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Fifth Session — Thirty-First Legislature
of the
Legislative Assembly of Manitoba

DEBATES
and
PROCEEDINGS

30 Elizabeth II

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MANITOBA LEGISLATIVE ASSEMBLY
Thirty - First Legislature

Members, Constituencies and Political Affiliation

Name	Constituency	Party
ADAM, A. R. (Pete)	Ste. Rose	NDP
ANDERSON, Bob	Springfield	PC
BANMAN, Hon. Robert (Bob)	La Verendrye	PC
BARROW, Tom	Flin Flon	NDP
BLAKE, David	Minnedosa	PC
BOSTROM, Harvey	Rupert Island	NDP
BOYCE, J. R. (Bud)	Winnipeg Centre	Prog.
BROWN, Arnold	Rhineland	PC
CHERNIACK, Q.C., Saul	St. Johns	NDP
CORRIN, Brian	Wellington	NDP
COSENS, Hon. Keith A.	Gimli	PC
COWAN, Jay	Churchill	NDP
CRAIK, Hon. Donald W.	Riel	PC
DESJARDINS, Laurent L.	St. Boniface	NDP
DOERN, Russell	Elmwood	NDP
DOMINO, Len	St. Matthews	PC
DOWNEY, Hon. Jim	Arthur	PC
DRIEDGER, Albert	Emerson	PC
EINARSON, Henry J.	Rock Lake	PC
ENNS, Hon. Harry J.	Lakeside	PC
EVANS, Leonard S.	Brandon East	NDP
FERGUSON, James R.	Gladstone	PC
FILMON, Hon. Gary	River Heights	PC
FOX, Peter	Kildonan	NDP
GALBRAITH, Jim	Dauphin	PC
GOURLAY, Hon. Doug	Swan River	PC
GRAHAM, Hon. Harry E.	Birtle-Russell	PC
GREEN, Q.C., Sidney	Inkster	Prog.
HANUSCHAK, Ben	Burrows	Prog.
HYDE, Lloyd G.	Portage la Prairie	PC
JENKINS, William	Logan	NDP
JOHNSTON, Hon. J. Frank	Sturgeon Creek	PC
JORGENSEN, Hon. Warner H.	Morris	PC
KOVNATS, Abe	Radisson	PC
LYON, Hon. Sterling R.	Charleswood	PC
MacMASTER, Hon. Ken	Thompson	PC
MALINOWSKI, Donald	Point Douglas	NDP
MCBRYDE, Ronald	The Pas	NDP
MCGILL, Hon. Edward	Brandon West	PC
MCGREGOR, Morris	Virden	PC
MCKENZIE, J. Wally	Roblin	PC
MERCIER, Q.C., Hon. Gerald W. J.	Osborne	PC
MILLER, Saul A.	Seven Oaks	NDP
MINAKER, Hon. George	St. James	PC
ORCHARD, Hon. Donald	Pembina	PC
PARASIUK, Wilson	Transcona	NDP
PAWLEY, Q.C., Howard	Selkirk	NDP
PRICE, Hon. Norma	Assiniboia	PC
RANSOM, Hon. Brian	Souris-Killarney	PC
SCHROEDER, Vic	Rossmere	NDP
SHERMAN, Hon. L. R. (Bud)	Fort Garry	PC
STEEN, Warren	Crescentwood	PC
URUSKI, Billie	St. George	NDP
USKIW, Samuel	Lac du Bonnet	NDP
WALDING, D. James	St. Vital	NDP
WESTBURY, June	Fort Rouge	Lib
WILSON, Robert G.	Wolseley	Ind

LEGISLATIVE ASSEMBLY OF MANITOBA
Friday, 27 March, 1981

Time — 10:00 a.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. Harry E. Graham (Birtle-Russell): Presenting Petitions . . . Reading and Receiving Petitions . . .

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

MR. SPEAKER: The Honourable Member for Radisson.

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

I move, seconded by the Honourable Member for Dauphin, report of Committee be received.

MOTION presented and carried.

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

INTRODUCTION OF BILLS

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. JAMES E. DOWNEY (Arthur), on behalf of the Minister of Municipal Affairs, introduced Bill No. 12, An Act to amend The Municipal Act. (Recommended by the Honourable Administrator of the Government of the Province of Manitoba).

INTRODUCTION OF GUESTS

MR. SPEAKER: We have 12 students from the Carman Collegiate, Special Education Group, under the direction of Ms. Pat Folwark. This school is in the constituency of the Honourable Minister of Transportation.

On behalf of all the honourable members, we welcome you here this morning.

ORAL QUESTIONS

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. HOWARD PAWLEY (Selkirk): Mr. Speaker, my question is to the Minister responsible for Urban Affairs. In view of the statement by the Deputy Mayor of the City of Winnipeg to the effect that if the provincial share of responsibility for financing the costs of the City of Winnipeg had risen according to the same formula, which had been in existence in 1976 under the then New Democratic Party government, the City of Winnipeg would have received an additional \$8.2 million this year, which would have meant a reduction to the extent of 4 mills in the mill rate just levied by the City of Winnipeg. Can the Minister advise whether he, as

Minister of Urban Affairs responsible for urban government in Manitoba, is prepared to review the financing formula that his government presently exercises, which apparently has resulted in a serious shortfall to the City of Winnipeg resulting in the hefty tax increases announced?

MR. SPEAKER: The Honourable Minister of Urban Affairs.

HON. GERALD W. J. MERCIER (Osborne): Mr. Speaker, I have received that information recently from the City of Winnipeg. It is in the process of being examined by officials in the Department. Mr. Speaker, I would suggest to the Honourable Leader of the Opposition that it is not totally accurate and I would be prepared to deal with the comments made by the Deputy Mayor during my estimates, Mr. Speaker.

MR. PAWLEY: Mr. Speaker, it appears that yesterday I was out by some \$2.2 million. I had been overly generous to the government, I had used the figure of six, the City is indicating \$8.2 million. In view of this information, is the Minister now prepared to withdraw his statements of yesterday in which he attributed some pretty base cynical motives to the councillors of the City of Winnipeg pertaining to their budget financing in this year's tax announcements?

MR. MERCIER: Mr. Speaker, I repeat to the Leader of the Opposition that I do not accept the conclusions drawn from those statistics in that document and I will be prepared to deal with the detail of it during my estimates.

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

MR. SAUL CHERNIACK: Thank you, Mr. Speaker. I have a couple of questions dealing with answers to questions raised during the question period. The first to the Minister of Labour deals with an enquiry I made on March 13th, relating to compensation paid both by Saskatchewan and Manitoba and the statement given to me that compensation in Saskatchewan is assessed and reviewed annually in relation to the pace of inflation in Manitoba every three years. The Minister undertook on March 13th, to let me have answers to the questions and repeated his undertaking on March 24th. Does he have an answer now?

MR. SPEAKER: The Honourable Minister of Labour.

HON. KEN MacMASTER: I believe the question was, was the compensation reviewed on an annual basis in Saskatchewan? Yes, Mr. Speaker, it is reviewed annually in Saskatchewan.

MR. CHERNIACK: Mr. Speaker, I'm glad that the Minister of Labour did not respond the way the Minister of Economic Affairs suggested he should when he said, "tell him to go to hell" just now, and . . .

MR. SPEAKER: Order please. Order please. Order please.

May I suggest to the honourable members that the use of language that is not used in formal speech should not be commented on in the Chamber.

MR. CHERNIACK: Are you saying to me that I'm being reprimanded for repeating what the Minister of Economic Affairs said loudly enough so it could be heard? Are you saying I ought not to mention what he says when he says it that loudly? Is that your recommendation?

MR. SPEAKER: Order please. May I suggest to the honourable member that there is a code of ethics that applies to all members in this Chamber and I would hope that most members would use it.

MR. CHERNIACK: On the point of order, the code of ethics I assume, applies to what is said from the seat as well as on his feet, and if the Minister of Economic Affairs talks like that, it should be on record that he talks like that.

MR. SPEAKER: Order please. The Honourable Minister.

HON. J. FRANK JOHNSTON (Sturgeon Creek): On the point of order, I said something to one of my colleagues, but if I said something that was heard on the other side, it's only because I hear comments from the Member for St. Johns continually in this House which are probably the most sarcastic that have ever been given in this House, from any member in the history of this House.

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

I would hope that we don't spend all our time talking about the one individual as compared to another and deal with the questions that are before the people of Manitoba that members want to ask of the Treasury Branch.

MR. CHERNIACK: Mr. Speaker, the Minister of Labour did respond and confirm that in Saskatchewan the compensation is reviewed annually. He did not confirm the information given to me that the Province of Manitoba's compensation is only reviewed every three years, and if that is the case, which he has not yet confirmed, can he justify the fact that it is only every three years, whereas the inflation is galloping ahead annually and to a large extent?

MR. SPEAKER: The Honourable Minister of Labour.

MR. MacMASTER: Mr. Speaker, the fact stated by the member opposite that the Compensation Board in Manitoba reviews their systems every three years is incorrect.

MR. CHERNIACK: Mr. Speaker, now I have a problem. I think he said it's incorrect and if the Minister wants to give half answers, of course he may, but would it not be more helpful to this Legislature, and particularly to my constituent, if the Minister gave a response which is in a positive way stating what is correct. Isn't that really what the constituent is asking? What is correct in relation to

the assessment or review of compensation in Manitoba in relation to inflation? What is the system?

MR. MacMASTER: Well, Mr. Speaker, when the member asks the question, then I'll answer the question. He likes to be precise with his questions and I'm trying to be precise with my answers. The fact is that compensation is not reviewed every three years. What has happened since we've formed the government is that it's been reviewed every two years.

MR. SPEAKER: The Honourable Member for Inkster.

MR. SIDNEY GREEN: Yes, Mr. Speaker, I'd like to direct a question to the Honourable Minister of Labour. Can the Minister of Labour advise me whether he is now considering the appointment or whether or not he should be appointing an Industrial Inquiry into that dispute which affects an essential service in the Province of Manitoba, namely the service employees of the Greater Winnipeg Gas Company?

MR. SPEAKER: The Honourable Minister of Labour.

MR. MacMASTER: Mr. Speaker, I am not considering at this moment the advisability or the implementation of an Industrial Inquiry into that dispute. As late as yesterday conciliation services again were offered to both sides and it's their business when they choose to take advantage of that service, but at this point they have both declined.

MR. GREEN: Mr. Speaker, may I ask the Honourable Minister of Labour whether he is on speaking terms with the Honourable the Minister of Consumer Affairs?

MR. MacMASTER: Probably on better speaking terms than the Honourable Member of Inkster is with the Honourable Member for St. Johns.

MR. SPEAKER: Order please. Order please. Again may I suggest to honourable members that they do not comment on the individual affairs of members of this Chamber.

The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, that's hardly an encouraging answer. Mr. Speaker, it has just been revealed that there is terrible dissension within the ranks of the Conservative administration.

May I ask the Minister of Labour, Mr. Speaker, whether, regardless of the coolness of his relationship with the Minister of Consumer Affairs, which he has indicated, would the Minister discuss with the Minister of Consumer Affairs whether or not there would be some value in an Industrial Inquiry and in particular because of the Minister of Labour's answer, not that either side has requested conciliation but that the Department of Labour has offered conciliation and neither have accepted nor should conciliation be a factor in an Industrial Inquiry in this case since there are many answers that the public needs that won't be resolved even if the parties conclude a collective agreement?

MR. MacMASTER: Mr. Speaker, I understand that the Member for Inkster is involved at this particular

moment in a particular situation where he may satisfy himself of one of the answers.

It's my opinion, Mr. Speaker, that those two particular parties involved in this dispute at this moment are not ready for conciliation services as they said yesterday and I wish to leave it at that.

MR. SPEAKER: The Honourable Member for Wellington.

MR. BRIAN CORRIN: Thank you, Mr. Speaker. My question is for the Minister of Consumer Affairs on the same subject as the question of the Member for Inkster. I have sent a copy of an application I have made to the Public Utilities Board with respect to the estimate rate structure of Greater Winnipeg Gas, Mr. Speaker, and I would ask the Minister whether he can advise the House whether he will be supporting the application I have made on my own behalf and on behalf of the customers of that utility in the City of Winnipeg?

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

HON. GARY FILMON (River Heights): Mr. Speaker, I am aware of the letter which the member has sent and I thank him for the copy. I had earlier received a notice of it from the Public Utilities Board and would be very interested in seeing that the member is given the full extent of the services that are available to him through The Public Utilities Board Act.

MR. CORRIN: Mr. Speaker, I would ask whether the Honourable Minister will be supporting the application before him? Will he appear or have representatives of his department appear in support of this application and on behalf of the consumers of this city.

MR. FILMON: Mr. Speaker, I am sure that my department will be very interested to ensure that consumers get the full benefit of everything that they are entitled to under the legislation.

MR. SPEAKER: Orders of the day. The Honourable Member for Churchill.

MR. JAY COWAN: Yes, thank you, Mr. Speaker. My question is to the Minister of Labour. I would ask the Minister of Labour if he can advise if he has been forwarded a copy of the signed Implementation Committee's report on the Wright Committee recommendations concerning safety and health conditions in Manitoba's metallic mining industry?

MR. SPEAKER: The Honourable Minister of Labour.

MR. MacMASTER: No, Mr. Speaker.

MR. COWAN: Mr. Speaker, we have shown great patience on this side and the workers in the mining industry have shown great patience in respect to the implementation of the recommendations of the Wright Committee and as it is my information that report was signed well over a week ago by all the parties on the Implementation Committee as a final report, can the Minister indicate what action he is taking in respect to determining what those

recommendations were and how to in fact put them in place?

MR. MacMASTER: Mr. Speaker, I appreciate the reference to patience because as the miners tell me in the mines that they waited eight years of NDPism for something to be done about safety in the mines and it never was. Shortly after we formed the government, we were the ones that implemented the Wright Enquiry, and it was the union people themselves and the industry that wanted the Implementation Committee established. That committee has been established, that report I understand is signed, and I expect it within a day or two.

MR. COWAN: Mr. Speaker, the Minister may wish to distort the picture as much as he tries, or wish to attempt to distort the picture as much as he would like to, however, the case is that the Wright Committee report was out a year . . .

MR. SPEAKER: Order please. Has the honourable member a question?

MR. COWAN: Mr. Speaker, I certainly do have a question, and it's a long outstanding question. When is the Minister of Labour going to do something about putting in place the recommendations of the Wright Committee which were made over a year ago? Is he prepared to act upon the recommendations of the implementation committee as soon as he receives a report as he has promised in the past?

MR. MacMASTER: Well, Mr. Speaker, I am certainly looking forward to receiving the report and I expect I'll receive it in a day or two, but it has to be again put on the record, that the Wright Committee Report came down and it was at a conference sponsored by this government that the union people and the industry unanimously agreed to the implementation of a committee to implement that report. That was not the government's decision and as much as the Member for Churchill may think that he sways decisions, I would far sooner listen to the union man in the industry in this particular incident.

MR. SPEAKER: The Honourable Member for Point Douglas.

MR. DONALD MALINOWSKI: Thank you, Mr. Speaker. I have a question to the Honourable Minister responsible for Manitoba Housing and Renewal Corporation.

Well, first I would like to congratulate him in his new position; I am welcoming him well.

In light of the fact that we have so much unused and vacant land within inner city which might be built upon and used for housing and for other facilities, can the Honourable Minister indicate to the House with his idea or maybe his government has an idea to do something and to use those vacant lands?

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

MR. FILMON: Thank you, Mr. Speaker, I'd firstly like to thank the member for his words of welcome to the position.

I'd also like to indicate that at the moment, that very idea, that very proposal is under review by the Board of MHRC, as a possible addition or a possible portion of our contribution in the Core Area Initiatives Program, so it is under review and is being actively investigated by the Board of Directors of MHRC.

MR. MALINOWSKI: To the same Minister, Mr. Speaker, almost half a block, if he's aware of it, of land on the north-west corner of Salter and Burrows Avenue was vacant for years, and I believe that this might be an ideal location for a senior citizens' home. Would the Honourable Minister take this matter under consideration?

MR. FILMON: Yes, Mr. Speaker, I'll be glad to take that matter under consideration. I might indicate that one of the programs that is available to us through the vehicle of MHRC with funding from CMHC as non-profit senior citizens' housing installations and that might be an ideal location if there were a non-profit group such as a church-related or some type of a service club, who might be interested in coming forth with a proposal that certainly might be under consideration.

MR. MALINOWSKI: To the same Minister, Mr. Speaker, a last supplementary. I would like to thank the Minister for taking this matter under consideration but I feel that more consideration should be given to this matter and that some action be taken to help those people who need those houses. I would also ask the Honourable Minister if he is planning to expand a repair program for old houses and for low income people in our area?

MR. FILMON: Mr. Speaker, as well, that is another area that was under discussion during my recent Estimates review and again I've asked for a recommendation from the board on that particular item.

MR. SPEAKER: The Honourable Member for Seven Oaks.

MR. SAUL MILLER: Mr. Speaker, further to the Minister responsible for Housing, he indicated that there was moneys available for non-profit housing. Mr. Speaker, I ask the Minister whether he'd consider then using the funds available for the non-profit housing corporation which is established by the Provincial Government through MHRC?

MR. SPEAKER: The Honourable Minister.

MR. FILMON: Mr. Speaker, that is a vehicle that could be used and subject to an identification of need and identification of a waiting list of people from that area, that certainly is something that could be looked at and we'll take it under consideration.

MR. SPEAKER: The Honourable Member for Burrows.

MR. BEN HANUSCHAK: Mr. Speaker, I wish to direct my question to the Honourable Minister of Manpower. In view of the fact that within the next few weeks there will be thousands of graduates

coming on the job market from our universities and colleges, has the Minister any words of hope or promise or even comfort to extend to them with respect to their job prospects in Manitoba, or should they continue seeking employment outside the boundaries of our province?

MR. SPEAKER: The Honourable Minister of Labour.

MR. MacMASTER: Mr. Speaker, I appreciate a portion of the question. The Member for Burrows was one who thoroughly questioned me on the student employment programs during my Estimates, and I gave him the numbers which, though he may not have said, he certainly walked away, I think, reasonably pleased that the student employment programs in the Province of Manitoba have increased somewhere between five and six thousand that were employed somewhere in the mid '60s, up to last year, when I believe the figure was 13,800 and some odd. I said at that time that that was quite a feat that we were all very reasonably proud of and that we would attempt to reach that goal, if not better it, this year.

MR. HANUSCHAK: Mr. Speaker, a supplementary question, or to clarify the previous one, my question did not relate to summer employment for students. I'm speaking about graduates graduating from our universities and colleges, seeking permanent employment.

MR. MacMASTER: Mr. Speaker, again, during my Estimates I gave a booklet that our Research Department had put out which showed fairly satisfactorily the employment opportunities that were available to a lot of our graduates in the Province of Manitoba. I would be quite pleased to forward that book to the Member for Burrows.

MR. SPEAKER: The Honourable Member for Burrows with a final supplementary.

MR. HANUSCHAK: Yes, Mr. Speaker, a further supplementary. Could the Minister indicate to the graduates of our community colleges and universities the approximate number of job openings that there may be available for them over the next ten or twelve months within the Civil Service of Manitoba?

MR. MacMASTER: Mr. Speaker, I would have to add up the vacancies and the SMYs that are requested from all the various Ministers. I know I had five or six or seven or something within my departments.

INTRODUCTION OF GUESTS

MR. SPEAKER: Order please. If I may seek the indulgence of all members, we have seven visitors from the Senior Class of the Humboldt School under the direction of Mr. Keller from Humboldt, Minnesota.

On behalf of all the honourable members, we welcome you here this morning.

ORAL QUESTIONS Cont'd

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

MR. CHERNIACK: Thank you, Mr. Speaker, I'd like to address a question to the House Leader. Inasmuch as the Minister of Labour did not respond to a question I asked on March 24th, which he undertook to answer the following day, dealing with the filing of a return for questions about appointments to boards, commissions, accepted on April 8th, 1980, and inasmuch as it occurs to me that this is not within his area, may I ask the Honourable House Leader what Minister is responsible to pilot and to file the answer to question No. 5 accepted by the government on April 8, 1980, and then I'll direct my question to that Minister?

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, my records would appear to indicate that the First Minister will be responding to No. 5.

MR. CHERNIACK: Well then, Mr. Speaker, may I ask of the House Leader or someone on the government bench, who is present, to undertake to bring this matter to the attention of the First Minister for early filing?

MR. MERCIER: Yes, Mr. Speaker, I will undertake that.

MR. SPEAKER: The Honourable Member for Elmwood.

MR. RUSSELL DOERN: Mr. Speaker, I'd like to direct a question to the Minister of Education concerning the Education Support Program and ask him if he can indicate who drew up the plans; was it the Minister, the department, or Progressive Conservative headquarters?

MR. SPEAKER: The Honourable Minister of Education.

HON. KEITH A. COSENS (Gimli): Mr. Speaker, the Education Support Program was drafted by people in my department, specifically in the finance section of my department, with the help of course of other organizations in the educational community.

MR. DOERN: Mr. Speaker, I'd like to ask the Minister to explain how it is that in the chart given in the Winnipeg Free Press yesterday that six out of seven of the school divisions with the highest dollar increases are held by New Democratic MLAs. Is that punishment by a vindictive government?

MR. COSENS: That certainly wasn't a consideration, Mr. Speaker, in drafting the plan.

MR. SPEAKER: The Honourable Member for Elmwood with a final supplementary.

MR. DOERN: It was just a fortunate coincidence, Mr. Speaker.

I would like to ask the Minister whether he can indicate how his school division, Interlake, fared in terms of dollar increases or dollar decreases under the program?

MR. COSENS: I don't have the figures in front of me, Mr. Speaker, but I believe —(Interjection)— well,

if the Member for St. Boniface wants to have something to say on this, fine, but in answering the Honourable Member for Elmwood, I believe the Interlake School Division stabilized their school mill rates, they had no increase, and I believe that they had an increase in budget, Mr. Speaker, that was somewhere close to the 10.7 percent level.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Yes, Mr. Speaker, I'd like to direct a question to the Honourable the Attorney-General. Can the people of the Province of Manitoba expect that there will be a First Ministers' Meeting here within the next ten days?

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, I expect that either today or within the very next few days the Premier will be in touch with seven other Premiers, who oppose the Federal Government unilateral action on the Constitution, and they will be discussing arrangements for their future dealing with the Constitutional question. I can't indicate at this stage whether or not the Premiers will in fact be meeting.

MR. GREEN: May I ask the Minister whether the Government of Manitoba, in consultation with the Premiers that he has referred to, would not consider that it would be worthwhile to pursue invitations to ten Premiers of Canada, all of whom are in favour of patriation, in order to indicate that patriation is not in dispute, that what is in dispute is the changing of laws which Legislative Assemblies would not have the power to change in the future?

MR. MERCIER: Mr. Speaker, I would like to think that all ten Premiers of this country would favour patriation with an amending formula and have all future changes to the Constitution made in Canada under an agreed-upon amending formula, but that is something, Mr. Speaker, that obviously the eight Premiers, who will be discussing this matter shortly, will be reviewing.

MR. GREEN: Yes, Mr. Speaker. I appreciate it that the Honourable the Minister has indicated that eight would be doing it and I'm asking the Minister whether he would not consider trying to extend that to ten, since all ten Premiers are in favour of patriation?

MR. MERCIER: Well, Mr. Speaker, I'm satisfied obviously that the eight Premiers, who will be discussing this matter shortly and who were represented at a meeting in Winnipeg earlier this week, would like to see the other two Premiers join with them in their position. That is something again that they will be discussing, I am sure, and I expect that the Premier will be making an announcement of their proposal shortly.

MR. SPEAKER: The Honourable Minister of Labour.

MR. MacMASTER: Mr. Speaker, further to the Member for St. Johns, if he wishes to forward me the details of the individual involved with the

compensation case, I'd be pleased to assist him on it, because it's very, if I remember what he was saying, it's very unusual that a person would be drawing compensation in both provinces, and although the Saskatchewan Government does, in fact, review theirs every year, a lot of our coverages are far superior to theirs. So, seeing as this is an unusual sort of a situation, I'd like to assure myself that his constituent is getting the best coverage possible.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Speaker, my question is to the Minister responsible for the Environment. Can the Minister advise whether or not any further development work pertaining to the Eco Mines at Shoal Lake has been discontinued pending the report, and the assurance that he is to receive from the Ontario Government pursuant to his announcement of the other day?

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

MR. FILMON: Mr. Speaker, I will take that question as notice and bring back a response on that. I informed the House earlier, I think, that the Regional Director of the Environment for the Province of Ontario was going to be here next week to meet with my officials and I'm sure this whole matter will be discussed at that time.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Speaker, can the Minister advise whether there are other mines that are carrying on tailing operations in the Shoal Lake area at the present time and if so, does he intend to undertake any steps or action on his part?

MR. FILMON: Mr. Speaker, if there are, then they're ones that have been in operation for some time and I think that there are some that have been in operation, but again I'll take that question as notice and bring back specifics to the member.

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

MR. CHERNIACK: Mr. Speaker, I want to thank the Minister of Labour for undertaking to investigate the case I raised. I'm having a copy made of the letter I received. It was sent by an intermediary on behalf of the constituent and I'll send the letter to the Minister, so he could have the matter explored.

While I'm on my feet, Mr. Speaker, I want to, if I may, ask the Minister of Education in relation to the purported increase of tuition fees in the Arts and Science Faculty at the University of Manitoba for a total of, I'm told, 45 percent in the last three years, whether this information is correct and how he would accept the fact that if it is correct that it relates to a 33 percent increase in the Consumer Price Index during the same period?

MR. SPEAKER: The Honourable Minister of Education.

MR. COSENS: Sir, I'd want to check those particular figures before I responded to the honourable member. I'll do so and get back to him.

MR. CHERNIACK: Yes, Mr. Speaker, I want to thank the Honourable Minister for undertaking to review the figures and bring back an accurate report if the figures I've been given are not accurate. Would he at the same time consider whether or not the Government has any policy relating to an increase in charges for tuition fees that is greater than that of the Consumer Price Index, or will he take the same position that he has apparently taken with the Transcona School Division and other school divisions saying it's not his responsibility but the burden rests with some other body?

MR. COSENS: Mr. Speaker, I think the honourable member is fully aware that the universities determine what the particular tuition rates will be at their respective institutions. This is part and parcel of the legislation, that's within their jurisdiction and the Government does not set tuition rates. We feel that providing a level of funding that is a 13.8 percent increase over last year and perhaps one of the highest increases in this country should certainly enable our universities to cope very well this year.

MR. CHERNIACK: Well, Mr. Speaker, in view of the fact that the Minister has, as I predicted, placed the burden on some other body, which incidentally is appointed by the Minister, then may I ask the Minister whether he will investigate and report to the House how it is that the university would see fit to increase the fees to an extent beyond that which the Government feels is adequate to compensate the university for its increase in overall costs?

MR. COSENS: Mr. Speaker, I'd be quite prepared to go into some detail on this topic with the Honourable Member during my Estimates. I understand they'll be starting next week and we can pursue this in some detail at that time.

MR. SPEAKER: Orders of the Day. The Honourable Member for St. Vital.

MR. D. JAMES WALDING: Mr. Speaker, my question is to the Honourable Minister of Highways and Transportation. I would like to ask the Minister whether he has received a request from the Manitoba League for the Physically Handicapped seeking to meet with the Minister?

MR. SPEAKER: The Honourable Minister of Highways.

HON. DONALD ORCHARD (Pembina): That would depend, Mr. Speaker, on when such a request came in, but I have the meeting set up with him next week, it wasn't predicated on any particular request for a meeting, it was just a meeting that I had set up to discuss various programs with them.

MR. WALDING: Mr. Speaker, any request mentioned in the question would come about within the last week, the last few days in any case. Members of the League have told me they have contacted the Minister's office and also the

Department of Motor Vehicles who have declined or refused to meet with the League to consider their very serious concerns about licensing for the use of motorized tricycles. Can the Minister assure the House that the meeting with the League will be to discuss these matters which are of very great importance to them?

MR. ORCHARD: Mr. Speaker, if I follow the Member for St. Vital's questioning, he indicates that some phone calls have been made to both my office and to the Motor Vehicle Branch. I cannot speak for the Motor Vehicle Branch, Mr. Speaker, but I intend to check that out but to my knowledge no request for a meeting has been made of my office in the last several days to discuss the Legislative amendments brought forth in the bill I introduced last week. The meeting that I had scheduled was on an entirely different matter, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Churchill.

MR. COWAN: Thank you, Mr. Speaker. While on the subjects of reports with the Minister of Labour, I would ask the Minister of Labour if he can indicate when we are to expect the Lampe Report on Workers Compensation Review which has been promised to this House on many occasions in the past and has never been forthcoming from the Minister's Department?

MR. SPEAKER: The Honourable Minister of Labour.

MR. MacMASTER: Mr. Speaker, I say to the House, as I said during my Estimates, that the Lampe Report is taking longer than we expected. The three people on it of course were Dr. Lampe himself, Mr. Art Coulter from the Manitoba Federation of Labour, and Clyde McBain, and I had a great deal of faith in the three of them. I think they did an extremely thorough job from what I understand. I expect the report to be printed and in my hands within six to eight weeks.

MR. COWAN: As the Minister indicated that that report in fact was at the printers during the course of his Estimates which was several weeks ago, can the Minister now inform the House as to what delay is causing that report to be further delayed in respect to its publication, in respect to its final printing?

MR. MacMASTER: I don't believe, Mr. Speaker, there is any further delay. I think I said about the same time period when I was in my Estimates.

MR. SPEAKER: The Honourable Member for Churchill with a final supplementary.

MR. COWAN: Mr. Speaker, I would ask the Minister finally if he is prepared to make that report and the Mine Safety Review Implementation Committee Report public immediately upon receipt of those reports by himself?

MR. MacMASTER: Mr. Speaker, I think the House can feel assured that I'll deal with those reports in an appropriate manner.

MR. SPEAKER: The Honourable Member for Elmwood with one question.

MR. DOERN: Mr. Speaker, I would like to ask the Attorney-General if he can indicate when the liquor review, Michener Commission, which has as its most interesting study, the question of beer sales in grocery stores, etc.; when is that going to come into the House and what is the reason for the delay?

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, I am advised that report will be available very shortly. I must indicate I was advised some time ago that the report would be available shortly but I am again very recently advised that the report will be available shortly.

ORDERS OF THE DAY

MR. SPEAKER: The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, would you call second reading of Bill No. 34, then Bill Nos. 11, 27, 29, and 36.

SECOND READING GOVERNMENT BILLS BILL NO. 34 — AN ACT TO AMEND THE CONSUMER PROTECTION ACT

MR. FILMON presented Bill No. 34, An Act to amend The Consumer Protection Act, for second reading.

MOTION presented.

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

MR. FILMON: Mr. Speaker, the amendments to The Consumer Protection Act contained in Bill No. 34, are generally of a technical or housekeeping nature. The amendments do not change the rights or obligations of persons involved in credit transactions from those which currently exist in the Act. The majority of the changes have been necessitated by the repeal of The Small Loans Act by the Federal Government. With the repeal of The Small Loans Act, loans under variable cash credit agreements, that is, revolving loan agreements are now made without the rights and obligations that currently exist for variable purchase credit agreements under The Consumer Protection Act. The amendments to The Consumer Protection Act correct this anomaly.

The Bill also amends The Consumer Protection Act to clarify the legal rate of interest as the Act interacts with The Federal Interest Act and to exclude purchases made for the purpose of operating a business. The latter has been made necessary by a lack of clarity of definition and because the upward limit of transaction value was recently increased from \$7,500 to \$25,000 thereby possibly bringing many commercial purchases under the Act. Such transactions were not intended to be under the umbrella of The Consumer Protection Act. The Bill further clarifies the duties and obligations of an assignee in any transaction under The Consumer Protection Act. It is intended that an assignee have the same obligations to the consumer as if he were the credit grantor, and the amendments are intended to clarify this principle.

Finally, Mr. Speaker, the Bill provides for the Minister, rather than the Lieutenant-Governor-In-

Council to disburse funds under a bond. Where there are competing third party claims, those moneys would be placed with the prothonotary rather than requiring the Minister to adjudicate competing claims. I commend this Bill to members for consideration and enactment.

MR. SPEAKER: The Honourable Member for Burrows.

MR. HANUSCHAK: Yes, Mr. Speaker, just a couple of comments and a couple of questions with respect to this Bill.

My first question and in fact it's a concern, is with the fact that items purchased for use for the primary purpose of carrying on a business are not covered by The Consumer Protection Act but it would seem to me, Mr. Speaker, that particularly in the case of the small business man there might be a host of articles purchased by a business man which are used both in business and for personal use. A simple example that I will give you, Mr. Speaker, is a calculator that could be used by a garage man, a storekeeper, in the conduct of his business, and his family may also use it for personal use. So it would seem that with this provision, if there is some indication, some evidence that the article was purchased for business use then the purchaser will be denied the protection of The Consumer Protection Act with respect to warranty, with respect to all the other protection that the present legislation offers him.

So I would like the Minister between now and this Bill going to committee take a closer look at that particular aspect of the Bill. I appreciate the Minister's amendments to tie in with respect to credit purchases, tie in loans of money, because that's become very common nowadays, where on many credit cards in addition to the purchase of goods and services, you can also borrow money up to a certain limit. So I would suspect that this was the rationale for those amendments.

The bill also deals with the matter of rights and obligations of assignee, and perhaps the Minister did touch on that in his remarks on second reading of the bill and I may have missed it, but if he didn't and I don't think that he did, but I would hope that perhaps in the closing of the debate on second reading, that the Minister would point out the difference between the legislation as it now is, as it now stands with respect to rights and obligations of an assignee and the difference that this bill will bring about, to that particular matter.

I compared the two and I must admit, Mr. Speaker, that I haven't been able to detect any difference between the two. The phraseology is somewhat different, yes, but it seems that the general intent seems to be much the same, so perhaps the Minister could point that out.

Now with respect to the power which has been removed or transferred from the Lieutenant-Governor-in-Council to the Minister, and that's in dealing with bond money, where for whatever reason the person who was bonded loses it through, I suppose, some violation of the law of the Consumer Protection Act, or whatever. This bill will allow for a decision and a direction to be made by the Minister, pursuant to which the bond moneys may be paid into court, or may be paid out in a variety of ways.

Well, Mr. Speaker, I want to remind you that here you're dealing with funds that may be subject to claim by many individuals of the public, and it would seem to me that it would be far preferable to retain the legislation as it is. Let the Lieutenant-Governor-in-Council make an order, which then becomes a public document, because the Lieutenant-Governor-in-Council will indicate the amount of the funds, will give a direction as to where they should be paid, on what conditions, etc., and etc., and then if any person feels that he has a claim against that particular fund, or those particular moneys, there is a public office to which he can go and an Order-in-Council is a public document and he will be able to examine it.

But leaving it to the discretion of the Minister, the legislation doesn't say and doesn't indicate in what manner the Minister shall give his direction, whether it will be just by an inter-departmental memo, a phone call or what, so it would seem it'll be somewhat more difficult for an interested party or one who feels that he has a claim upon those funds, to really determine what the Minister's direction actually was, and what direction or the nature of the direction that he has to cope with, that he has to deal with or respond to, in order to enforce his own claim. So for that reason, Mr. Speaker, in view of the fact that you're dealing with funds that may be subject to claim by any number of the public, that it may be preferable to leave that within the jurisdiction of the Lieutenant-Governor-in-Council, rather than just transferring it to the Minister and subject to his directive.

With respect to this position of unexpended moneys, the Minister will recall that the bill says that any moneys not expended pursuant to a direction of the Minister shall be paid to the Prothonotary, or the Deputy Clerk of Crown and Pleas. But, Mr. Speaker, I would like to remind you that this might be somewhat awkward phraseology because the Minister's original direction may have been to pay the funds to the Prothonotary, so he may want to take a second look at that particular section to make certain that it says exactly what the Minister wants it to say, in clear and unequivocal terms.

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

MR. D. JAMES WALDING: Mr. Speaker, I beg to move, seconded by the Honourable Member for Kildonan that debate be adjourned.

MOTION presented and carried.

ORDERS OF THE DAY ADJOURNED DEBATES ON SECOND READING

MR. SPEAKER: Then go to Adjourned Debate on Bill No. 11, An Act to amend The Municipal Assessment Act, standing in the name of the Honourable Member for Logan. (Stand)

Bill No. 27, An Act to amend The Highway Traffic Act, standing in the name of the Honourable Member for St. George. (Stand)

MR. SPEAKER: Can we do the same with Bills 29 and 36? (Stand).

The Honourable Government House Leader.

MR. MERCIER: I move, seconded by the Honourable Minister of Finance, that Mr. 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, Interim Supply.

MOTION presented and carried and the House resolved itself into a Committee of Interim Supply, with the Honourable Member for Radisson in the Chair.

COMMITTEE OF SUPPLY INTERIM SUPPLY

MR. CHAIRMAN, Abe Kovnats (Radisson): Committee come to order, Interim Supply. Resolved that a sum not exceeding \$673,466,010, being 30 percent of the amount of the several items to be voted for departments, as set forth in the Main Estimates for the fiscal year ending the 31st day of Marcy, 1982, laid before the House at the present Session of the Legislature, be granted to Her Majesty for the fiscal year ending the 31st day of March, 1982 — pass — the Honourable Member for Lac du Bonnet.

MR. SAMUEL USKIW: Mr. Speaker, I believe this would be an appropriate time to ask a number of questions of the government, and I regret that the Minister of Agriculture is not here, as to what the government is planning with respect to the 1981 Drought Program.

The departmental Estimates for agriculture having been passed, I believe this is probably the best time to raise that question and to get a determination from the government, as to what plans are under way in the event that the current forecasts are borne out in the weeks and months ahead.

The information as I understand it is that we are very much threatened by the same kind of weather pattern as occurred a year ago, and that in essence that means that there will have to be a tremendous amount of advance preparatory work done by the various departmental people in the Department of Resources, water resources and indeed in the Department of Agriculture, in order to be ready for whatever the requirement is, both financially, Mr. Chairman, and mechanically, so to speak, wherein it may involve some particular action on the part of various departments with respect to conservation of whatever water is there, prevention of drainage beyond what has already occurred, if it is not already too late, and then some understanding has to be arrived at as between the province and the Government of Canada as to their respective roles.

Mr. Chairman, the experience of a year ago would lead me to believe that we ought to be in a better position this year to be ready for any eventuality than we were a year ago, given the fact that there were mechanisms established last year in order to deal with those problems.

It might be an opportunity also for the Minister to indicate just what funds are left over from last year, if any, or how many dollars were expended last year on drought relief programming, and whether or not those funds that have not been used could be set aside again, or whether the Minister of Finance is

going to be requesting an additional amount of money for this particular contingency.

I'm glad the Minister of Agriculture has just arrived. For his benefit, I will recap just briefly. We believe, Mr. Chairman, that the Minister of Agriculture should be in a position to indicate just what his intentions are along with other departments with respect to plans for a possible drought this year, this summer, and what discussions have already been undertaken with the Government of Canada as to their involvement, hopefully to avoid the kind of scenario that took place last year where the province pre-empted the Government of Canada with an announcement and then hoped to get cost-sharing which was then not forthcoming because of the way in which it was handled. I believe, Mr. Chairman, that it's possible that the Province of Manitoba lost some dollars because of that, which would have otherwise been there from the Government of Canada.

So with those few comments, I would hope the Minister of Agriculture has something to tell us as to what his expectations are and as to what plans are under way in order to deal with whatever the extent of the problem might be.

MR. CHAIRMAN: The Honourable Minister of Agriculture.

HON. JAMES E. DOWNEY (Arthur): Mr. Chairman, I'm pleased that the members are interested and concerned about the difficult time that the agriculture community went through last year. I think that the initial action or activities that were instigated by the government on this side, of course, started some time in about the same time as last year, or this time last year, with the encouragement for the farm community to consider crop insurance which is one of the better mechanisms that has been in place over the period of some 21 years now, to give the farmers a type of insurance, an all-risk insurance coverage that is in place. It's a long-term agreement between the Federal Government, the province and the farmers to, in fact cover them against such situations as the drought, excess moisture, hail and known as an all-risk Crop Insurance Program. So we did encourage them and we had a press release go out asking them to consider it last year. So there were some early actions taken.

I think it's fair to say that the payout of the Crop Insurance Program is, I think the estimates at this particular time are something in the neighbourhood in excess of \$50 million again. It has increased from when I had my Estimates before the House because of some of the settlements that had to be made on the crops that wintered out over this past winter. So there is a fair amount of money gone out in that program.

Another thing, Mr. Chairman, that as we got into the April period last year, we continued to see the warm dry spell continue. The immediate difficulties that some of the people in the farm community were encountering were the shortages of water in their dugouts or in their farm supplies as were some of the communities within the province, and we made a move to waive the \$200 pumping fee that those particular producers had to pay, which had been a traditional charge, for that particular year.

As we continued through the period of April, we looked at other alternative programs that may be

able to have been introduced and of course one of those was the Pellet Transportation Program from Thunder Bay where in fact there was a \$20.00 per ton assistance program put in place to help some, whether it be dairy or beef cattle operators, who may be able to use the by-product from the grain industry to help their cattle operations before they went out to spring pasture. In fact it was the livestock producer, the dairy producer, that did encounter the major difficulties earlier because of the lack of pasture and shortages of hay that were occurring; as well as the co-ordinated efforts that were put forward by the department to list the feed supplies and the hay quantities through a centralized office in Brandon. As we continued through the spring months, the members are well aware of the fact that we had to look outside the province for feed supplies and assure the farmers of the agricultural community that there were quantities of feed available and could be obtained. An agreement was worked out with the railways and with the Federal Government and with the province to pick up all the transportation costs on the hay that was moved in from outside of the province.

Entering into the month of June when we, in fact, still didn't receive enough moisture or in fact any, we had to make some certain changes on seeding dates within the Crop Insurance Program to allow the producers to still obtain coverage. One specific area was to extend the seeding date coverage for sugar beets, particularly in the southern central part of the province where the majority of sugar beets are grown. There was still a desire to buy insurance but they had to have the extension of the seeding date.

At that particular time, the latter part of June, it was necessary for us to consider looking at some other programs and we'd had continual communication, I would have to say, with the Federal Government and with the PFRA organization who are responsible, or were supposed to be responsible for the delivery of some of the programs.

Mr. Chairman, we, at that latter part of June, had to take the decision that we couldn't rely any longer on the weatherman or the weather system providing us with adequate rainfall to assist the farm community, the grain farmers, the livestock farmers, and it would appear that the farmers were going to be in a somewhat tough situation, so we had to look at enlarging the Feed Program, or the purchasing of feed, in particularly Ontario, and moving it in, which would have been a resale program but the program converted more to the farmers purchasing directly themselves than the government having to buy. So that, I think, was a move that benefitted the farmers and they, themselves, made the decisions on the type and quality of feed which they purchased from the eastern part of this country.

Mr. Chairman, I might also add that the decision at that particular time was to introduce a program which we refer to as our Greenfeed Program which, in fact, was a program that was to encourage producers to grow their own feed within the province, whether they be grain farmers to sell it to their neighbours, whether it be any livestock producers; and there were some 6,730 producers paid some \$9,285,135 for approximately 630,000 tons. So that was a direct injection of cash into the farm community as well as increasing the feed supplies to quite a sizeable amount.

We have to also say that I think we had a fairly reasonable kind of a winter this year which did not require the quantities of feed that would have been necessary with a severe cold and heavy winter. So that also did help us with the amounts of feed that were required.

So, Mr. Chairman, there were fairly large amounts of money made available. We had a difficult time in the initial stages of the announcements of the program to get the message across to the Federal Government that the drought conditions were as serious as they were in Manitoba and in western Canada. Following our announcement in Brandon I immediately proceeded to meet with Mr. Whelan in Ottawa to put the message directly to him. We did receive some assistance from our transportation programs, as I indicated earlier. Unfortunately, instead of assisting us with some of the programs that we had already put in place, they decided to inject some \$60 million into the western Canadian agricultural economy, but to do it, not through the Provincial Governments, but to do it directly.

Now, Mr. Chairman, one may say that the Province of Manitoba could have possibly received more financial aid from the Federal Government, but I think the point is that if we had not put the case to Ottawa the way we did, there may not have been any money that came from the Federal Government to assist the farmers in western Canada.

So we feel that we did have some input and some encouragement to the Federal Government by moving the way we did and also by putting the case to them that the farmers were in dire need of some support programs because of an act of God, with the dry weather conditions, and in fact some \$60 million were injected into the programs that the Federal Government were putting in place.

Some of the concerns, of course, that follow on the heels of the announcements were some of the administrative procedures that were put in place by the Federal Government, and I know my colleague, the Member for Emerson, has put before the House the question of how the funds were paid out from the Federal treasury; the fact that certain farmers within a community have received funds under the Herd Maintenance Program; their neighbours, in equally as dire straits, were not able to obtain those same funds and were in the same kind of need.

So, Mr. Chairman, it's really not the matter of transferring of Federal funds directly to the province but, in fact, it was both Provincial and Federal programs jointly, as well as direct provincial funds and the encouragement and the move made by the Federal Government to move directly to help the farmers; and I think the objective was not particularly to help a government but was to help the people who were in need and that was the farm community.

I would like to just elaborate a little further about my concerns of how the administration of the Federal Government worked because I do think it would have been more effective through the provincial administration network that's in place with our agricultural representatives and our agricultural staff that are throughout the province, because in a lot of cases they have been called upon to help sort out some of the difficulties that were encountered because of the Herd Maintenance Program. We requested several months ago, by telex to the

Federal Minister, that they reconsider their position on selecting certain numbers of people to pay out the funds; that in fact they blanket it, they pay everyone to the amount that they cut back, in fact, we should start by saying that the inconsistencies within the program, I think caused as much problem, and the expectations of the farm community caused as much problem as the drought itself.

When in fact the criteria changed for the programs that they introduced, farmers expected some \$140 per dairy cow, that was cut back to \$70 per dairy cow; at the same time the beef industry was cut back from \$70 per beef cow to some \$35 per beef cow and the maintenance, or the Herd Maintenance Program for the sheep industry also was cut directly in half.

So the initial announcements made by the Federal Government were reduced by half. Following that, the Saskatchewan Government and we met to request jointly the Federal Government to reconsider their position and to pay all farmers at that reduced rate, to remove the administrative hoops that the farm community had to be put through.

Well, following the telex or the communication to the Federal Government they did not see fit to make those changes and instead decided to put the farm community through the traumatic experience of having to go before an appeal mechanism where in fact they had to make a case for obtaining funds, when in fact they were as much in need as their neighbours who, in a lot of cases, were no worse off than they were. So it was an administrative nightmare and something that I think wasn't necessary to put the farm community through. I would like to indicate to the House, at this particular time, that we in Manitoba, when we talk about ongoing programs, we've made the changes or we've had a review of our Crop Insurance Program, the Board of Directors have, to see if there are some changes that could be made on a long-term basis to alleviate the difficulties that the kind of drought we faced last year, some changes could be made. That is pretty well complete at this time and I'm expecting a report from the Board of Directors on changes that may be made. There is a drought-proofing study being carried out by the Departments of Natural Resources or Water Resources and the Federal Government, PFRA, to put in some longer term planning and infrastructure to help alleviate the longer term problems that may be created by dry weather or drought conditions. We have met, or my department have been continually meeting with the Federal PFRA organization to in fact re-assess last year's programs and the effects that the drought caused or created to cause difficulty within the farm community. There are ongoing meetings within our departments to make that kind of an assessment.

The amount of moisture conditions, as you are well aware, in Manitoba this year are somewhat better than they were last year at this particular time with quite a large percentage of the province, in the last day or two, receiving not a large amount of moisture, but certainly some that makes the farm community feel that it has the ability to rain again or snow. As I say, our moisture conditions are probably normal or slightly above in some particular parts of the province and that is, of course, somewhat better than the Province of Saskatchewan and parts of

Alberta where they have entered this particular last fall extremely dry and have not received any moisture supplies that would be adequate.

So all in all, Mr. Chairman, I think that we have had the experience of last year. We have spent several millions of dollars which I'm sure the Minister of Finance will be able to provide to the members who have to also be aware of the fact that some of the programs are still actually in place. The Transportation Program as well as the Pumping Program is still being carried on because as the members are well aware, with the shortfall in rain and snow, our immediate problems again are the dugout waters that are not there and our rivers and streams that could, in fact, be short of moisture.

So we are still carrying on with that program until the end of this particular year and consideration of course will be given to extending it on as we do not want to see the people run into difficulty in the coming months. But I am optimistic when I say the weather conditions appear to have some changes, and I'm sure that Mother Nature this year will deal us a hand that has a lot more rain cards in it and when and if we had to deal with the situation as we did last year, we are quite prepared to do so.

MR. CHAIRMAN: The Honourable Member for Inkster.

MR. GREEN: Mr. Chairman, I take this opportunity on Interim Supply, to comment on what appears to be a decision that the government has made relative to employees' lost wages. Now, Mr. Chairman, the Minister of Labour did not make a statement here in the House but I understand that he has made a release to the media indicating that the government will establish a fund of \$150,000 which would compensate employees who have not been able to recover wages from an employer. I regret that the Minister did not make his announcement in the House so that there would have been opportunity for the Opposition to comment on it, but I do, Mr. Chairman, wish to express some disappointment in the manner in which this fund is going to be administered.

Now I will say, Mr. Chairman, that in my view it is better than the previous situation. It is better than the previous situation because the fund is there and will pay for the recovery of lost wages and I'm fairly satisfied that it will cover the amounts that have been dealt with in the past, and the procedure is even less onerous than trying to determine a sale of assets which may not be there and displacement of mortgages, etc.

But from my reading of the release, Mr. Chairman, it's indicated that the fund will only be available to a person who proceeds under The Payment of Wages Act and tries to recover his lost wages and does not succeed in doing so. Now this means, Mr. Chairman, an employee who expects to be paid at the end of the pay period, and finds that the employer has not paid, must then use the procedure of The Payment of Wages Act. I understand that the Department of Labour officials will help him proceed under the Act, but nevertheless The Payment of Wages Act merely provides, Mr. Chairman, for a suit as to wages. A person has to go before a Magistrate and a court and establish the wages, and get a judgment, and then try to enforce that judgment, and it's only when he cannot recover, that the fund will come into play.

Mr. Chairman, it seems that the government, and I say with regret because the Minister appears to indicate he has the recommendation of the Management Labour Committee, that these people are trying to avoid studiously, a much more satisfactory situation. That there is in place, Mr. Chairman, a board which has records of virtually all of the employees affected in the Province of Manitoba and if they are not affected, then I have no objection to there being a separate procedure for them, but the Workers Compensation Board has all of these records. It is a simple matter to determine by the board as to whether an employee has been paid. If he has not been paid because of an insolvent or otherwise defaulting employer, then it was the suggestion from here that the employee be paid, not that the employee start an action for the recovery of his wages, the employees expect to be paid at the end of their pay period.

Now even what I have suggested will not result in them getting paid at the end of their pay period, but they will get paid very shortly thereafter, and they will not then be involved in a payment of wages action, which necessitates that they stay here, that they appear in court, that they possibly be faced by a lawyer, that the lawyer have some technicality, that there is a possible appeal, that they be paid. If the employee can satisfy the Workers Compensation Board that he has not recovered his wages, that there has been a default, he should be paid and the burden of trying to collect those wages — and sometimes they will not be collectible — should be on the Workers Compensation Board. Or the fund, if the Minister insists that he doesn't want to use the mechanism of the Workers Compensation Board — and I don't know why he would not want to use it — it's used for payment of criminal compensation claims, which is farther removed from Workers Compensation than non-payment of wages.

Mr. Chairman, I regret very much that the government and some apparently, labour representatives, have studiously avoided what could be a much more satisfactory procedure in exchange for taking a procedure which will involve the employee in serious difficulties and certainly delay. Mr. Chairman, the laying of an information, the adjournment of the court, preventing him from possibly moving to a different jurisdiction to get another job which some of them have to do, and therefore losing the wages. All of these problems will be created by the procedure which has been outlined in the release which I saw issued by the Minister of Labour but which was not released in this House.

Mr. Chairman, it is probably better than it was before. It is a tricky thing. You are now going to guarantee the payment of certain kinds of judgments which are not paid, and it's going to be done out of consolidated revenue. I can assure you that there will be other people with unpaid judgments who will wonder why theirs are not collectible. This is not an insurance fund, it is a consolidated revenue payment of a default.

What I had suggested, Mr. Chairman, is that it be a contributory fund, paid for by all employers in the Province of Manitoba, similar to what they do with Workers Compensation; that it be an insurance, and the insurance would be contributory, therefore it is not a consolidated revenue payment of an unpaid

debt. That is a problem. —(Interjection)— Well, the Minister says agreed, but that's not what he's done.

They have established consolidated revenue to pay unpaid debts. Mr. Chairman, I said that this was a possibility when I was introducing my resolution, but it's not the best possibility. The best possibility is that all of the employers and the interests of satisfactory industrial relations contribute to a fund which pays unpaid wages and which then seeks to recover. The government has done it — if you will excuse the expression — backwards, blank backwards — Mr. Speaker says we are not supposed to use even funny sounding phrases.

They say that the employee will recover under the existing procedure of The Payment of Wages Act, or he will try to, and only when he has shown that he is not successful and it doesn't indicate how many efforts he has to make, will he be able to call on this fund. Mr. Chairman, I believe that the Minister of Labour has worked very hard establishing a difficult procedure when he could very easily have established a much more satisfactory one.

MR. CHAIRMAN: The Honourable Member for Ste. Rose.

MR. A. R. (Pete) ADAM: Thank you, Mr. Chairman. I'd like to remind the Minister of Agriculture in his comments on drought, and I want to make a few comments on that, that we did bring to the attention of the government early in April, I believe that we were already warning the Minister that possible drought problems in 1980 would be experienced and we brought this to the attention of the Minister on a number of occasions. The answers that we kept receiving from the Minister were, that they were monitoring the situation, they were keeping on top of it, they were looking at it, and everyone outside of the Minister seemed to know that there was a problem that was developing. It took some time before the Minister finally decided that the situation was serious enough that something had to be done.

Now I believe — I'm not sure what approach was made so far as dealing with Ottawa was concerned on cost-sharing — it seems to me that when we were in the similar situation during the droughts that we had and flooding that we had, we had very little problems in dealing with the Federal Government on programs. The problem that I see is that when it comes to programs for drought or flood, both governments want to take credit for the program, and it seems to me that we have to move away from that kind of a situation where a cost-shared program will be delivered by the province and the province wants to take credit for it, despite the fact that maybe 50 percent of the funds are federal funds, the Federal Government wants to be recognized for their contribution as well. So it seems to me rather than take the ad hoc approach that we saw last year, and the confusion we saw — because no one can deny that there was confusion in both programs both in the provincial program and the federal program — I would think probably the federal program had more confusion in it and caused a lot more problems than did the provincial one, I will grant the province that. But nevertheless there were problems in the provincial program as well.

It was brought to the attention of the Minister here during his Estimates that and I don't think that the

people that were out in the field delivering the program had sufficient training, or had sufficient knowledge of how to deal with people. We have had the same situation insofar as the federal program, it was just pathetic. There are still some 10,000 or 12,000 applications that still haven't been dealt with in spite of the fact that the program is going to expire I believe, at the end of this month.

The appeal mechanism was not handled properly, so I think we have to put something in place on a more permanent basis with people who would be better able to deliver these kinds of programs. It should be a permanent committee made up of both provincial and federal people if it's going to be a cost-shared program, and there should be a program designed so that it would always be cost-shared in the event of a drought; that there would be funds coming from both the federal and the province, as was the case this year, but they each went on their own way and the province wasn't able to deal with the Federal Government so they each went their own way and they set up their own mechanisms of delivering these programs and it was utter confusion from beginning to end.

So I submit, Mr. Chairman, that what we must do in the future for the long-term is to set up a permanent committee to handle the drought programs on a joint basis so that you don't have this overlapping, or this confusion and people phoning in Regina, people phoning in Brandon, people phoning in Winnipeg, a lot of people not knowing which jurisdiction was responsible for what. We have received many calls, and I'm sure members opposite have received many calls in regard to both programs. I have had a number of complaints from some of my constituents in regard to the provincial program and I'm not sure whether they have all been resolved or not. I have given letters to the Minister that I have received and copies and I'm sure that he is aware of some of these programs. I would like to know whether these people who are dissatisfied with the way they were handled, whether or not they have been compensated or not.

So, in so far as drought is concerned or disasters we think there should be a better way of delivering these programs and it's time we stopped being parochial and start saying, well you know I want to get credit for the program; or the Federal Government say, well, I want to get the program, I want to score political points on this. I think it's time we get away from that because we are playing on disasters that are being experienced by people and by producers in our Province, whether they be grain producers or they be livestock producers. We know now that there are a number of producers that are selling off livestock because of the dissatisfaction with some of the programs and they were led to believe that they would receive assistance and now they find that some of them have spent a great deal of money, have borrowed money to maintain their herds, and now they find that the money is not forthcoming so they are required to sell off part of their herds to pay off the debt, the loans that they had to obtain from the banks to buy feed and so on, grain and whatever they have to do to winter their livestock.

It's very fortunate that we did have a mild Winter in so far as wintering herds over the winter. It's been ideal, in fact, I don't recall when we've ever seen a

nicer winter to bring cattle through the winter months. The calving is already under way. It's well under way in my area, at least, because Ste. Rose is the livestock capital of Manitoba, the area that I represent. I know that the calves are being born; I'm not sure in what conditions they are being born because where there's a shortage of feed sometimes the calves are born weak and the cows have to be given additional vitamins or minerals in order to compensate for the loss of nutrients in the feed.

So, in that respect we think that we can move forward with better programs if we negotiate in good faith, in good faith with the Federal Government, not always bashing as we have seen here from time to time; it's been a constant bashing by the Provincial Government onto the Federal Government. It seems to me we have to move away from that because we're dealing with problems, with disasters that are experienced by producers, so, surely, we should be able to put something in place that we don't have to go through this utter confusion that we went through in 1980.

I want to move now to flood. We talked about drought for awhile but we also have experienced a number of floods in Manitoba, Mr. Chairman, and we know that, again, I believe it's a cost-shared program with the Federal Government in regards to the Red River area. I raised questions in the House to the Minister responsible at the time and in regard to programs for the flooding outside of the Red River area. There doesn't seem to be any programs to deal with those problems, and we've had cases up in the Parkland area, along Lake Dauphin, where people have had to move out completely and absorb all their own costs of moving; people who have farmed in one locality for years and years, perhaps 50 years, and have now had to pick up and move the entire operation and buy other lands to move away because they just couldn't put up with it anymore, any longer. Flooding every other year and they said, well, they just threw up their hands in despair and they say, well, we can't put up with this any longer and the yard gets a foot of water all over and the basements get flooded; the cattle are in the water; the calves are in the water and it's an utter total disaster. We've had those cases over there and these people say, well, yes, there was a disaster in the Red River area, a lake maybe 30 miles long and sure there must be assistance there and we must resolve that problem along the Red River, but they also have been injured as well, these people who are living up in other areas; not only in my area; not only in the Parkland but in other areas as well, in the Interlake. They are also entitled to some assistance when it comes to having to move, disruptions because of flooding; they are entitled to some compensation as well. So, we should be looking at those problems as well. I raised it to the Minister and he advised me, the Minister who is now responsible for Resources, he had advised me that he thought that he would have a program in place to deal with those flood areas outside of the Red River area for diking and for other problems as well. So far we haven't had a response. Now I'm not sure just where we stand in so far as the negotiations are concerned with regard between the Federal and the Provincial Government so I presume, the Minister is not here today, but I will have to raise it, I guess, during the

question period to find out whether that program is at a standstill or what's happening.

We also brought to the attention of the Minister of Agriculture the problems of our Native population who are trying to obtain skills, the necessary skills to find employment in Manitoba. And, you know, we were disappointed during the Estimates when the Minister was, in my opinion, derogatory towards the Native people; in his references to them, saying that, yes, there was work there but they didn't want it. I don't think that that's a fair comment to make on the entire 55,000 population of Native descent, that is a status Indian. I say that was an unjustified comment on his part and I say that someday that comment will come back to haunt him. We dealt with this in Resolution 5 presented by the Member for St. Matthews to try and bring skills to the Native population in Winnipeg so that they can find suitable and viable employment and become productive citizens in our society. We found a complete lack of regard in this regard from the Minister of Agriculture when we raised these points in Estimates. The Minister did not seem sympathetic at all in this regard. We think there should be programs available to give these people the necessary skills so that they can go out and work in the fields and find employment and take off the crops that are so essential to our economy here in Manitoba.

We have been accused, Mr. Chairman, of doom and gloom from a number of members, we're spreading doom and gloom, and now the Member for . . . -(Interjection)—I know I've stopped him. The Member for Minnedosa stopped right in his tracks when I said that because he probably is one that has been saying that. He's probably one of those members who have been saying that; we're nothing but spreaders of doom and gloom, Mr. Chairman. They're saying that we're running the Province of Manitoba down, Mr. Chairman; what utter nonsense. We have never said that Manitoba was not a nice province; Manitoba is a wonderful province. It's the government that's the problem. It's not Manitoba, it's the government, the policies, not the people themselves, the policies of the people who are there, that's where the problem is. It's not us that are spreading the doom and gloom, Mr. Chairman, it's the people. We are speaking for people out there, the people who have had to migrate to other provinces. Mr. Chairman, those are the people who are spreading the doom and gloom.

The Member for Dauphin, he says that we're spreading doom and gloom. He should look in his own town as to what has happened in the last three years. I can name probably ten business closures in the last three years in his own town. I probably don't know half of them that have closed. I can show him that. There's another one or two on Main Street now that are going to close up, Mr. Chairman; he doesn't know that yet but there's a couple there on the verge of closing up again in the near future. We've had stores that have been there for 80 years, like the People's Store in Dauphin had closed up. Those are the people who spread the doom and gloom. Beaver Lumber had to close in Dauphin. It's the half a dozen or so or eight people that were working there, they're the ones that are spreading the doom and gloom, they're out of jobs. Beaver Lumber, Chimo before that, Mr. Chairman; we can go on and on, in Dauphin

the hog barns closed down. How many people were employed in the hog barn? Whose fault is that, Mr. Chairman? Who's to blame for that if it's not the Minister of Agriculture that the hog situation is in the situation it is today. He is the man who encouraged producers to produce more hogs two years ago. He was telling hog producers, go ahead, produce hogs, we want to produce more hogs. But he did not provide them with any protection from the free market though did he? No, just go ahead and produce, and we hear the Member for Minnedosa say the same thing.

He was criticizing, when he was speaking here the other day, not enough opportunity, too many marketing boards, not enough opportunity to expand. Mr. Chairman, you have to use a little logic here. Then he turned around and said well we want to overproduce, we want to produce more because we are an exporting province. Fine, that's fine if we can do that. But then he turned around and said now that we've overproduced we want the Federal Government to put in a stabilization program so that when we're in trouble they're going to put up the money; that just doesn't wash. We should have had a national agency for hogs years ago. Now we've lost our production. We're maybe coming back up now. But they're falling like flies, Mr. Chairman, hog producers. I've had a call from somebody just the other day, he doesn't even live in my constituency, and he says look I've got a \$200,000 operation here; I've got a \$200,000 operation, barns and modern facility and it's only a matter of time before I'm going under, something has to be done.

The Minister sits idly by, complacent as can be while other provinces are coming to the rescue of their producers so that they can keep them in production so that whenever we go to a national agency they will have the production there and we will be left holding the back here, Mr. Chairman, because we won't have any more producers left because they're falling like flies all over the place. I just mentioned a big operation in Dauphin burned down, I believe, a couple of weeks after it had declared bankruptcy so there's arson suspected there. So what is happening, what is the Minister going to do. We ask him to do something. Well the hog producers perhaps are to blame too; they have been reluctant to move towards some kind of a national marketing. I don't blame them now because they're in difficulty; they know very well that we're going to be in a very poor situation if we enter into a marketing agency now, a federal marketing agency.

So this is what we have seen. It is not us that are spreading the doom and gloom; we are not running down the province; it is those people that you effect that are running down the province. It's those business closures, those people who work in the small business and it closes up, they're left without jobs; they're spreading doom and gloom, Mr. Chairman.

The people who are in the construction trades, they're the ones that are spreading the doom and gloom. It's the parents of the young people who have to move to Ottawa to get a job who are spreading doom and gloom, it's not us. So I say let's put the blame where the blame is and it's right on that government. We're not running down Manitoba, we're running down the government and we have

ample grounds to do so, and it's our job to criticize when we see that criticism is necessary. You know the government has been announcing all kinds of programs, I would say that this government reminds me of the song I'm Forever Blowing Bubbles. They blow a bubble, it flies so high until it reaches the sky and then like my dreams, it fades and dies, Mr. Chairman. Every time they blow a bubble, you know, you blow a bubble through a little ring and this is going to be an Alcan thing or a GRID and if you blow another bubble this is going to be a potash mine and it blows up and all of a sudden it bursts, and that's what this government is; it's a blowing bubble government. That's exactly what this government is, and we'll have to get Lawrence Welk back and let him sing, you know with his program, I'm Forever Blowing Bubbles, and I'm dreaming dreams and I'm scheming schemes, that is what this government is doing now, because they're going into an election and they're blowing bubbles all over the place, and they rise so high they reach the sky.

Mr. Chairman, I'm disappointed that the government has seen fit, despite the fact that we have a problem with increasing energy prices, they have seen fit to piggyback, they want to get in on the ride. They want to say, we want to get in on this skin game too. I brought to the attention of this government a long time ago, and I've said it before a long time ago what was happening in the energy industry, Mr. Chairman, it is a real scandal and we know that, and now we find the government wants in on the action; they want to get in on the scandal, Mr. Chairman; they want to get in too now; they want a piece of the action. Now they're going to say every time that the price of gasoline goes up, we want our piece of the action too. I say to you that the policy, in spite of the fact that I have no love for the Liberals in Ottawa, I want to tell you that I prefer their policy to the Clark proposal. I say that and I know that I am correct, Mr. Chairman, and the future will bear this out.

So I'm very disappointed that the government has raised the price of gasoline, the gasoline tax by about 4, 4.5, 5 cents a gallon, if we use the imperial measure. I'm not an expert on international finances

MR. CHAIRMAN: The honourable member has 5 minutes.

MR. ADAM: Thank you, Mr. Chairman. I'm not an expert on international money markets, Mr. Chairman, but the Canadian dollar has strengthened by almost 11 percent against the Swiss franc from last year, and we can borrow money for about 5 percent from Swiss sources and I'm wondering why we're not doing that. Seven? Well I was told that we could get money for 5 percent. Fine, okay 6.5 percent, but we are paying 14 percent from the Heritage Fund.

Now our dollar has strengthened against the Swiss franc by almost 11 percent from last year, and I'm wondering whether the Minister did not take this into consideration. I'm not sure because I'm not an expert on this, but I bring it to the attention of the committee for what's it's worth. I wanted to ask the Minister of Finance who's not there; I raised it the other day, I understood, in response to questions that I posed to him, he indicated that the province

had put money in trust to invest in Northland Bank, and I would like to have more information on that, Mr. Chairman, I want to have a clarification on why is it that money is in trust to invest in Northland Bank, because you know Northland Bank has been a success story. It was a bank that was started in Western Canada to be used in Western Canada, to develop Western Canada, to go in competition, not in competition against the Royal Bank because that's a retail bank. The Royal Bank is a retail bank, Northland Bank is a wholesale bank, Mr. Chairman. Mr. Chairman, there's a difference between the two banks, because they don't have these everyday chequing accounts and writing out cheques and so on; they're a wholesale bank, and it's been a success story. It's been a success story and the credit unions are heavily involved in that bank and they did not take advantage of profits that they could have made if they had taken advantage of the warrants to purchase additional shares which have doubled, have doubled in the last few months, since June or July of last year. The shares have doubled on the open market, on the stock exchange, and I want more clarification from the Minister of Finance, why there is money in trust set aside to invest in Northland Bank? How long can that money stay there and why is it there if it hasn't been used? The shares were issued at \$12.50, they're now worth \$22.00 and over \$22.00 a share. And then they issued an offer of another share at \$12.75 with a warrant to purchase another additional share at \$13.75, and all the government has to do is take an option. If they have the option to take those shares and turn around and sell them for \$22.00 and make double their money on the investment; that's what they can do.

Thank you, Mr. Chairman.

MR. CHAIRMAN: The Honourable Attorney-General.

MR. MERCIER: Mr. Chairman, I just received, Mr. Chairman, a copy of Hansard from the House of Commons Debate of earlier this week and a copy of the Prime Minister's speech on the Constitution. I thought I might use this opportunity to make a few comments, Mr. Chairman.

Mr. Chairman, the Prime Minister at the beginning of his speech acknowledges that the Constitutional resolution has caused deep division among members of both Houses of Parliament, members of all political parties, within the ranks of Provincial Premiers and, indeed, among the Canadian population, and one must question, Mr. Speaker, in view of his own acknowledgement of this deep division in Canada that he has brought about, through his Constitutional proposal, what kind of leadership the country of Canada is receiving from the Liberal party in the Federal Government, Mr. Chairman.

They're not only proceeding contrary, and in view of the deep division which he acknowledges, Mr. Chairman, but recently in the documents filed in the House of Commons and the speech of the Minister of Justice in London, they are virtually threatening the United Kingdom to proceed with their constitutional process despite the Opposition.

This kind of leadership, Mr. Chairman, I'm sure has to be questioned certainly by every member on this side of the House and one would hope on that side of the House. I ask Members of the Opposition

who've supported the Federal Constitutional proposal and their Federal counterparts in the NDP party, Mr. Chairman, to re-examine the position they have taken. We have in this Prime Minister's speech an acknowledgement, by himself, of the division which his proposal is causing in this country.

Now, Mr. Chairman, he goes on in his speech to refer to the fact that the Premiers have been unable to agree on an amending formula. He ignores, once more, Mr. Chairman, the agreement in principle of ten Premiers at the September Constitutional Conference on the Vancouver consensus as an amending formula, and I repeat that it was acknowledged at that time, that some detailed refinement had to be done of that proposal. There was no attempt by the Prime Minister to pursue in any way, shape or form the agreement that was reached, in principle, by ten governments at that time.

The Prime Minister says, "surely it would be a bit embarrassing to the government if they're able to show that six or eight of them could agree on something". Well they did agree, Mr. Chairman, in principle, last September on an amending formula. He goes on to talk about the Vancouver amending formula and he says: "There again, when Canadians might want to change the division of powers between the Federal and the Provincial Governments, a province, particularly a powerful one, which did not need whatever was being discussed could opt out. They talk about equality; they are guaranteeing inequality for the people and for the provinces".

Mr. Chairman, at the same time, he's proposing the Victoria formula as the amending formula for the Constitution which gives a permanent veto to the Provinces of Quebec and Ontario — and here he talks about, under the Vancouver amending formula, one province being able to opt out. Surely, Mr. Chairman, the concept of the Vancouver amending formula, as one in which there must be an amendment approved by two-thirds of the provinces, including at least 50 percent of the population; and there have been certain refinements of this proposal which have been discussed in some of the news media as a result of a meeting we held earlier this week, which make it more difficult for provinces to opt out, as a better formula to deal with the diversity in Canada than the Victoria formula as proposed by the Prime Minister.

He does not acknowledge, Mr. Chairman, that under the Vancouver consensus, as an amending formula or something that may be known as a Winnipeg variation, the Federal Government has veto power as it has with any amending formula and thus has the duty and the responsibility and the ability to veto any amendments that would harm the national interest.

Mr. Chairman, he goes on to say: "We have proposed the only formula about which the ten provinces were ever able to reach agreement". Mr. Chairman, he neglects to point out that the Province of Quebec and the Province of Saskatchewan and then the Province of Alberta did not reach agreement on the Victoria formula.

He talks, Mr. Chairman, about an entrenched charter. We have to look to the United States, which he calls the greatest federation in the world; it has a charter he says. He says we can name many

parliamentary democracies which have a charter; he names a number of countries and then he says "but more important are the Provinces of Canada; they are parliamentary democracies and most of them do have charters".

MR. GREEN: No sir.

MR. MERCIER: Mr. Chairman, the Member for Inkster is indicating there is no charter in Canada at the present time equivalent to the United States Bill of Rights. He says, therefore what is against traditional values if the Canadian people have a charter binding on themselves or most of the provinces have such a charter? Mr. Chairman, either he does not understand or he is misleading the people of Canada in making these kinds of statements that the provinces have charters. He is ignoring the transfer of authority that will take place under an Entrenched Charter of Rights from the Legislature or the Parliament to an appointed judiciary.

Mr. Chairman, he goes on to talk further about the transfer of powers to the central government, this is quite the opposite, the Charter in fact takes away a little of the powers of all of the governments. That's quite correct, Mr. Chairman, and that is exactly why we are opposing it. It is exactly why the Province of British Columbia, all political parties in the Province of Alberta, all political parties in the Province of Saskatchewan, our government, all political parties in the Province of Quebec, the Province of Newfoundland, the Province of Nova Scotia, the Province of Prince Edward Island, oppose in principle an entrenched Charter of Rights, and oppose the process which is taking place at the Federal level.

He goes on to say, if you look at the judicial process we have the evidence of six provinces presently in front of the appeal courts, so obviously fairness insofar as it can be expected from the courts, is not tampered with in any way by this resolution.

Mr. Chairman, this issue hasn't been raised very much publicly up until this point of time but we have a situation, and in referring to it I don't mean to say that the provinces who were involved in the constitutional references are placing all of their eggs in that particular basket. We think there is substantial evidence and a convention developed in Canada that no amendment to the Constitution affecting provincial powers or provincial jurisdictions has ever been approved by the Federal Government without the consent of the provinces, and we are prepared to stand by that longstanding tradition.

Apart from that, Mr. Chairman, we have a situation at the present time where the Federal Government is proceeding to have their resolution passed by Parliament and sent to the United Kingdom, while the matter has been scheduled for hearing in the Supreme Court of Canada. Surely to goodness, Mr. Chairman, we live in this country under a rule of law and I think it is absolutely wrong for the Federal Government to be attempting to proceed to pass their proposal, to pass it by closure, to pass it on to England while this matter is before the courts, and its hearing date has been settled expeditiously before the Supreme Court of Canada for April 28th, just about exactly one month away.

Mr. Chairman, it is difficult to understand how the Federal Minister of Justice can be a participant in

this process when the matter is before the Supreme Court of Canada and they are proceeding in this quick manner with undue haste, to have it passed in Parliament without a decision by the Supreme Court of Canada on its legal validity.

We should recall, Mr. Chairman, at this time, that it would have been open to the Federal Government from the very beginning to have this matter referred directly to the Supreme Court of Canada for a decision on its constitutional validity. There is some comment in here, some questioning by the Prime Minister that the provinces staggered their appeals in three different provinces over a period of several months. He has the audacity, Mr. Chairman, to make that kind of criticism when he could have directly referred the matter to the Supreme Court of Canada months ago, and it could have been heard and perhaps even resolved by this time. But instead, he misleads the Canadian people and criticizes the provinces for making the references to their Courts of Appeal which was the only court they could refer the matter to initially; only the Federal Government has the power to refer the matter to the Supreme Court of Canada.

He goes on to say, Mr. Chairman, and Manitobans would be well advised to keep this in mind. He refers to a referendum process as being in keeping with our traditions in Canada. Mr. Chairman, I don't think any member of this Legislature would acknowledge a referendum process to be in keeping with the traditions of our parliamentary democracies in Canada, and let's remember one aspect. We know very well how the comments are made when Federal elections are held. As the results come across the Manitoba/Ontario border the results are pretty well decided and determined and the vote of 5 percent of the Canadian population in Manitoba has very little effect on those overall results. We have opposed a referendum as a part of the constitutional amendment process, Mr. Chairman, and again members opposite might very well want to make their views known to the Federal members of the NDP Party who are supporting this kind of constitutional process, this kind of constitutional amendment process which is not in keeping with our traditions in Canada, and is certainly not in keeping with the interests of Manitobans.

Mr. Chairman, I have just received a copy of this. I thought it important enough to make a few comments on this proposal at this time. I anticipate that the resolution by the Premier will be before the House certainly sometime next week depending upon the obligations that he has as Chairman of the Council of Premiers, in dealing with the strategies to stop unilateral Federal process.

MR. CHAIRMAN: The Honourable Member for St. Johns.

MR. CHERNIACK: Mr. Chairman, under Interim Supply I had proposed to raise a matter dealing with education and the financing thereof and I intend to deal with it briefly, but I am intrigued by the need of the Attorney-General to rise today to respond to the Prime Minister of Canada, and if he feels the need, he took advantage of it. It is perfectly in order under Interim Supply so to do.

I feel, Mr. Chairman, that the Prime Minister of Canada has been acting in an arrogant manner all

along; that the program of the government is one which needs no commendation, and that they have not proceeded well. I think that the Attorney-General of Manitoba and his Premier have been equally arrogant and have been equally unfailing in their efforts to block every matter without any effort to discuss, to compromise, to really negotiate. The question of an amending formula was really rejected by them all along, except one as I understand it, which carried with it the need for unanimity and the opportunity to opt out failing unanimity. I have yet to hear from this government a proposal which would be feasible in the light of the fact that the counterparts in Ottawa have a different point of view.

It was the Minister of Finance who said only yesterday, that two people trying to get together to solve a problem must sit and talk about it and make an effort. I believe that the Premier of Manitoba and the people who support him in that respect have made no effort, no effort at all to discuss the national issues and to discuss the objectives of other parties, but have stayed firm and adamant on their position, which is their right to do.

Therefore, Mr. Chairman, although I agree that Prime Minister Trudeau has been handling this in a manner which I consider arrogant, I don't for a moment think that the Premier of Manitoba and those who supported him are any more ready to discuss the problems that are facing and have been facing Canada for a long time in the manner as to try to arrive at some understandable solution.

I have not forgotten and I doubt if anybody has really forgotten the fact that there was a referendum — and I don't believe in referenda either — there was a referendum in Quebec which had all of Canada very greatly concerned and I do believe that those people in Quebec who rejected separation, had the deep rooted belief that the rest of Canada cared enough about the problems that were taking place in Quebec, to try and make some changes.

I also have to comment that I hear that there is no Constitution in Canada. (Interjection) — Well, I heard also the word Constitution. I believe there is even a Charter of Rights to some respect. I think that the legislation that is entrenched in Manitoba dealing with the French language is indeed a Charter of Rights in that respect, entrenched.

So, Mr. Chairman, I think there is a need for an explanation which we will have. There is a resolution before us that's long in coming, is before us, I suspect is being held back in an effort to find out what kind of response they can get to this latest amending formula discussion they've had this last few days here, and that might be right and might be a good amending formula. No amending formula will be acceptable to all, but certainly the amending formulas that I've heard so far are faulty in that they are not really equitable to my way of thinking and I'm looking forward to seeing more. I would like to see a decent amending formula.

But meanwhile, Mr. Chairman, I would hate to think that people who oppose entrenchment would use the amending formula in such a way as to block entrenchment because there are a lot of people who do believe in entrenchment of rights and it has to be recognized. You know, Mr. Chairman, I understand in a positive way the objection to entrenchment but I'm not violent in insisting that

entrenchment is important. I do believe in entrenchment. I'm not violent about it. I've lived all my life without the entrenchment of rights but I've also lived all my life in Canada with a great fear of what can be done by the majority, and has been done by the majority, and can continue to be done by the majority. I do fear the fact that we have had in Canada examples of the majorities whip over minorities and I can discuss this without passion. As I say, I'm not that exercised on it either way, but I would not like to think that the people who are opposed to entrenchment will in their objective, oppose an amending formula that will make possible entrenchment. That bothers me somewhat. However, we are going to be discussing that, Mr. Chairman.

I do also often wonder about the need to go running into court for the protection by the judiciary, of those people who oppose what's being done in relation to entrenchment and those are the same people who are saying, don't refer to the courts those matters which are for democracy to decide. I understand it but I can't be passionate about it and I hope we could discuss it in a way which will bring about a logical discussion. However, if it's not possible, so be it.

Mr. Chairman, the point I wanted to make before I reacted to the Honourable Attorney-General was the comments — and I'm sorry the Minister of Education who was here just moments ago is not here now but if it's a matter of interest to him, he will no doubt be informed about it — I confronted him this morning and the last couple of days with a situation taking place with school property taxes and particularly the Transcona-Springfield School Division which came to the various caucuses and brought in their information. He was very pleased to be able to reject the statement which I quoted, that Transcona was the lowest paying per pupil cost school division and said, oh no, it's not true and he knew very well that the figures we were given were 1980 figures and the figures he was using was 1981. That made him very pleased to be able to point out a discrepancy which he did clarify because having clarified it, it would have made it clear that Transcona was not lying in what they told us. But he left the impression that they were. That's his technique and his style which I leave to him.

But he then said, well then it's up to the school trustees of Transcona-Springfield to make their own way, they are accountable. I understand that argument; I've used it in my time as well; that when you have elected people who are accountable to their electors they have to make decisions. We have said in the past that having determined a certain formula for provincial assistance it's up to the local elected people to make decisions for which they are accountable to the people whom they are taxing.

But today, Mr. Chairman, I asked them about the increase in tuition fees at the university in arts and science and I predicted what he would say, and he said it just moments after I predicted it." Well, the Board of Governors is independent and they can make their own rights". Mr. Chairman, to whom are they accountable? To the people they are taxing? When they raised tuition fees for the students, are they people elected by the students, giving them the rights so to do, the democratic right? No. They are not elected by anybody. They — I shouldn't say that,

some are indeed — come selected from various groups, but in the main they are appointed by the Government of Manitoba as I recall the manner in which they are appointed and therefore, it's the Government of Manitoba who put them there, that is accountable for their actions. It is not very dignified or fitting for the Minister of Education who is responsible to report to the House on university grants, not very proper for him to say, well, we've set them up, we've put them in that position, what they do is their own business.

Mr. Chairman, the New Democratic government of the past has been criticized in many ways and can be criticized now for having done what was done, and that is, it increased certain grants to the university and it made it clear at the same time that it did not wish that it was increasing grants to prevent the increase in tuition fees which the New Democratic government thought would be improper and unfair. You could call that intervention if you like but we did it and I don't think we backed away from it. We were hoping that we could reduce, in the long run, tuition fees. We were sorry to feel that there was a need to find the extra money, but not through tuition fees, because we were hoping that people would be able to go to university based on their ability to absorb knowledge, not on the basis of their ability to pay for it.

I think that it is not becoming to a Minister of Education to shrug his shoulders at increasing tuition fees substantially in excess of the cost-of-living increase over that same period of time and to do so by saying, well, it's not my responsibility, it's somebody else's because they are the ones that have been given the responsibility. It is derelict I believe on the part of the Education Minister but it is also consistent with Conservative philosophies.

NON-POLITICAL STATEMENT

MR. CHERNIACK: Mr. Chairman, it's been drawn to my attention that the Manitoba Organization of Nurses Association has just issued a statement which should be on the record. That is to the effect that nursing care being provided by the residents of St. Adolphe Nursing Home is minimal and barely adequate. Quality of care is such that it might be tolerated for a day or two; however, it has gone on too long and is seriously affecting the residents who are angry, frustrated, depressed and who obviously feel abandoned. Mr. Chairman, I interrupt to point out that the Manitoba Organization of Nurses Association is not on strike at St. Adolphe Nursing Home.

A MEMBER: They are ones providing the care.

MR. CHERNIACK: They are the ones responsible for the provision of care and they are the ones who are "reacting to the tension, dissatisfaction with quality of care and the apparent distress of the residents". They say, "We are extremely concerned about the welfare of the residents, not only their emotional well-being but also their physical well-being. The Manitoba Health Services Commission's Standards Officer is aware of the situation and, contrary to newspaper reports, she has indicated to the nurses that she shares their opinion about not being able to cope much longer. (Interjection)— That is not the

impression I received from the Minister of Health, Mr. Chairman, but this is stated by the Organization of Nurses Association. I'm quoting again: "One nurse has already resigned and several more individual resignations may be submitted if the lockout does not end within the next few days". And they say the problem has been created by the employer through his lock-out of employees who were, and continue to be, willing to return to work en masse. They conclude, "We believe that under the circumstances the employees should be returned to work and a settlement imposed by binding arbitration". This is the statement of the Nurses Association and I believe, Mr. Chairman, is contrary to the impression left with us by the Minister of Health that things are under control; that they are being monitored carefully; that deterioration would not be permitted. I make that comment because it is at hand and I think that we ought to question seriously the Minister of Health on what he appeared to say was a situation under control.

As a matter of fact, Mr. Chairman, he has also been accused, in this morning's newspaper as I recall it, of making statements that are damaging to the position of those people who are on the picket line; suggesting, as I recall it, something along the lines that it will be over pretty soon because the strike will fail — these are my words not his — but that the strike will fail and they will be back in shape at the nursing home because the people on the picket line will be going back to work anyway, which he was accused, in the newspaper, of indicating was a situation that was damaging to the people on the picket lines.

INTERIM SUPPLY Cont'd

MR. CHAIRMAN: The Honourable Member for Churchill.

MR. COWAN: Mr. Chairperson, excuse me, I'll apologize for the fact that I'm somewhat hoarse but I do think that there are several matters which must be addressed today during this session of the Interim Supply. Interim Supply always creates a conflict within myself in respect to what one is going to talk about. There are so many things which need to be addressed; there are so many issues which need to be discussed at any one time that when rising in Interim Supply it is necessary to pick and choose very carefully what it is you want to say.

I do want to talk about at least one announcement which was made today by the Minister of Labour in respect to his government's plan to establish what they call a fund to protect workers' wages in the event of their employer going out of business. I think the record must be clear that we believe this to be a first step, a small step in the right direction, towards ensuring that workers in fact are given wages which are due to them. However, we do have some serious questions and some serious reservations about the way in which the government has gone about setting up this program.

Firstly, let me say that during the Estimates procedure the Minister of Labour said that we would have this type of a document in our possession before very long. On February 19, 1981, the Minister of Labour said, "I think in fact they will be happy with it. Everybody in the Province of Manitoba is

going to be happy with it and I think maybe the members opposite are going to be very pleased with it also". Well, the Minister has disappointed us because, while we accept it as a first step in the general direction, we do believe that there are some inadequacies in it that represent potential problems down the line.

Let's go over briefly what the government has done. They say they have set up a fund of \$150,000 for the 1981-82 fiscal year and that fund is going to be used to guarantee an employee's wages up to a maximum of \$1,200 in any one year, in the event that the employer of that employee goes out of business and does not pay the wages. Well, the fact is that the concept of a fund clouds the issue. What happens if there are \$250,000 outstanding debts in any one year? What happens if there are \$300,000.00? I have before me two cases that I have working on for the past year, Mr. Chairperson, which amount to over \$66,000 in unpaid wages and benefits and that's for two employers and it's for 11 employees in one instance and I believe in the other instance it's for 20 to 25 employees. So in Northern Manitoba, and these certainly don't represent all the cases, they don't represent Lambair; they don't represent other bankruptcies that have occurred and foreclosures and businesses going out of business that have occurred in Northern Manitoba in the last year; but they account for \$66,000 and the fund is only \$150,000.00. So what happens in fact if there are more than \$150,000 that are outstanding? Well, the government is going to have to pay those unsatisfied wages to the employees. It would be unfair to pay to one group and not pay to the other group.

So what is happening here is not really a fund is being set up but what the government is saying is that they are going to use taxpayers' money to pay the bad debts of employers who go out of business and do not pay moneys which are owing to employees for wages and benefits. So it's not really a fund, it's a shift of the burden; it's a shift of the responsibility for that money from the individual employer to the taxpayer of this province.

Now let's look at that very carefully. Is that in fact wrong? The employee needs to be able to get their funds back and I think we have a responsibility, as a society, to help that employee in any way that we can. So from that perspective the process is not totally unacceptable. However, we believe that the first responsibility for the payment of those wages is the employer or employers in general. So that perhaps this fund should have been financed by the assessment on employers in respect to developing an insurance fund that would, in fact, pay moneys to employees who are unable to collect their wages because of a foreclosure or a bankruptcy of their employer.

Now we believe that should have been looked at more carefully. We believe that has potential and we are concerned that all we have done now is transferred responsibility for those wages from those who were originally responsible for them to society at large. But notwithstanding that criticism of the program we are pleased to see something in place that is going to protect the employees in the event of those sorts of circumstances. However, we have not yet seen how this process is going to work. The

release as it is dated today says that the employee, who is working for an employer who has gone out of business, will first have to go and make a claim; then the Employment Standards Branch will go and try and collect the money from the employer; and if they fail to collect the money from the employer they will, in fact at that point, pay the employee for the moneys which are owing to him or her.

So what we have is what appears to be a very long process. Wouldn't it be much simpler to say we are going to ensure that you get that money; we are going to ensure that you get it when you need it most and that's at the time that you have lost your job. That is a very stressful time psychologically, a very stressful time physically and a very stressful time economically for any worker and if the government is going to make them wait a period of time while they go through the bureaucratic process of trying to recover those wages they are going to add to that stress rather than reduce the stress. So what they have here is a potential to assist the worker even more than they have done. And, according to the news release — and I have to add that we haven't seen the regulations or the Order-in-Council which should in fact accompany this — according to that news release that employee is going to have to wait some period of time. Remember now the employer is usually owing the employee back wages for a specific period of time; so if that is the case, the employee has gone without money already for a set period of time and this just adds to the amount of time that the employee will have to go without money.

In closing, Mr. Chairperson, I would just like to say on this issue that we welcome the concept, any action on the part of the Conservative government is in fact a pleasant surprise, however, we want to see how this program works before we make a final statement as to it and I'll continue those remarks at the next opportunity.

MR. CHAIRMAN: Order please. The hour is 12:30, Committee rise. Call in the Speaker.

The Chairman reported upon the Committee's deliberations to Mr. Speaker and requested leave to sit again.

IN SESSION

MR. SPEAKER: The Honourable Member for Radisson.

MR. KOVNATS: Mr. Speaker, I beg to move, seconded by the Honourable Member for Dauphin, report of committee be received.

MOTION presented and carried.

MR. SPEAKER: We are now under Private Members' Hour.

The Honourable Member for Kildonan.

MR. FOX: Mr. Speaker, I move, seconded by the Honourable Member for Morris, the House do now adjourn.

MOTION presented and carried and the House adjourned and stands adjourned until 2 o'clock, Monday.