repealed. We then proceed to designate throughout the course of the bill with some particularity the classes of licences, the new classes of licences, and the conditions thereto appertaining in each particular case. So that, to be as brief as I can about it, we have significant changes to each one of these classes that I'm just going to mention; I'm not going to take more time than is necessary.

The dining room liquor licence - this licence encompasses the existing dining room liquor restaurant, beer and wine, and restaurant wine licences, so they're collapsed, if you will, into one basic dining room liquor licence. This licence - (Interjection) - What was that? You should eat more, perhaps that may save them.

This licence encompasses, as I've pointed out, the existing dining room liquor restaurant beer and wine, and restaurant wine licences. This licence, Madam Speaker, will authorize the sale of liquor by the glass with meals, as prescribed by the commission, in the dining room or such other premises as the commission may approve. This will allow the commission - and I think we should be clear of exactly what authority is being granted here - to authorize dining room licensees to cater both food and liquor to locations other than their licensed dining rooms.

Let me give an example of that, so it's clear what is being proposed here. A fairly substantial hotel, let's say, such as the Westin, caters very large affairs and may cater it with respect to food only. They will now be able to cater with respect to food and liquor. As well, this licence will allow the commission to prescribe liquor service with meal service to a table, a significant change. This may certainly be a matter of considerable

public interest that I know will be widely accepted, is that liquor may now, under this licence, be sold and served under a dining room licence on Good Friday and Remembrance Day between the hours of 12 noon and 2:00 a.m., so that there will still be no liquor service in the most important part of the day for both of those observances.

But I should like to point out with respect, for example, to Good Friday, we do presently allow the sale of beer and wine and liquor with meals. I emphasize this is in a dining room on Christmas Day, and there's no reason logically why - but paying observance to the more significant part of the day in the morning - we shouldn't allow service of liquor with food in the afternoon.

Another thing that should be observed here, Madam Speaker, I want to make this clear, is that it is likely the case - indeed, I would say in view of recent decisions of the Supreme Court of Canada on the Lord's Day Act and observations made in their judgments with respect to the retail business closing statutes from Ontario that to attempt to enforce a particular provision that is oriented to a particular religious holiday would be contrary to the Charter.

But nevertheless, we think reasonable limits are allowed under the Charter, and we're not opening up the service of liquor on those days. We're just making sure that such service as there is, is reasonable and that would be in a dining room. The dining rooms are open in any event, and it is hard.

The Member for Portage says this industry has some difficulties. Indeed I suppose, as competitive as it is, there may be. But they feel very strongly that being open on those days for a lot of people who like to have a glass of wine or sometimes a beer with a meal that they ought, in appropriately controlled provisions, to be able to do so, and I think they're right.

So too with Remembrance Day, the significant part of the observation of Remembrance Day is in the morning of that day and if, from noon, we allow the service of liquor with meals in restaurants and dining rooms, I think that this will be widely approved.

Madam Speaker, with respect to cocktail lounge licences, this licence is now being renamed as "a cocktail room licence." Under the general provision section of the amending act which appears at the back of the bill, I want to make it clear in accordance with social custom and in fact features that have already been allowed under the act, a juvenile may enter a cocktail lounge with, but only with, his or her parent, spouse or guardian who is over 18, and consume liquor only as ordered by the parent and only with a meal, because you can go into a restaurant now and in the restaurant you can order a meal and if you have your under-18 child with you, you may order a spritzer or whatever for the juvenile to be consumed with a meal. A lot of meals are now served in the cocktail room portion of a dining room, and we're simply carrying over to that particular portion of the premises the provision which presently exists for the dining room.

With respect to the beverage room licence, no change; with respect to the cabaret licence, no change in the general provisions of those licences.

There's a new category of licence called the "sports facility licence." This new category of licence, Madam Speaker, applies to sports facilities which are currently licensed under various sections of The Liquor Control

Act, and we're bringing them together. Again, I'm stressing that what we're trying to do is bring some order, some rationality, to what has been very confusing, very hard to interpret and, it follows, very hard to enforce a statute. So that the sports facility licence encompasses the existing hunting and fishing lodge licences as well.

We also have something called the Spectator Activities Licence. The name of this licence has changed from Special Events Licence - we already have that - and is issued for premises such as the Winnipeg Convention Centre, the Centennial Concert Hall and the Manitoba Theatre Centre.

As you know, Madam Speaker, so that it shouldn't be thought that we're introducing something new here, when one goes to the Winnipeg Convention Centre for a concert or the Manitoba Theatre Centre for a play, then what in effect happens is that for intermission there is a bar and you can order liquor or wine or beer, and we are recognizing various provisions in the act which allow that to be encompassed under the one licence.

Private club licence, this licence encompasses, Madam Speaker, the six existing categories of club licence, and the amendment deletes all specific references to veteran clubs. They're going to be treated equally with any other private club licence. Liquor may be served on Sunday in private clubs, provided it is with meal service.

Transportation licence, I'm going to be as brief as I can, but the transportation licence is a new class of licence. I would like members just to understand it. This new class of licence is issued to railway excursions, ships, air carriers or intercity bus line companies. Interprovincially or internationally, the holder of a transportation licence will be able to sell or serve liquor whenever passengers are being carried and, interprovincially, sale of liquor must cease at 2:00 a.m.

Madam Speaker, I want to stress here the only kind of facility that would be licenced are those that in fact have the sort of club car portion on them where, in fact, if you are on a long intercity bus trip and have a beer, you must go to the portion of the bus. As some of these buses are now being made where and with the appropriate personnel to serve, you may purchase and be served.

No change with respect to canteen licences.

The new retail licence will encompass the existing beer vendor, brewer's retail, wine retail and sacramental wine vendor licences issued under the act.

Manufacturer's licence, Madam Speaker, encompasses the existing brewers, winery and distiller's licence issued under the act.

I'll go quickly through some of the other provisions, Madam Speaker. I've taken the time that I thought necessary to deal with the major change having to do with licences. Very briefly, a redefinition of the amount of liquor which may be sold at one time has been more strictly defined and now limits the amount to three ounces of spirits, three ounces of fortified wine, 0.5 litres of beer or table wine.

There are some consequential amendments. There is one amendment that the Member for St. Norbert will be interested in. I just want to - well, I hope he's had a chance to read the bill. You may recall that in the last Session, because of the Sarasoda question, we had some amendments at committee and then said,

well, we'll look at a solution to that problem. The solution that we have in the amending act is as follows. We now have a new definition in part of the definition section of controlled beverage. The controlled beverage is a beverage which is between .5 by volume and 1; and a controlled beverage - Sarasoda, for example, would fall in that class, between .5 and 1 - cannot be sold to a person under 18. So that's the resolution of that particular problem.

I should say, however, that Sarasoda has done further research and have found a way to overcome some of the technical problems and will be - if they haven't already introduced a new Sarasoda - that in fact will be .5 instead of .9. So they've responded to the concerns in that area as well, but we know there are certain other fortified kinds of essences sold in the ordinary stores and these will be classed as controlled beverages if they have between .5 and 1 in content by volume.

If one refers to a further section of the bill, which I shall not name by number, you'll find that there is a prohibition section dealing with the sale of either a controlled beverage or a spiritous beverage to anyone under the age of 18.

Just a few more remarks, Madam Speaker. The definition section of the act is repealed and reenacted so that many of the elements which are necessary to deal with the revamping of the licences will have been dealt with and I just gave one example of the definition of a controlled beverage.

One other change that I should mention, because I do want members opposite to be fully aware of what is in this bill so that they may speak to it, is that the composition of the Liquor Control Commission has changed to allow not less than five members. Presently it says five members. We're saying not less than five. In the event, because of the expanded activity of the commission, it is thought that it should be seven. That would be permissible, but that change is there.

I would like members to understand that section of the bill which allows a sale of "non-food items" related to the sale of liquor in liquor stores. I want to make it absolutely clear that this would only be things like corkscrews and a few items of that kind, so that if a person went into a liquor store and bought a bottle of wine and said, my god, I don't have a corkscrew, they could buy a corkscrew.

We're not having the liquor stores get into the business of selling food or anything of that kind anymore than we want food stores to be in the business of selling liquor. But it's just those types of things, a set of glasses or -(Interjection)- Mmm? Not bad. Do you want the franchise? No, we don't want ice or mix to be sold in our liquor stores. Our liquor stores have really improved tremendously in quality and design and we don't want to do anything that junks them up.

Just two other observations and I will have done, Madam Speaker. There is an amendment that the member should be aware of because they may want to reflect on it. There is an amendment which will allow the commission, in accordance with government regulations, to allow liquor which is sold on occasional permit functions to be sold at a price limit which is set by the commission.

In other words, previously it had a fixed price that was intended to reflect the notion that when liquor is

sold at an occasional permit function, there should be no possibility that they make a profit on the sale of liquor. The only profit that can be made is made on the sale of tickets to the event.

It's been represented to us, and I think rightly so, that there are a number of community clubs and a number of charitable functions which genuinely depend on the social functions through the year to be able to maintain the community club or to assist the local soccer association, or whatever it is.

So there'll be a little flexibility, so that in addition to the money that can be made on the sale of the tickets, a little bit can be made, but as capped by the commission on the sale of liquor at those functions. This, of course, does not apply to no sale functions, nor does it apply to anything which is not genuinely for such purposes, that is, purposes of assisting the community club or the particular genuine town or village, city, charitable event.

Madam Speaker, these changes which are being proposed in this amendment to The Liquor Control Act, I think, are worthy of the support of all members of the House. It marks another step forward in our attempt to modernize the liquor law.

I want to close by assuring members of the House that we're not loosening the control features of the bill in any significant way. There have been a lot of justifiable complaints that very important sections of the commercial life of this province, the hotel industry and particularly the restaurant industry, are penalized by some of the restrictions that we've had. We, in a measured way, responded to those concerns, in a measured way that I think will be understood.

One final comment, because I think I may have overlooked that, in talking about the licences, we have had with respect to cabarets and cocktail rooms on the one hand, and beverage rooms on the other, a differential closing time: one o'clock in one instance; two o'clock in the other. That is not sustainable, Madam Speaker; that is discriminatory. So there's a uniform closing time of 2:00 a.m. with respect to those licences.

Madam Speaker, having given this explanation, and I hope I haven't taken up too much time, I commend this bill to the House.

MADAM SPEAKER: The Honourable Member for St. Norbert.

MR. G. MERCIER: Madam Speaker, I move, seconded by the Member for Morris, that debate be adjourned.

MOTION presented and carried.

MADAM SPEAKER: The Honourable Minister of Education.

HON. J. STORIE: Would you call debate on Bill No. 6, the Proposed Motion of the Honourable Minister of Government Services, The Emergency Measures Act; Loi sur les mesures d'urgence.

MADAM SPEAKER: The Honourable Opposition House Leader.

MR. G. MERCIER: Yes, Madam Speaker, I can indicate to the Acting Government House Leader that it is our

intention to stand all the bills that are set on the Order Paper for Second Reading.

MADAM SPEAKER: The Honourable Minister of Education.

HON. J. STORIE: Thank you, Madam Speaker.

I appreciate that indication from the Opposition House Leader. However, there are a number of bills on the Order Paper which are of significant interest to members on this side.

Past practice having been that where bills are stood by members opposite and there is an indication on the part of members on this side that there is a willingness and a desire to speak, tradition has been that we allow that practice. I understand my colleague, the Minister of Labour, desires an opportunity to speak on the Emergency Measures Act, Madam Speaker.

MADAM SPEAKER: The Honourable Opposition House Leader.

MR. G. MERCIER: Yes, Madam Speaker.

I can indicate to the Acting Government House Leader that it is not our intention to grant leave to any other speaker to speak to any of those bills.

HON. A. MACKLING: Madam Speaker, it is my intention to speak on Bill No. 6 . . .

MADAM SPEAKER: Order please.

The Honourable Minister of Labour on a point of order.

HON. A. MACKLING: The Deputy House Leader has indicated to you, Madam Speaker, that a request is made to call Bills 6 through to 35 on the Order Paper on pages 2 and 3. You were about to call Bill 6 when the Honourable Opposition House Leader rose and indicated his intention, for their part, to stand all bills. You have not put Bill 6 to the House. When you put Bill 6 to the House, it is my intention to speak on it, Madam Speaker, and no leave is required.

MADAM SPEAKER: Order please.

The honourable member is correct in that I was going to put Bill 6 to the House and, at that point, then we determine whether leave is required or not required, if someone desires to speak on that.

On the proposed motion of the Honourable Minister of Government Services, Bill No. 6. It is my understanding that the bill is standing in the name of the Honourable Member for La Verendrye by agreement of the House, and past practice has been that other members can speak to the bill.

The Honourable Opposition House Leader.

MR. G. MERCIER: Madam Speaker, I submit to you that other members have only spoken to those bills with leave of the House. In this case, leave has not been granted today.

MADAM SPEAKER: The Honourable Government House Leader.

HON. J. COWAN: Madam Speaker, on a point of order.

It appears as if the members opposite do not wish to speak to the bills and do not wish other members of this House, who have always enjoyed the privilege and the right of being able to speak to the bills - (Interjection)- of being able to speak to the bills when they are standing in the name of any member of the House provided for that the bill continues to . . .

MR. H. ENNS: That member has to yield. That member has to yield, Madam Speaker.

MADAM SPEAKER: Order please.

May I hear the advice from the Honourable Government House Leader.

HON. J. COWAN: . . . provided for that the members whose name in which a bill is standing has the bill continue to stand in his or her name. That is a standard practice and, if we were to move away from that practice because of some reason that the Opposition may have but have not made apparent, then I would not wish, Madam Speaker, for that to set a precedent in this House.

However, if they're suggesting that they have a plan that would preclude us from speaking on certain bills today, then we would certainly be prepared to allow the bills to be called, members indicating that they would like to speak doing so, and let those bills stand, without precedent, in the name in which they are presently standing and continue on through the Order Paper in that manner.

But remember, Madam Speaker, that there is a practice in this House that has been established long ago, before the Opposition House Leader was Opposition House Leader - I think even before the Opposition House Leader was Government House Leader - but it was certainly a practice that he followed when he was Government House Leader, and certainly before I was Government House Leader, that we do allow members to have a bill remain standing in their name while other members speak to that particular bill. We would not like to see that practice eroded in any manner whatsoever by the actions that take place here today.

So if in fact that is what is going to happen, I would suggest to you, Madam Speaker, that it happens without precedent on any further events that should unfold on this House in the future, and it should not be considered as such. We are doing it in order to accommodate the Opposition's concerns or the plan or the agenda that they have which they have not shared with us.

But, Madam Speaker, let it also be very clear that during this very Session, to date, on numerous occasions, we have had circumstances where bills were standing in the name of an Opposition House Leader and they didn't want to speak to it because they weren't ready. They didn't know what they wanted to say; they hadn't formulated a caucus position on it yet; or they didn't have their researchers prepare them notes; or for any number of reasons that they may put forward. The Opposition House Leader allowed for members on this side to speak to the bill, so that the public would at least have the understanding of at least one side of the House on matters of important interest to them.

This particular bill, Madam Speaker, The Emergency Measures Act, has been on the Order Paper for quite

some time. Madam Speaker, if they have a reason that they don't want the government to put its position forward on this particular bill once more, so that the public can understand what it is we're saying and what it is we're proposing, let them stand and say what that reason is, and then let us continue through the House in the normal practice, in the normal manner, calling the bills one by one and dealing with them in that way.

MADAM SPEAKER: The Honourable Opposition House Leader to the same point of order.

MR. G. MERCIER: Yes, Madam Speaker, to the point of order, perhaps the Government House Leader did not hear my earlier statement. I indicated on behalf of members of the Opposition that we were going to stand all of the bills on the paper for Second Reading.

It is not necessary to go through each bill one by one. Unless, Madam Speaker, you wish to waste the time of the House. Not you, I mean the Government House Leader in government, Madam Speaker.

What is clear today, Madam Speaker, is that this government does not wish to deal with the matter that is before the Committee of Supply in the Estimates, considering the Minister of Community Services' salary. I indicated to the Government House Leader yesterday, Madam Speaker, that we wanted to go into Estimates today. I told him that yesterday, and what we have seen this morning, Madam Speaker, is so unusual. We've had two Ministers filibuster the introduction of their bills, Madam Speaker, filibuster the introduction of their bills.

The Minister of Labour handed our critic, the Member for Riel, a one-page sheet that was all that was required to deal with the introduction of a very simple administrative bill . . .

MADAM SPEAKER: Order please.

We are talking about this point of order.

MR. G. MERCIER: . . . instead he went on for 15 or 20 minutes, Madam Speaker. What we have seen is a government afraid to deal with or have the courage to deal with a motion to reduce the Minister of Community Service's salary. That's not only what appears to be happening; that's what is happening, Madam Speaker.

MADAM SPEAKER: The Honourable Member for Lakeside on the point of order.

MR. H. ENNS: Madam Speaker, with reference to the manner in which adjourned debates are handled is a standing tradition in this Chamber, and one that is often used when a member who holds the adjournment but does not wish to speak, as the Government House Leader indicates - you've heard the phrase all too often - "but I have no objection to any other members speaking to the bill." The adjournment stays in his hand. That implies a granting of leave, Madam Speaker, on the part of the person, on the part of the member who holds the adjournment of the bill.

Madam Speaker, the bill is . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MADAM SPEAKER: Order please, order please.

May I please hear the advice of the Honourable Member for Lakeside. If other members want to give me their advice, they can do so.

MR. H. ENNS: Thank you, Madam Speaker.

The bill that is being called is currently adjourned and standing in the name of the Member for La Verendrye, who is not in the Chamber, who is not present, who cannot indicate whether or not he wishes to grant leave to have anybody else speak to that bill, Madam Speaker.

MADAM SPEAKER: The Honourable Government House Leader with further advice to this particular point of order.

HON. J. COWAN: On the point of order, Madam Speaker, in addressing some of the things that were said - and I would suggest if members opposite want to continue on with the business of the House, they not have members on their side stand up and prolong this point of order so that we can't get to the business of the House, which may, in fact, find us in Estimates before the day is through. There is absolutely no intention on our part, or no reason not to go into Estimates before this day is through, if we can proceed through the Order Paper in a normal fashion.

But when the Opposition House Leader stands in his place and says something unusual is happening in here, he is absolutely correct. What is unusual is an Opposition that is so afraid to hear the government speak on the issues of importance to the people of Manitoba that they will refuse to allow members on this side to speak to those bills, Madam Speaker, and that is why this point of order is before the House. So if he suggests that something unusual is happening, it's certainly happening on the part of members opposite.

Madam Speaker, think back in your own mind, in the minds of others who watch this House. It will confirm that on Wednesdays and Fridays, we normally go into legislation. We very seldom on Wednesdays and Fridays, although on occasion, do get into Estimates if we go through the order of business.

I imagine, Madam Speaker, that if we go through the order of business in the fashion in which we're suggesting it be done, we will get into Estimates today. There is no intent on the part of this side to keep us out of Estimates. But don't let them try to misconstrue and don't let them try to obscure the facts by suggesting that what is being done is unusual, because of actions on our part, when in fact they are the ones who are disregarding . . .

MADAM SPEAKER: Order please.

HON. J. COWAN: . . . all of the previous precedents . . .

MADAM SPEAKER: Order please, order please.

The point of order that is before the House is whether another member can speak, while the motion is standing in another member's name without leave.

The Honourable Attorney-General to that particular point of order alone.

HON. R. PENNER: Absolutely, Madam Speaker.

To that particular point of order alone, it would, in my respectful opinion, be a scandal if in fact an Opposition could prevent the government members from speaking on a bill if in fact they want to do so, simply by saying we've got it standing in the name of somebody who's adjourned it and, until that person says, okay, you can speak, then we are muzzled.

I want to give you an example, because there's this loose talk about filibuster. I want to tell you something, Madam Speaker. I was very anxious to speak on the Retail Business Closing. In fact, I went to the trouble yesterday of getting the Member for River Heights' comments unofficially on Hansard. So don't tell me about filibuster.

Today was legislation day. I prepared to speak, and I felt it was important that I do speak to that issue in light of some of the comments of the Member for River Heights. Now I'm being told that I'm muzzled. Now I'm being told that my rights as a member of the Legislature may not be exercised except by the leave of the Opposition. That is not democracy. That is not democracy; that's the jackboots down the hall. Think about what you're doing. Think very carefully about what you're doing.

Finally, Madam Speaker, that is the issue. My right as an elected member of this House to speak on a bill is being muzzled, and that is intolerable. That is intolerable.

Madam Speaker, a few moments ago I spoke introducing The Liquor Control Act. The Member for St. Norbert talks about filibuster. In fact, I had intended to speak longer because of the importance of that bill, when I had a note from my House Leader saying, "Other members on our side want to speak to legislation; can you cut it short?"

Don't tell me about filibuster. What you're doing is muzzling, and that is intolerable.

MADAM SPEAKER: The Honourable Government House Leader, with more information to this particular

HON. J. COWAN: Yes, Madam Speaker, so that our position be very clear.

No. 1, it has been suggested that there is a filibuster. Madam Speaker, I believe the Minister of Labour spoke for 15 minutes, maybe 20 minutes, and he had unlimited time. That bill probably did not require unlimited time, granted, but certainly a 10, 15, or 20-minute explanation is not a filibuster.

The Attorney-General, on a large bill and an important bill - and I'm certain that members opposite will speak on that bill for longer periods of time than he did on his introduction - spoke for - what? - about 25, 30 minutes. He had unlimited time. The normal time for a speech is 40 minutes in this House, if it's not a Minister. He didn't even use up that much time, which I'm certain members opposite will.

So when they suggest that a filibuster is going on, either they don't know the definition of the word or they're trying to confuse and obscure the facts of what's actually happening.

Madam Speaker, if in fact you will call the bills off in the order in which they are listed on the Order Paper

to allow members on this side to indicate a willingness to speak and, if members opposite - we would do this by leave because we don't want to set any precedents. But if members opposite suggest that they want the bill to remain standing in the name of the member who stands it, and they want to muzzle the government members and they don't want MLA's and Ministers to be able to speak on government bills, then we're prepared, in order to accommodate them to get into Estimates today, to allow the bill to stand in the member's name, but that is not a precedent.

We will not do it in future cases unless there are compelling reasons, Madam Speaker, and they are also leaving themselves very open and very vulnerable to the time when it comes that bills should not be allowed to stand in members' names. They know what happens in those instances when there's not a cooperative mechanism in place to ensure that this House deals effectively and efficiently with the business before it.

I don't believe there is a problem, Madam Speaker. If you, in fact, will just allow the bills to be called, we can deal with the situation as it arises.

MADAM SPEAKER: The Honourable Opposition House Leader.

MR. G. MERCIER: Madam Speaker, I just want to indicate that I don't accept the Government House Leader's kind offer that he will grant leave for us to stand the bills. That's not the point in question.

I would ask you to rule on my original point of order.

MADAM SPEAKER: On the original point of order, and I presume the only point of order that's on the floor, seeing as how we deal with points of order one at a time, the Honourable Minister of Education on "the point of order," which is?

HON. J. STORIE: Madam Speaker, just briefly on the point of order.

Madam Speaker, I believe that if members opposite wanted to be honest on this particular point, they would recognize that leave is given to stand a bill, and that in fact there have been cases in this House where leave has not been given to stand a bill. That is certainly not what is happening in this instance.

Members in fact by suggesting that while they want to stand the bill, other members do not have the right to speak, are in fact denying our members - members on this side of the Chamber - the right to address issues of critical importance to them and their constituents.

Madam Speaker, there are a significant number of bills on the Order Paper for Second Reading. Those bills are not minor bills; those bills are matters of principle and matters of import. Madam Speaker, certainly members in this Chamber will want to have their views put on the record at one time or another with respect to The High-Level Radioactive Waste Act. Madam Speaker, that is an issue of long-term importance to Manitobans.

We are trying to expedite the business of the House by allowing members on this side of the House to speak when there is an opportunity. We're not imposing any requirement that members opposite speak when they're

not prepared. We're not suggesting that members opposite do not have a legitimate opportunity or won't have an opportunity to speak on this bill at Second Reading.

The House Leader has indicated, quite clearly, that he's prepared to allow the bill to stand in the name of members opposite. Madam Speaker, because of the requirement, the reluctance of the Opposition House Leader to allow members to speak on this side on important issues, we in fact have delayed the possibility of getting into Estimates, which is certainly a likelihood, because members on this side are not interested in filibustering but interested in putting their views on the record at the most appropriate time. There is no other explanation.

Now, Madam Speaker, I don't know what the explanation is for the insistence on members opposite to deny members on this side the right to speak. It doesn't make sense; it doesn't follow practice; it's not in the rules; it's quite objectionable, Madam Speaker.

MADAM SPEAKER: On the point of order, I would like to take this particular issue, because of its importance, under advisement, even though that does make it difficult for proceedings today. I think it's important to determine for future business of the House exactly who has given leave on which side for which process, and also what the practice has been accurately over the past. I've had several reflections on the past from different perspectives. I would like to check that out and take it under advisement because it is a very important issue.

The Honourable Government House Leader, then.

HON. J. COWAN: Yes, Madam Speaker, I'm not certain whether or not we have completed consideration of Bill No. 6. The Minister of Labour indicated he would like to speak and leave the bill standing in the name of the Member for La Verendrye, but if members opposite - it's certainly no precedent - if members opposite don't think that's appropriate for today, we'll certainly move on to the next bill.

MADAM SPEAKER: Well, in fact, my suggestion was that we, in terms of calling bills - unless you want to call each and every bill and determine whether it is going to be stood or whether another member can speak on it, I am suggesting that I would like to take the issue under advisement.

The Honourable Minister of Labour.

HON. A. MACKLING: Madam Speaker, on a point of order, I know the honourable members are concerned. They are alleging filibuster. I, as Minister of Labour, am also responsible for the Fire Commissioner's Office. At a meeting the other day with the Fire Chiefs' Association, and we have a direct - (Interjection) - As a department, we have a direct involvement - (Interjection) -

MADAM SPEAKER: I'm hoping he's getting to the point of order. Please be patient.

HON. A. MACKLING: . . . in dealing with emergencies throughout the province, and I did want to put on the record my concerns.

MADAM SPEAKER: Does the honourable member have a point of order? What is the point of order?

HON. A. MACKLING: I wanted to indicate that I wanted to put on the record my concerns in respect to this bill. I would like to be able to do it and then, if honourable members want to be able to react to both the mover - my colleague's arguments in respect to the bill and the arguments I put forward - then I think that is appropriate.

I don't see why I shouldn't be able to put my arguments on the record, which they can respond to as well.

MADAM SPEAKER: Order please.

There was a point of order raised. I am asking the cooperation of the House for me to take that point of order under advisement, which means then that the Honourable Minister would not be speaking to the bill today.

The Honourable Government House Leader.

HON. J. COWAN: On a matter of House Business, Madam Speaker, what we would like to see happen - and again, I repeat, without precedent whatsoever - we await your ruling to determine what would be the appropriate procedures in this instance and in other instances that may occur.

Madam Speaker, what I would like you to do is call the bills in the order in which they are listed. Please read out the title. And I would like members opposite, on this side, to have the opportunity to indicate if they want to speak to that bill. If members opposite want to stand the bill, that's perfectly fine, but there are members who have asked me, as House Leader, for an opportunity to speak on these bills if no one was going to speak on them.

I think we can go through that process in very fast order. As a matter of fact, had the Opposition House Leader been more amenable and more cooperative, we would have been through the process by now and we can get into Estimates where they want to be, supposedly. - (Interjection) - No, that was not the ruling.

MADAM SPEAKER: Order please.

The Honourable Opposition House Leader.

MR. G. MERCIER: Thank you, Madam Speaker.

On the point of order raised by the Government House Leader, I would indicate for the third time that, on behalf of members of the Opposition, we wish to stand all bills on pages 2 or 3 so that it is not necessary to read them individually as the Government House Leader wishes to do and waste the time of the House.

HON. J. COWAN: Madam Speaker, they are not the only ones . . .

MADAM SPEAKER: Order please, order please.

The Honourable Government House Leader on the point of order that he just raised.

HON. J. COWAN: On the point of order, they are not the only ones in this House with voices. Every member of this House has a right and a responsibility to indicate

whether or not they wish to speak on a particular bill. First, they suggested that we shouldn't be able to speak. Now they're suggesting we shouldn't be able to say that we want to speak, and then allow them to stand the bill which is what they wanted to do in the first instance.

Madam Speaker, it is ludicrous, it is silly, it is stupid for them to suggest that members on this side should not at least have the opportunity to indicate that they would like to speak on a bill.

Will you please call the bills in the order in which they stand?

SOME HONOURABLE MEMBERS: Oh, oh!

MADAM SPEAKER: Order please, order please.

The Honourable Government House Leader is speaking to the point of order that I just took under advisement. I would like to take that under advisement because, as both sides have indicated, it's a very important issue to resolve in terms of orderly process in this Chamber for all members to exercise their parliamentary rights to speak on a bill. So I certainly can call every bill. The Opposition can indicate, as the Opposition House Leader has indicated, that he would ask permission to have it stand in that member's name.

We can have a debate on the point of order on each and every one of the bills if the House prefers. I will take that debate on each and every one of the points of order under advisement and I'll bring you back 20 rulings on each and every one of those points of order. Now do you want to proceed that way? I'm in your hands. I am taking the major issue under advisement.

The Honourable Government House Leader on orders of . . .

HON. J. COWAN: We do not intend to bring up any points of order or to delay the proceedings which we're trying to get through to Estimates, but there is a point here that has to be dealt with. Will you please call the bills in the order in which they appear on the Order Paper and I assure you, Madam Speaker, that it is not our intention to call points of order or to force people to either speak or listen to speeches on this day?

MADAM SPEAKER: The Honourable Opposition House Leader.

MR. G. MERCIER: Madam Speaker, for the fourth time, I'm indicating that the Opposition wishes to stand all the bills on pages 2 and 3, and I ask that you so rule and we get on to the Estimates.

HON. J. COWAN: Madam Speaker, no ruling is required. Madam Speaker, the normal practice on Orders of the Day is for the government to indicate what the orders of the day will be. I have so indicated what the orders of the day will be. If we can get through the process, if they would stop being so stubborn and headstrong, we could get into Estimates where we could have the debate which they require.

SOME HONOURABLE MEMBERS: Oh, oh!

MADAM SPEAKER: Order please, order please. Order please. Would the members of the House please come to order.

I will call again Bill No. 6, at which point - order please. I will indicate to the members how I am going to proceed with the direction of the Honourable Government House Leader. I will call the bills. Members then can indicate individually what they're going to do on it. If we proceed on what we've already covered, I will take the point of order on each and every one of the bills under advisement.

The Honourable Opposition House Leader.

MR. G. MERCIER: In view of the position I've taken and in view of your ruling that you will call each bill individually, I would challenge your ruling, Madam Speaker.

MADAM SPEAKER: I have not made a ruling. I have talked about a matter of procedure.

Order please, order. Order please.

The Honourable Government House Leader.

HON. J. COWAN: Maybe I can help the House out of the predicament which the Opposition seem to want it to be in.

Madam Speaker, on a point of order, the Opposition House Leader has indicated that he wishes all the bills to stand in the name in which they appear on the Order Paper.

Madam Speaker, I would like to indicate that, on Bill No. 6, the Minister of Labour wished to speak. Madam Speaker, I would like to indicate that on Bill No. 15, the Member from Lac du Bonnet wished to speak. I will indicate, Madam Speaker, that on Bill No. 25, the Member for Kildonan and others wish to speak. Madam Speaker, on Bill No. 28, the Attorney-General, the Member for Kildonan, the Member for Inkster wished to speak. . .

MADAM SPEAKER: Order please, order please. Order please.

What is the honourable member's point of order?

HON. J. COWAN: There were several people who wished to speak to Bill No. 32 and, having so indicated, Madam Speaker, we're prepared to let those bills stand.

MADAM SPEAKER: Order please.

I am taking the question, the point of order that was raised as to whether another member has the right to speak while a bill is standing in a member's name under advisement. I will not call any more bills.

The Honourable Government House Leader on Orders of the Day.

HON. J. COWAN: Thank you, Madam Speaker.

Having disposed of that issue, I move, seconded by the Minister of Labour, that Madam Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

MOTION presented and carried and the House resolved itself into a Committee to consider of the Supply to be granted to Her Majesty, with the Honourable Member for Burrows in the Chair for the Department of the Community Services; and the Honourable Member for Lac du Bonnet in the Chair for the Department of Attorney-General.

CONCURRENT COMMITTEES OF SUPPLY
SUPPLY - ATTORNEY-GENERAL

MR. CHAIRMAN, C. Baker: Committee come to order, please.

When we adjourned yesterday, we were on 5.(b)(1) Salaries.

The Member for St. Norbert.

MR. G. MERCIER: I wonder if the Attorney-General could indicate or have available some statistics with respect to the operation of the Small Claims Court, especially since the jurisdiction was increased.

MR. CHAIRMAN: The Honourable Minister.

HON. R. PENNER: Please bear with me for a moment. While we're just digging for that information, I'll respond to a couple of other requests for information that I took yesterday.

I've provided the Member for St. Norbert - I'd just like the record to show - with a preliminary copy on the infant death that he was asking about yesterday.

With respect to the number of appeals presided over by the Manitoba Police Commission, I'm advised that during the course of the year there were four: two by the public, which were ultimately referred to the Law Enforcement Review Agency; two by police officers appealing dispositions. One of those appeals was upheld and one was referred to the Queen's Bench for a jurisdictional ruling.

With respect to public complaints against the RCMP in '86, information from Superintendent Lawson: 166 complaints received, of which 37 were substantiated, 29 unsubstantiated, and 100 unfounded. Of the 37 substantiated, 21 resulted in formal discipline and one in the laying of criminal charges.

MR. G. MERCIER: Just on that aspect, there were 27 or 37 founded complaints?

HON. R. PENNER: Thirty-seven of the total of 166 received were substantiated.

MR. G. MERCIER: Obviously, when you compare the fact of 37 founded in the RCMP and none in the City of Winnipeg and other municipal departments under the Law Enforcement Review, what accounts for that difference in results?

HON. R. PENNER: It's a good question. Unfortunately, I don't have sufficient data here with me, nor do I have at the moment the Director of Police Services.

It may well be, and I'll check into this, that the 166 complaints include complaints that don't involve another member of the public. It might be the total of the disciplinary matters. Because the City of Winnipeg Police Department, in addition to those that involve a complaint as between the public and a police officer abusing the power, abuse of authority, they have vastly a greater number, proportionately speaking, of complaints that don't in fact directly involve a member of the public and are therefore dealt with internally.

So what I'll try to do is to get a further breakdown on the 166 because it may include that number. It

doesn't seem likely that you would have, against a police force of about 1,031, just a handful of complaints and, with respect to the RCMP which has essentially a police force of 600 regular members, 166 complaints. It just can't be the case.

On the Small Claims, we have just received this in the last couple of days, but just very quickly, the member will receive a copy. On page 61, there are the statistics for the Small Claims.

In terms of numbers, just very quickly, the total for '86 filed, there's an increase over '85 of about 20 percent. I had a total of almost 9,000 exactly small claims filed in 1986. That's between Winnipeg and rural as against 7,700 in '85 and 7,300 in '84, so there's a significant increase in . . . are increasing the limit.

MR. G. MERCIER: There were statistics in the past which showed the number of claims sort of in the \$500 to \$1,000 range, 1,000 to \$2,000.00. Do the statistics indicate what number of those were in the range of \$2,000 to \$3,000.00?

HON. R. PENNER: We don't have it in the key indicators but that will be provided.

MR. G. MERCIER: Are there any further studies ongoing with respect to the operation of the Small Claims Court in order to consider further increasing the jurisdiction or to consider a suggestion that we made during the last couple of years, and that would be perhaps to have a significant increase in the jurisdiction, perhaps to \$5,000, and have created a Provincial Judges' Civil Court which would be a way in which, when we talked earlier about the expense of the justice system, perhaps in matters, say, under \$5,000 or in a range of \$3,000 to \$5,000 or \$2,000 to \$5,000 having them dealt with more expeditiously, less expensively, not to be critical of the people doing the work now but to have more legally trained people adjudicate those disputes.

HON. R. PENNER: There are no ongoing studies or discussions. My own approach has been this. We have recently commissioned a study with respect to - and you'll see in a moment this is related to the Family Division of the Court of Queen's Bench with possible expansion of that court to encompass the whole of Manitoba, which would on one model have a significant impact on the Family side jurisdiction of the provincial court and may cause us to significantly reorganize the provincial court in that context. We would move on to look at the future of small claims.

We just haven't had the resources, quite frankly, to pursue that question, but I want to assure the member that we haven't in any way foreclosed the option of looking at some expansion of jurisdiction or indeed some reprofiling of the court entirely.

MR. G. MERCIER: Can the Attorney-General indicate what the - I take it that document would have it, whether there's an increase in caseload in the Court of Queen's Bench for 1986 over 1985? And I would appreciate numbers alone do not . . .

HON. R. PENNER: You're not talking about the Court of Queen's Bench as such, not the Small Claims jurisdiction?

The total number of files opened in the Court of Queen's Bench in '86 was 9,800. In 1985, it was 9,100, so that overall there's an increase - I'm trying to work out the average - about 9 percent, 10 percent.

MR. G. MERCIER: Can the Attorney-General indicate whether the time for setting down trials is getting longer or remaining constant?

HON. R. PENNER: It is my understanding that the time for setting down civil cases for trial has gone down remarkably. One of the reasons for that is, although there has been something of an increase of the numbers of cases filed, under the leadership of the present Chief Justice and the Associate Chief Justice, who's taken over on the administrative side of the court, they have moved to and now are effectively using the pre-trial mechanism that we are using in the Family Division. This has cut down very, very considerably in the number of cases going to formal trial and in the result it has allowed a much shorter lead time in terms of waiting for a civil trial to come up.

MR. CHAIRMAN: The hour now being 12:30, committee rise.

SUPPLY - COMMUNITY SERVICES

MR. CHAIRMAN, C. Santos: Order please. Committee of Supply, please come to order.

The motion before the committee:

Moved by the Member for Rhineland, seconded by the Member for Kirkfield Park, that the Minister's Salary be reduced to \$1.00. We are debating that motion.

The Honourable Minister.

HON. M. SMITH: Yes, Mr. Chairperson. I was part-way through my comments on the motion and would like to continue.

Mr. Chair, yesterday in commenting on the overall package of Estimates of Community Services, I did comment on the general approach of our government to the development of Community Services. Mr. Chair, what I described was a social service system which is in the process of development.

Manitoba does not have, never has had, but hopefully over time, will have, a more mature and complete community service system.

In the process of developing that system, it is important that we not at any time accept a fixed or rigid system, Mr. Chair, that is either laid on top-down in a very unyielding manner by government or developed bottom-up in a very haphazard way, completely dependent on initiative in a particular community.

Mr. Chair, I spoke at some length and I want to emphasize the general approach of government to community services. Community services are not merely services that are delivered by government to a community. Community services are services that are developed and delivered and evaluated in a partnership, a partnership between government, community organizations, and countless volunteers throughout Manitoba.

Over \$45 million in '87-88 are, in fact, funded through Community Services to community organizations who

in fact deliver the service. And that means, Mr. Chairperson, the way in which the department works must be carefully orchestrated so that the people in the community who are responsible for identifying the need, for helping to develop the service and for in fact delivering it on a day-to-day basis, dealing with those countless human, family problems that are out there, they must have a very major role in developing the system.

The agencies that we work with are numerous. The Child and Family Service agencies, the child care institutions, the community residences for the mentally handicapped, the workshops who deliver a vocational and pre-vocational and, in some cases, a day activity program to a wide range of disabled Manitobans, the advocacy bodies - because Mr. Chairperson, one of the important principles that this government respects is the fact that the community groups who identify a need, who educate the community, and who in fact take the unmet needs of the group they represent and put it on to the public agenda, bring it up in the daily paper, advocate to both sides of government are the very groups, Mr. Chairperson, who over time, have helped to build the community services in Manitoba, the organizations that we are promoting out there to assist persons in correctional institutions or those who have just been released.

We do not accept that our responsibility terminates after a person has been in an institutional setting. We do not see sharp divisions between our responsibility and the community. In fact we are helping the very groups that want more service to have a voice, because it's our belief over time that the groups they represent are, in most respects, the most disadvantaged in the community. Their needs have either gone unmet or unrecognized, or they have been undermet because these groups have been voiceless.

Now it would be much easier for a government to ignore the advocacy groups and to ignore the unmet needs and to use the argument that times are tough, that they will have to wait - go to the back of the bus, I think is the term - a kind of message that I know I and many women rejected as an argument for not doing things on behalf of women. It's an argument we don't want Native people to accept, that they have to wait for that magical future when there's rapid economic growth, great fiscal flows of money and ability to share a little bit of the surplus with them to meet their basic needs.

No, Mr. Chairperson, we believe that, however difficult it is and however difficult and noisy in a sense it is for a government, a Government of the Day, it is our responsibility to help them have a voice, to help them articulate their needs, to help them raise their expectations so that they will become fully participating members of the community. And that is a process which we are committed to promoting.

Community Services, of course, create some difficulties for itself when it does that. It creates the difficulty of vocal voices who identify needs and want them met at a faster rate than any government, even a government like ours which is committed to their right to have those services, but we can never catch up to meet the full need as quickly as they would like. But, Mr. Chairperson, we believe in encouraging them to be that voice, to push and pull us and to educate

the general community to create a truly community ethic where everyone's basic needs, and special social service needs are met, and are given their fit priority in overall government spending. And I would like to pay tribute to the high level of service, the dedication to service that these organizations demonstrate. The healthy condition of our services and programs owes much to their work in the community, and we are committed to continuing a cooperative effort with them.

Our services are based on that fundamental operating principle of developing a full continuum of service, not nothing for the family or in the community and only last-ditch supports in an institutional setting. No, we are committed to building the full continuum of services and assuring access of each individual to the services they require.

MR. D. ORCHARD: Mr. Chairman, I move, seconded by the MLA for Lakeside, that the question be put.

SOME HONOURABLE MEMBERS: Question, question.

MR. CHAIRMAN: A member can only interrupt a member who has the floor on a point of order. If it's not a point of order, the member - there is no point of order.

The Honourable Minister.

HON. M. SMITH: I appreciate being allowed to continue my comments . . .

MR. D. ORCHARD: With all due respect, I challenge your ruling.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. CHAIRMAN: The question before the committee is: Shall the ruling of the Chair be sustained?

SOME HONOURABLE MEMBERS: Oh, oh!

MR. D. ORCHARD: We are sustaining the rule of the Chair, Mr. Chairman.

MR. CHAIRMAN: The ruling of the Chair is being challenged.

MR. D. ORCHARD: You cannot accept the point of order.

A MEMBER: Yes, you can. A point of order is an order of any kind.

MR. D. ORCHARD: Your ruling must be sustained or denied, Mr. Chairman.

MR. CHAIRMAN: The Chairman is receiving conflicting advice.

MR. D. ORCHARD: I believe a vote is in order.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. CHAIRMAN: Order please.

Let me recall what happened because I am in a difficult situation because there was a member who has the floor. Under our rule, that member can only be interrupted on a point of order. He didn't do that, so I rule that the Member for Pembina has no point of order.

A MEMBER: We challenged that.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. CHAIRMAN: That ruling has been challenged.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. CHAIRMAN: The question is: Has the ruling been challenged? Had I started the vote?

SOME HONOURABLE MEMBERS: Oh, oh!

HON. J. COWAN: Mr. Chairman, on the point of order.

MR. D. ORCHARD: There was none. Sorry Jay, the fixer can't get away with that.

HON. J. COWAN: On the point of order.

A MEMBER: There was no point of order, I never said there was.

MR. H. ENNS: Shall the Chair's ruling be sustained? That's the only thing that's . . .

HON. J. COWAN: I would like to know, Mr. Chairperson, if you're ruling that I cannot speak to the point of order.

A MEMBER: There was no point of order, fool.

MR. CHAIRMAN: I made the ruling that there was no point of order.

A MEMBER: That's right, and we challenged that.

HON. J. COWAN: Mr. Chairman, if you will please refer to your rule book, on page 27, you will find that, and I quote: Section 38.(1) "Questions of Order During Debate," subtitled "Procedure on point of order." 38.(1) "A member addressing the House, if called to order by either the Speaker or on a point raised by another member, shall sit down while the point is being stated, after which he may explain." Subsection 2 on that: "Questions of Order During Debate," on "Debate": "The Speaker . . .

MR. CHAIRMAN: With due respect, I have not recognized the Honourable House Leader.

SOME HONOURABLE MEMBERS: Oh, oh!

A MEMBER: Down, fixer.

HON. J. COWAN: I'm waiting for recognition.

A MEMBER: You're not going to get it.

HON. J. COWAN: I may not.

SOME HONOURABLE MEMBERS: Oh, oh!

A MEMBER: And you wonder why the province is in a mess, Bill, eh.

A MEMBER: I'm going to buy some peanuts, but not from this stand.

HON. J. COWAN: Mr. Chairperson, I will continue my point of order. "The Speaker may permit debate on the point of order before giving -(Interjection)- To the point of order.

A MEMBER: There is no point of order.

HON. J. COWAN: There is a point of order.

A MEMBER: The ruling of the Chair has been challenged.

MR. CHAIRMAN: Under Rule 40, "When the Speaker is putting a question, no member shall enter, walk out of, or across, the House, or make any noise or disturbance."

SOME HONOURABLE MEMBERS: Oh, oh!

A MEMBER: Shall the ruling of the Chair be sustained?

MR. CHAIRMAN: The Chair wants to make a proper ruling. The Chair is taking some time.

HON. J. COWAN: Perhaps we could assist with some advice on the ruling, Mr. Chairman.

MR. D. SCOTT: Take it under advisement, Mr. Chairperson.

MR. CHAIRMAN: Rule 42 says -(Interjection)- The ruling of the Chair, that the Member for Pembina has no point of order because he raised a point of order while a member had the floor, has been challenged.

SOME HONOURABLE MEMBERS: Oh, oh!

A MEMBER: Committee rise.

MR. CHAIRMAN: But there is an adjournment time approaching.

I will take this ruling under advisement.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. CHAIRMAN: All right, I was asking for advice. I cannot give the proper advice.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. CHAIRMAN: I'm not certain whether there is already a voting-in process.

SOME HONOURABLE MEMBERS: Oh, oh!

A MEMBER: He asked whether he had the House support for his decision. That's what he asked.

A MEMBER: You called the question on whether the ruling should be upheld, Mr. Chairman. Why don't you call the vote?

MR. CHAIRMAN: I said I am not certain whether there is a voting-in process.

HON. L. DESJARDINS: It is past 12:30. Call it 12:30, and take it into advisement and review Hansard. That's the only thing you can do.

SOME HONOURABLE MEMBERS: Oh, oh!

HON. L. DESJARDINS: They are confusing; they are putting pressure. Call it 12:30.

MR. D. ORCHARD: No, he wants support. The Chair wants support. Move the committee rise. Move the committee adjourn. Come on, call it 12:30.

MR. CHAIRMAN: I'm waiting for advice.

HON. L. DESJARDINS: Call it 12:30 and read Hansard and find out what you really said.

MR. D. ORCHARD: No, he was asking for support of the House.

HON. L. DESJARDINS: He told you he wasn't sure where it was at.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. CHAIRMAN: The only proper thing for a Chairman to do is to rule properly. To be able to rule properly, he must have proper advice, but the Chairman is getting conflicting advice.

MR. D. ORCHARD: From whom?

MR. CHAIRMAN: I'm looking for a specific rule and I cannot find it.

A MEMBER: The rule was right.

A MEMBER: Shut up, shut up.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. D. ORCHARD: Mr. Schroeder just told the Chair to shut up.

MR. H. ENNS: . . . shall the ruling of the Chair be sustained. All those in favour, say aye; all those opposed, say nay.

A MEMBER: That's all you have to do, Santos.

HON. J. COWAN: Perhaps, Mr. Chairperson, if there's a question as to what has transpired, the Opposition House Leader, the Chair, the Clerk and I can listen to the tape to determine if in fact a question was called

and then we can call the members in for the vote if that was the case. We're prepared to do that, and it's eminently reasonable.

MR. G. MERCIER: Mr. Chairman, what the Government House Leader suggests is not appropriate.

MR. J. COWAN: Then take it under advisement and read it in Hansard.

MR. G. MERCIER: The question should be called, Mr. Chairman . . .

A MEMBER: You weren't even in the House.

HON. J. COWAN: Neither was I, and what I'm suggesting is that the Opposition House Leader, myself, the Chair and the Clerk listen to the tape.

MR. D. ORCHARD: Mr. Chairman, I was in the House and you said that my motion was out of order. I challenged your ruling and you said, shall the authority of the Chair be upheld? You were in the process of calling for yeas and nays when you were interrupted by your colleagues who don't want to have a vote this afternoon. You simply have to call the question, Mr. Chairman.

MR. H. ENNS: Shall the Chair be sustained? A simple question.

MR. CHAIRMAN: I'm waiting to find out whether there is a voting process or not.

I was advised that the tape said that I said, as Chairman, shall the ruling of the Chair be sustained. In my mind, I'm not sure. I'm not certain whether that started the voting process.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. CHAIRMAN: If it has, then I will have to ask the question: Shall the ruling of the Chair be sustained. If I have not started the voting process, then I don't have to do that because there is no voting process.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. CHAIRMAN: Nobody knows every rule; I don't know all the rules. I was asking for advice from the Clerk.

I have been advised that, when I said the words, the question before the House is, shall the ruling of the Chair be sustained, I have been advised that the voting process has started.

If that advice is a correct one, the only proper thing that a Chairman can do is to continue the voting process.

HON. J. COWAN: Mr. Chairman, if it helps you, if that's what the tape said and you did in fact make those comments, then please continue with the vote.

MR. CHAIRMAN: Why are the members so impatient? I want to listen to the tape so I can make a proper ruling.

If I have said, as the tape has confirmed, the words, "shall the ruling of the Chair be sustained," and if that started the voting process, then I'm duty-bound as Chairman to continue the voting process.

As many as are in favour, please say Aye. As many as are against, say Nay.

I had to make a decision, not only on the volume of the voices but also on other circumstances. It appears to me as Chair, sticking to reality rather than fiction, that the Nays have it.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. CHAIRMAN: The ruling of the Chair shall be sustained, but it is now 12:30 p.m.

Committee rise.

Call in the Speaker.

IN SESSION

The Committee of Supply has adopted a certain resolution, reported same and asked leave to sit again.

MADAM SPEAKER: Order please, order please. Order please.

The Honourable Member for Burrows.

MR. C. SANTOS: I move, seconded by the Honourable Member for Lac du Bonnet, that the report of the committee be received.

MOTION presented.

SOME HONOURABLE MEMBERS: Oh, oh!

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

All those in favour that the report of the committee be received, say aye; all those opposed, say nay.

In my opinion, the ayes have it.

MR. G. MERCIER: Yeas and Nays, Madam Speaker.

SOME HONOURABLE MEMBERS: Oh, oh!

MADAM SPEAKER: Order please, order please!

The hour being after 12:30 p.m., I cannot put the vote. I will put the vote on Monday next.

The House is now adjourned and stands adjourned until Monday at 1:30 p.m.