

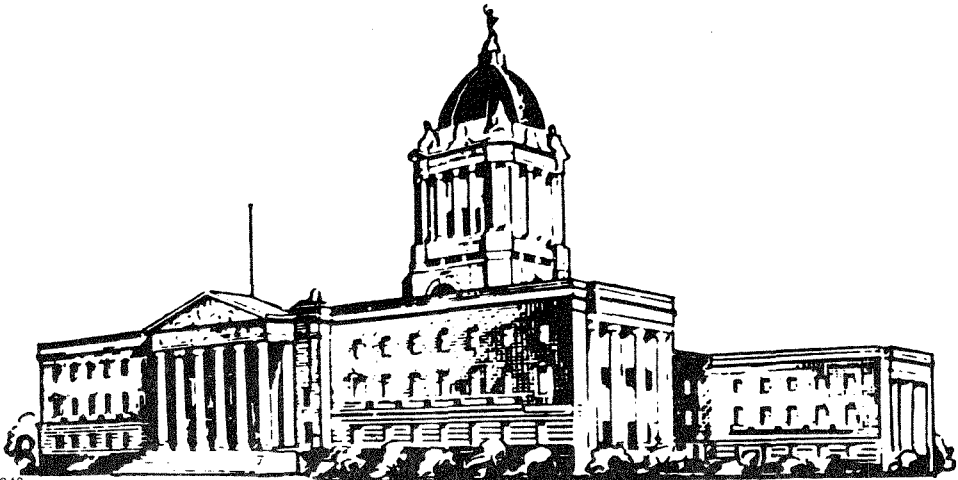


Second Session — Thirty-Second Legislature
of the
Legislative Assembly of Manitoba

DEBATES
and
PROCEEDINGS

31-32 Elizabeth II

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Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

Members, Constituencies and Political Affiliation

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, 15 July, 1983.

Time — 10:00 a.m.

OPENING PRAYER by Mr. Speaker.

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

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

MR. SPEAKER: The Honourable Member for River East.

MR. P. EYLER: Mr. Speaker, I'd like to present the Seventh Report of the Standing Committee on Law Amendments.

MR. CLERK, W. Remnant: Your committee met on Thursday, June 14, 1983, and heard representations with respect to the bills before the committee as follows:
Bill No. 20 - The Occupiers' Liability Act; Loi sur la responsabilité des occupants,

Mr. Norman Rosenbaum, Manitoba Association for Rights and Liberties;

Bill No. 72 - The Wild Rice Act; Loi sur le riz sauvage, Mr. John P. Kelly, Grand Chief, Grand Council Treaty No. 3,

Mr. Douglas Keshen, Lawyer speaking on behalf of Grand Council

Treaty No. 3,

Mr. Herb Redsky, Shoal Lake Band No. 40, Chief Ken Courchene, First Nations Confederacy.

Your Committee has considered:

Bill No. 43 - The Transportation of Dangerous Goods Act; Loi sur le transport des marchandises dangereuses,

Bill No. 85 - The Highways and Transportation Construction Contracts Disbursement Act; Loi sur l'acquiescement du prix des contrats de construction conclus avec le ministère de la voirie et du transport,

Bill No. 78 - An Act to amend The Manitoba Telephone Act,

Bill No. 86 - The Civil Service Special Supplementary Severance Benefit Act; Loi sur les prestations spéciales et supplémentaires de la fonction publique,

Bill No. 89 - An Act to amend The Landlord and Tenant Act,

And has agreed to report the same with certain amendments.

All of which is respectfully submitted.

MR. SPEAKER: The Honourable Member for River East.

MR. P. EYLER: Mr. Speaker, I move, seconded by the Member for Radisson, that the report of the committee be received.

MOTION presented and carried.

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

INTRODUCTION OF BILLS

MR. H. CARROLL introduced Bill No. 111, An Act to amend The Liquor Control Act.

MR. SPEAKER: Before Oral Questions, I can inform members that a test was run last evening on the air-conditioning system in here and how it affected the sound system Hansard leads and press leads and various other things, and it may well be possible to run one of the air conditioners on an experimental basis this morning to see how it works out. What we have in mind is to run one machine at a time on the opposite side of the room to the member who has the floor so as to minimize the noise which is transmitted through to the Hansard operators and also to the press.

Order please. In order to make it easier, we will put the one machine on at the conclusion of Oral Questions for whoever has the floor at that time.

ORAL QUESTIONS

Mosquitoes

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. SHERMAN: Mr. Speaker, my question is to the Honourable Minister of Health. I would ask him whether there is a public health emergency in Manitoba at the present time in western equine encephalitis?

MR. SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: Mr. Speaker, the situation is exactly the same as it was yesterday. Just to say that later on this morning, I'm meeting with the Minister of the Environment and his staff, the Minister of Government Services, the Co-ordinator of EMO, my Deputy Minister, a medical consultant and the Director of Communicable Disease Control to see what can be done and to get the recommendations from staff. There probably will be an announcement after that.

MR. L. SHERMAN: Mr. Speaker, in view of the fact that some media reports, and I emphasize they are media reports, Sir, indicate that the government is in a position to initiate an aerial spraying program in the province as early as this week if it is necessary, I would ask the Minister whether he could confirm that fact, whether the government does intend to respond if necessary to an emergency with an aerial spraying program or a similar program as early as this weekend?

HON. L. DESJARDINS: Mr. Speaker, no, I certainly can't confirm that. I have heard that. It certainly didn't

come from me, but what we will do is meet later on this morning and then we'll know what situation is and take the proper steps in case of an emergency of having to take action.

MR. L. SHERMAN: Mr. Speaker, I would like to ask the Minister a question that he may regard as hypothetical, Sir, but I submit that it is not hypothetical because of the lead time necessary on a decision of this kind. If the decision comes down to the Minister's office from his advisors that a public health emergency does exist, is the Minister and are his colleagues in a position to launch a protection program such as an aerial spraying program? Have those necessary decisions been taken?

HON. L. DESJARDINS: Mr. Speaker, I'll know a little more about that later on this morning after the meeting that we're going to hold.

MR. L. SHERMAN: Mr. Speaker, can the Minister advise the House whether the government has ordered any aerial insecticide and has ordered the use of any spray aircraft up to this point in time?

MR. SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: Mr. Speaker, again, as I say, my answer - I'll be able to give more of a complete report after the meeting we're going to have this morning.

MR. L. SHERMAN: A final supplementary, Mr. Speaker. Is the government contemplating a plan that would embrace a wide number of communities in Manitoba - not just the City of Winnipeg - but a wide number of communities in Manitoba such as were covered in the 1981 program undertaken by our government? If so, what are the criteria for the selection of the communities to be included?

HON. L. DESJARDINS: Well, Mr. Speaker, we have the responsibility to protect all Manitobans in whatever decision is made. The method of what has to be done to protect them certainly will not apply only to Winnipeg but all the area where that protection is needed.

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOWNEY: Mr. Speaker, a question to the same Minister. In view of the fact that he has indicated that he is going to meet this morning with his health officials, and I would hope with the other departments who are involved, will the Minister of Health report back to this House following the meeting if we are still sitting so that we, as representatives of the people, concerned about which could be a very serious situation affecting the health of all Manitobans, will he report back to this Assembly this morning after his meeting?

HON. L. DESJARDINS: Mr. Speaker, if that is possible and when leave is given, I certainly will be pleased to give this information before the weekend.

MR. J. DOWNEY: Mr. Speaker, I thank the Minister again for that information. A further question to the same Minister.

In view of the fact that Manitoba has a large industry which produces honey, the beekeepers of this province, and a large horse population, has the Department of Agriculture been involved in the discussions and will they be involved in the discussions and kept up-to-date so that an effective link with the agricultural community is kept and they can protect in the best way possible their investments in either beekeeping or in their livestock industries?

HON. L. DESJARDINS: Yes, Mr. Speaker.

MR. J. DOWNEY: Mr. Speaker, following the last spraying program - again this is somewhat hypothetical - but if there were to be a spraying program to be carried out, is the government at the same time considering a compensation program in case of major losses by some of those individuals who make their livelihoods from the beekeeping industry?

HON. L. DESJARDINS: Mr. Speaker, that decision would be made. I think the important thing is to be ready in case you have to take proper methods or proper action to protect the people and that will come like it did before. That is, the emergency and protection of lives and that will come.

MR. SPEAKER: The Honourable Member for Tuxedo.

MR. G. FILMON: Thank you, Mr. Speaker. My question is to the Honourable Minister of the Environment. Mr. Speaker, should it become necessary to undertake an aerial spraying endeavour as a result of any decisions that might emanate from today's meeting of the Arbovirus Surveillance Committee, what chemical or pesticide is intended to be used at this point in time?

MR. SPEAKER: The Honourable Minister of Northern Affairs.

HON. J. COWAN: Mr. Speaker, the actual chemical or pesticide substance - insecticide - that would be used would be a matter that will be determined on the basis of the quality of particular pesticides or insecticides and the conditions that are prevalent at the time of the spraying program.

As the Minister of Health indicated, there is a joint pilot meeting later on this morning, and I'm certain that will be one of the matters which will be under discussion at that time. Until we've had an opportunity to review that detailed material, it would be difficult to give an answer as to which specific substance could be used other than to say that we will use the substance that is most effective for the given circumstances.

MR. G. FILMON: Having gone through this exercise just two years ago in that Minister's position, I know that the options are very very limited in dealing with the possibility of depending on conditions here in Manitoba and only a choice of between two and possibly three at most. As well, given the fact that the quantities required for any major spraying program are very very substantial, these quantities would have to be available somewhere, and it would have to either be on hold by the government, or they would have to be in storage already, ready for the government to use.

I say to the Minister: Which of the chemicals is he considering and where are they available at the present time?

HON. J. COWAN: Well, the Minister who is responsible for environmental protection during the time of the last spraying program is totally aware that is a matter for determination by the committee itself; and the Ministry of Environment and the environmental staff then, based on the recommendation of the committee, provide their expertise to evaluating the different pesticides and insecticides and other substances that might be used in regard to its impact on the environment.

What we are reviewing as a department and what we have been doing since the receipt of the Clean Environment Commission Report on this particular problem is developing monitoring programs that will be put in place to ensure that whichever side is chosen and will be chosen on the best available criteria, and that includes as well as its effectiveness, its easy access to the government; but whatever is chosen, we have to place a monitoring program which provides for effective evaluation of the use of that substance.

We have been working with the Federal Government on that for several months now, and early June we developed with them a joint preparation paper. That paper has been under consideration, and we are now prepared to put in place what I would consider to be an intensive and comprehensive monitoring program as was recommended by the Clean Environment Commission in their public report.

MR. G. FILMON: Mr. Speaker, I hesitate to repeat my question, but when I made the statement that there was only a possibility of two or three different chemicals that could be used, the Minister nodded his head in agreement. My question was and is: which are the chemicals under consideration? Where are the quantities necessary available at the present time to his knowledge?

HON. J. COWAN: My answer to him is very limited, Yes, there are chemicals that are available; my knowledge extends to two, malathion and baygon. There may be others that will be brought forward for discussion purposes at the meeting.

I cannot undertake whether or not that will be the case because, in fact, it is the decision of our pilot Surveillance Committee in regard to what working substances should be recommended. As a Department of the Environment, our role and one which we take very seriously and our responsibility to which we will live up to is to determine the environmental impacts of those particular substances and to make recommendations as a result of that. But it would be the Surveillance Committee itself that would be responsible for locating any sources of that supply as that chemical is required.

MR. G. FILMON: Mr. Speaker, should it prove necessary, is the Minister prepared to authorize the spraying of either baygon or malathion over Manitoba?

HON. J. COWAN: Should it be determined that there is an epidemic situation, a public health threat, and

that there is a need for an aerial spray program, certainly I would support that decision and be prepared to authorize the use of those substances.

At the same time, I hasten to indicate that we have in place - and this is something we called for in 1981 - about the only specific comment we made in 1981 is that there should be in place an effective way to monitor the impact of those substances on the environment. This is a difficult situation, and we are dealing in areas where we do not have enough information to make categorical decisions, so we have to make decisions based on value judgments and on the best information available to us.

I see as one of our primary roles in the event that such a program is necessary as an environmental management division is to ensure that we are making the necessary arrangements to determine the impact that any such spraying program may have on the environment, so that in future instances we will have better evidence available to us and that will result in decisions which are better founded. But on the basis of the information available to us now, on the basis of what was presented to us by the Clean Environment Commission, on the basis of the widespread research has been done in this area, we are prepared to authorize that as long as we have a definite amount of the program in place.

MR. G. MERCIER: Mr. Speaker, I might say we have no further questions of the Minister of Health, the Minister of Environment and the Minister of Government Services if they wish to leave the House to deal with this important topic.

Bilingualism in Manitoba

MR. G. MERCIER: My question, Mr. Speaker, is to the Honourable Attorney-General. In view of the significant turnout at the informational meeting in Brandon held during the daytime when people were working, a reasonable turnout in the city of Brandon, and the number of people who attended the meeting in Thompson, in spite of the fact that INCO are shut down and many people are away from the city on holidays, and the very significant turnout last evening and the fact that many people who attended that meeting were unable to present their view on an evening which was the hottest day of the year and during, again, the holiday season, is the Attorney-General prepared to appoint and consider further an intersessional committee which would meet after people completed their holidays in view of the obviously large number of people who want to present their views on this important question in Manitoba?

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: First of all, the meeting in Brandon was in the evening, not during the daytime, and there was a significant turnout. At the meeting last night, contrary to the statement just made by the Member for St. Norbert, there were very very few people who were left standing at the mike when the meeting was adjourned by the chairperson - an hour after the scheduled time for adjournment - so that full opportunity was given.

I should say, Sir, contrary to an erroneous report made today of the 40 people who spoke, approximately 30 of the 40 supported the resolution and, significantly, representatives from major ethnic organizations, contrary to suppositions that have been made, spoke strongly in favour of the resolution.

There has been significant opportunity given in these four meetings and there is yet the opportunity which is afforded with respect to all of our legislation. That is, the matter will be referred to a standing committee of this House. There will be notice on the Order Paper with respect to that, or a motion on Monday next or Tuesday at the latest, and that will be an opportunity, as I've said time and time again, for all of those who want to present briefs to do so.

The notion that someone or some people are not being given an opportunity to have their views heard is absolutely wrong and must be rejected. This has been a significant opportunity . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

HON. R. PENNER: . . . far more, indeed, than when the federal Tories, to whom they owe allegiance, and the federal Liberals, to whom they also owe allegiance on significant matters, wanted to debate the enjoyment of property amendment to the Charter, far more significant in terms of its far reaching effect than anything that has been proposed here, and they were prepared on a deal to do it in one day that made in the House no reference to a committee, no public hearings. They are the last people to talk about public hearings and public input.

MR. G. MERCIER: Mr. Speaker, the example cited by the Attorney-General. I would remind you that is the only offer of debate that the Progressive Conservative party received from the Prime Minister . . . (inaudible) — (Interjection) —

Would the Attorney-General explain the reported comments, "there will be no further public hearings on this issue," which appeared in the press today?

HON. R. PENNER: Well, I haven't read that. If it's a remark attributed to me, then it is not a remark that I made. I said there would be no further public meetings, or we hadn't planned any further public meetings, but I did say very explicitly in the context of that answer that there would be a meeting or meetings of a standing committee of the Legislature to which the matters will be referred. That's so much a matter of record, I don't know why they're flogging what is clearly a dead horse.

MR. G. MERCIER: Mr. Speaker, in view of the concerns expressed by Mr. Doer of the Manitoba Government Employees Association, is the Attorney-General planning on meeting with the other unions involved who represent other civil servants in Manitoba?

HON. R. PENNER: Yes, of course, and, in fact, such a meeting has been planned; and I just want to make it clear that my door, the door of the Premier, is open for any interest groups who are directly affected in

terms of the public sector employment and who feel that there may be problems, to meet with us anytime, anywhere.

MR. SPEAKER: The Honourable Member for Elmwood.

MR. R. DOERN: Mr. Speaker, following on that statement by the Attorney-General, I would like to know what evidence he has for the support of major ethnic organizations in the province, given that the only person who has made a statement in regard to the Ukrainian community represents a subcommittee of 30 organizations which then have an umbrella group; so he is one offshoot of 30 organizations. Does he have the support of a major Ukrainian Canadian Committee? Because their spokesman said he was not in favour and he wanted us to take more time on the matter. Give us some evidence that the Ukrainian community is in favour of the proposal.

HON. R. PENNER: That is not a question; that's a mere declaratory rhetorical statement that hasn't got a single shred of evidence in which to back it up.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

HON. R. PENNER: I was present at the meeting yesterday when representatives of the Italian community, the Portuguese community, the Irish-Canadian community, Ukrainian organizations, got up and said that their — (Interjection) — the which?

A MEMBER: The Metis Federation.

HON. R. PENNER: That the Metis Federation and others got up and said specifically - and it's a matter of record - that their organizations had considered the matter and had unanimously approved; that was what my statement was based on.

MR. R. DOERN: I would also ask the Honourable Attorney-General if he has any evidence that the German-Canadian community is behind him, because again, to date, all we have is the statement of one person who is on a committee along with people from the Jewish community and the Ukrainian community that are pressing the government for more language training in our schools. That is one individual from a small committee.

Does the Attorney-General have any evidence that the German Society of Winnipeg has taken a stand, or that the German Canadian Business and Professional Association has taken a stand in support of the government proposals?

HON. R. PENNER: I'm sure that the Manitoba German community is behind me; I'm just not sure how far behind me. That's a question yet to be ascertained.

The statement that I made was that major ethnic organizations had declared their support. I didn't say all; I didn't name any specific ones other than I did just now; nor do I accept the premises of the Member for Elmwood who feels free to get up and make

categoric unsupported statements on behalf of those ethnic organizations which he names. I don't know whether that is right or wrong; therefore, I neither accept nor reject that.

I just want it to be clear for the record that what I said is that major ethnic organizations have announced their support for what we're doing. Then I categorically mentioned those who had spoken at the meeting last night.

MPIC - handicapped drivers

MR. SPEAKER: The Honourable Member for Rhineland.

MR. A. BROWN: Thank you, Mr. Speaker. I direct my question to the Minister in charge of the Manitoba Public Insurance Corporation. Yesterday, it was brought to our attention that the Manitoba artist, Clarence Tillenius, who is handicapped and who has a 20-year accident free driving record, has difficulty complying with new regulations imposed upon him by the Manitoba Public Insurance Corporation. Will the Minister personally intervene in this case and make certain that unnecessary restrictions are not imposed upon that individual?

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

HON. J. BUCKLASCHUK: Yes, I'll take that question as notice for the Member for Portage la Prairie.

MPIC - customer complaints

MR. A. BROWN: A further question to the same Minister.

Complaints have been coming in from many areas of Manitoba complaining about the arrogant way in which employees of Manitoba Public Insurance Corporation are treating customers who have no other place to go to purchase their insurance but through the MPIC. Will the Minister issue instructions to employees of MPIC to treat customers with more respect?

HON. J. BUCKLASCHUK: The Member for Rhineland is aware that MPIC handles virtually hundreds and thousands of complaints a year, and it may be that on occasion that staff members do not deal in a most courteous manner with the claimant. I would very much appreciate being informed of such a situation. I do follow it up. If the Member for Rhineland has any specific examples that I should follow-up on, I'd be most pleased to do so.

MR. SPEAKER: The Honourable Minister of Highways.

HON. S. USKIW: Mr. Speaker, I detect that the member should have put the question to my department in that it's really to do with the Motor Vehicle Branch, as I understand the issue, if he's referring to the item reported in the Winnipeg Free Press of one or two days ago.

Mr. Speaker, the problem arises from the fact that there were many appointments arranged for this

individual, and this individual subsequently cancelled out or didn't show up on a whole host of them, several of them, which stretched over four or five months. The latest communique to him was merely the formalization of their hearing which allowed him to continue with his driving privileges unencumbered.

So, in essence, it takes two to tango, Mr. Speaker, and unfortunately for one reason or another, the individual was not able to meet his meeting commitments when the reviews were being considered.

Order for Return No. 12

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Mr. Speaker, my question is to the Attorney-General.

I have asked the Attorney-General several times for Return No. 12 moved June 25, 1982, Sir. The last time I asked, the Attorney-General said he would check the legal position of the province. I have asked for an opinion from legal counsel, Mr. Tallin, and he has given me a long detailed letter that I've had checked out. He says I therefore come to the conclusion that the chances of government being found liable for damages for breach of any contract they may have entered into be rather remote after a long detail. Then he refers to tort, and the last part of his letter says the chances of the government being found guilty in damages under contract or tort are remote. Under the circumstances, Mr. Speaker, is the Attorney-General now going to give this House Order for Return No. 12, that's over a year old?

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: I guess I still have the matter under consideration.

The House should be advised that the particular return, which is the only one outstanding from that Session, calls upon the government to table in the House, and hence publicly, the names of individuals who had to apply for interest rate relief and therefore put themselves into the position of indicating . . . which might affect their families, their family relations, their small businesses and the relationship with their creditors. The hesitation in filing that was, first of all, the legal ones which reference has been made; but secondly, the worry that I have and continue to have of jeopardizing these private interests. There's been much talk in this House about privacy and the invasion of privacy, particularly when our conflict of interest legislation is being debated, but here too are very substantial privacy interests that concern me a great deal.

What I'm now looking into is the relationship between the information requested and what would normally appear and should appear in Public Accounts. When I've ascertained that I will then decide, as will the government, about the tabling of that return, or at least the timing of it.

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Mr. Speaker, the Attorney-General has now come up with some other excuse not to table it.

Mr. Speaker, the government has advertised this program. They continue to put up news releases, Sir, telling about how many people have used the program and they have advertised people that . . . business. Now, I ask the Attorney-General, under those circumstances do the people of Manitoba or this House not have the right to the information requested in Order for Return No. 12 that was accepted by this government and now they will not put it on table? These are people that they have advertised, they have made news releases about it, and they refuse to put the Order for Return on the table.

A MEMBER: Your wife might be an applicant.

MR. F. JOHNSTON: If she is, I want the people to know.

SOME HONOURABLE MEMBERS: Oh, oh!

HON. R. PENNER: Mr. Speaker, may we return to the normal rules of the House in this particular debate and not that particular debate.

Mr. Speaker, the government, through a whole variety of programs, pays out money. Let's take, for example, with respect to medical care, and in the course of doing that has in its possession, its various data and information banks, a tremendous amount of information about individuals. A lot of that information is very very sensitive information. It has been the accepted policy of all governments to guard that information, the privacy of the individuals, to the fullest extent possible and consistent with public policy in the proper accountability for the expenditure of government funds.

The proper expenditure of government funds is looked at with respect to the Estimate process by the Provincial Auditor, by The Financial Administration Act, and by the Public Accounts system. Those interests are safeguarded. What we do have to pay attention to is the privacy rights of individuals who may have to come to government - let's say with respect to medical payments - and there are records replete with every sensitive area of their lives.

There is not a direct relationship between the fact that the government pays money and the right of the public to look into the private lives of all of these individuals. We do not accept that and could not accept that as a principle. In the access to information, legislation, which has come forth federally, will be coming forward here. There will be the right of an individual to get information about themselves, and in certain circumstances, where special public policy interests prevail, of the right of the public to know about other individuals. But that would be the exception and not the rule.

Yes, that order was accepted, and if I can return it I will return it, but properly safeguarded. If I can't, then I will have to bring a motion in the House to reject that "accepted."

MR. F. JOHNSTON: Mr. Speaker, I know that the comments of the Attorney-General, when he first started about the rules of the House, and I would remind him

of the rules of the House when he answers questions, that he doesn't use the camera every time he wants to make a speech.

Mr. Speaker, I would ask the Attorney-General if this program which has been advertised by the government . . . — (Interjection)—

SOME HONOURABLE MEMBERS: Oh, oh!

MR. F. JOHNSTON: . . . the program that has been put out in news releases has been so successful for businessmen in the Province of Manitoba, if he believes that the bill in this House requesting councillors, aldermen, their wives and their children to disclose their assets, if he believes that bill can go through this House asking for that type of information for elected members, can the government not put Order for Return No. 12 on the table, which are companies that have requested interest relief from the government?

A MEMBER: We can reverse the question to you.

HON. R. PENNER: First of all, with respect to Bills 18 and 47, those are now presently the subject of the debate on second reading, and it would be improper to deal with them during question period.

I will have an appropriate statement to make in closing debate which will indicate some significant amendments in order in fact to protect the privacy of the named individuals, the dependants, to a greater extent than is presently provided for, because we are concerned about that. So I think that fully answers the question without getting into the debate on second reading, except a little bit.

Bill No. 107 - implications on CAS

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. SHERMAN: Mr. Speaker, my question is to the Honourable Minister of Community Services. Mr. Speaker, in attempting to justify what many, including myself, would suggest is the unjustifiable, namely, the new bill permitting the Minister to take over the Boards of Children's Aid Societies throughout the province, the Minister has said inside and outside this House that he's hoping for co-operation with Children's Aid Societies, including in particular the CAS of Winnipeg. I would ask him, Sir, what does he mean by co-operation when a bill of that kind and a weapon of that kind is in his hands should the legislation pass?

MR. SPEAKER: The Honourable Minister of Community Services.

HON. L. EVANS: Mr. Speaker, we find co-operation is an effort on the part of the Board of the Children's Aid Society of Winnipeg to work with the Government of Manitoba to improve the quality and delivery of service to children in need in the City of Winnipeg. We have certain policy objectives to fulfill as newly elected representatives of the people of this province. We aim to fulfill those objectives based on advice, information research, that has gone on for well over a year.

Children's Aid Society, Winnipeg

MR. L. SHERMAN: Well, Mr. Speaker — (Interjection) — can the Minister advise the House whether his recent, highly critical letter to CAS Winnipeg made public today represents his idea of co-operation?

HON. L. EVANS: Mr. Speaker, regrettably, the president of CAS Winnipeg did make a number of statements in the press which I could not agree with. Rather than rebut him in the press, I decided that I would write him a letter outlining my differences of view and opinion on these various items. This was a confidential letter sent to the Board of Directors of the CAS Winnipeg, and it outlines very clearly the points that we wish to make.

I don't know how it was released to the press but, regardless, it was a letter from me to the president outlining our concerns; but we have also indicated on many occasions, privately and in other correspondence to the president, that we do seek their co-operation and support in improving the quality of services for children and families in Winnipeg.

MR. L. SHERMAN: I feel compelled to ask the Minister, if he puts his two responses together, Mr. Speaker, is the Minister not, in effect, saying to the House that co-operation means knuckling under to his demands? He's got a weapon in his hands that says if you don't play it my way, we fire you and replace you with my appointment. He has now issued a letter to CAS, Winnipeg telling them he doesn't like their criticism; he doesn't like their countervailing opinion. He doesn't like the fact that they have an opposing opinion to his and, as a consequence, Sir, he has set them up for firing and for discussing.

I revert to my original question, Mr. Speaker. What does he mean by co-operation? How does he expect to achieve co-operation under those circumstances?

HON. L. EVANS: Mr. Speaker, during the past year, we have had a Planning and Review Committee established with senior representation from each Children's Aid Society in Manitoba, including the Children's Aid Society of Winnipeg. That Planning and Review Committee recommended, among other things, that we go towards a regionalized system in the City of Winnipeg. That committee, therefore, had the input of CAS of Winnipeg. As far as I'm concerned, that is the kind of advice that we wish to act upon because it was based on a lot of research supported, indeed, by other authorities in this matter.

I believe that as the elected representatives of the people, we have a responsibility to carry out policies which we believe will improve the situation. In this case, we are convinced that much remains to be done to improve the services for children, and we are indeed going to do whatever we can. I think this is a major step forward in improving the quality and delivery of services for children and their families in the City of Winnipeg.

MR. L. SHERMAN: A final supplementary, Mr. Speaker, to the Minister, and I would ask him whether that planning and implementation and recommendation

committee that he's talking about recommended beyond the recommendations having to do with regionalization, etc., did that committee recommend this kind of legislation to the Minister; recommend that the government should move in a heavy-handed way and politicize the child welfare system in such a way as to admit of no opposing opinion, no opposing philosophy on child welfare, nothing to constrain the government in pursuing any particular child welfare philosophy that he wants to run with, no matter how crazy it may be?

HON. L. EVANS: Mr. Speaker, I believe that the procedure we're following is necessary, because we have a responsibility to be able to enact our policies; we have a responsibility to be able to act effectively in a meaningful manner.

I would remind the member of what I indicated yesterday, and that is, there are only three provinces in Canada that have Children's Aid Societies: Manitoba, Nova Scotia and Ontario. Indeed, in both Ontario and Nova Scotia, the governments in those provinces already have the authority to remove or appoint members of Children's Aid Society boards of directors. They have far more effective control over the Children's Aid Societies in those provinces.

In Nova Scotia, the executive director is a civil servant of the Nova Scotia Department of Social Services. In the Province of Ontario, the director of the child welfare office has direct control over the finances, direct control over the policies and administration of any Children's Aid Society in the Province of Ontario.

Manitoba has by far the weakest and most ineffective type of child welfare legislation in this respect. We are putting up the money on behalf of the taxpayers of Manitoba, and we have some responsibility to protect their interests.

MR. L. SHERMAN: Why don't you take over the hospital boards?

Snow and ice storm - Manitoba

MR. SPEAKER: The Honourable Minister of Cultural Affairs.

HON. E. KOSTYRA: Thank you, Mr. Speaker. I took as notice a question yesterday in regard to television service to the Swan River and district area. I can report, as the members are aware, that because of the ice storm last March, the television service to that part of the province and, in fact, some other parts of the province were disrupted because the major towers providing that service were knocked down by the storm.

I have been informed with respect to the CBC and CKY television services to the Swan River area that there is temporary retransmitting equipment that is providing service to the area. However, it does not provide the service to the same level as was the case prior to the disruption last March . . . (inaudible) . . . the community of Swan River have large towers . . . (inaudible) . . . to receive the signals from temporary retransmitting equipment.

I have been informed that both television services should be resumed to the fullest by November when

both television stations will have the necessary equipment installed to bring service back up to the level that it was prior to last March.

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

The difficulty that we have been experiencing with the sound system will require a break to be reset. This will require a short recess of about two minutes in order to accomplish this. The House will therefore accordingly recess for a couple of minutes until the sound system is hopefully working perfectly again.

(recess)

ORDERS OF THE DAY BUSINESS OF THE HOUSE

MR. SPEAKER: The Honourable Government House Leader.

HON. R. PENNER: Mr. Speaker, I would like to make an announcement about committee meetings.

There will be a meeting of Law Amendments for Monday night to consider all those bills standing for committee consideration, upon which representations have been heard. That will not include for consideration on Monday night Bill No. 2, The Law Enforcement Review Act. That will be considered at a later meeting of Law Amendments.

On Tuesday morning, two committees: the Municipal Affairs Committee and the Standing Committee on Private Bills to complete its work. The Standing Committee on Municipal Affairs will just begin its work on some bills referred.

Thursday evening, to run parallel with Statutory Regulations and Orders, which has already been announced for Thursday evening, the Standing Committee on Industrial Relations. That leaves Thursday morning open and Thursday morning may be used - we'll see - for either continuation of Law Amendments or the other Tuesday meetings, but it's left open for that purpose, if needed.

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

MR. G. MERCIER: Mr. Speaker, I wonder - the Attorney-General and I have discussed this - he misunderstood my representations to him, because of my involvement in the Family Law Statutory Orders meeting on Tuesday night and Industrial Relations, which he has put at the same time, I wonder if he could put . . .

HON. R. PENNER: Thursday night for Industrial Relations.

MR. G. MERCIER: Industrial Relations on Thursday, fine. Thank you.

HON. R. PENNER: Yes, Mr. Speaker, could you please - changing the order slightly from the one originally agreed on to accommodate, by leave, both the Member for Tuxedo and the Minister of Northern Affairs with

respect to Bill 87, so I'm calling that first; and that will be followed by the calling of the resolution on official languages; and then Bill 3; and following that, if time permitting, we would call Bill 107 for introduction on second reading and then we'll see where we are.

ADJOURNED DEBATE ON SECOND READING

BILL NO. 87 - THE WORKPLACE SAFETY AND HEALTH ACT

MR. SPEAKER: On the proposed motion of the Honourable Minister of Northern Affairs, Bill No. 87.
The Honourable Member for Tuxedo.

MR. G. FILMON: Thank you, Mr. Speaker. I will be very brief in addressing concerns about this bill. Mr. Speaker, principally the question that I have is whether or not in enacting the requirement for a workplace safety and health committee to be established in offices where there are 20 or more people employed, whether or not that's a reasonable thing to do, given the concerns and considerations that might accrue.

The Minister calls across the House to me saying that it is 50, but I say to you, Sir, that in fact the bill says that the committees should be established where there are 20 or more and I don't want to get into a clause-by-clause, but I refer him to 40(1)(a) and then I say to him that indeed there is a disclaimer that would allow him under 40(1.1) through the vehicle of Cabinet, the Lieutenant-Governor-in-Council may then exclude many of those workplaces and offices.

But I say, Sir, that I don't believe it's necessary to go that route at the present time, where it has to be by government regulation that offices are excluded when I think that the major concern for having to establish a workplace safety and health committee is in the areas that we have a good deal of evidence of concern. That has to do with construction sites, where we are constantly seeing difficulties, serious injuries and in fact deaths occurring and there's obviously a need for tightening-up procedures for focusing more attention and having a group consisting of both management and labour or staff get together on a regular basis to ensure that we are at all times having the workplace kept in as safe as possible condition to avoid any possibility of injury.

But that situation may well be prevalent and of great concern in construction sites, in manufacturing, in industrial sites, and I understand the concern and I support the kind of measure and the kind of initiative that the Minister is taking with respect to those areas where there is demonstrable hazard and concern that we've had experience with, even in recent times. I say though, that there are very few circumstances in offices, in modern office buildings, where there might be that kind of demonstrable concern and especially when we're getting into small offices where the amount of equipment or even the furniture and desks and other things that are there that might in any way be construed to be hazardous in their location is very very minimal.

I ask him just to consider the possibility and the prospect of downtown Winnipeg, even just going out Broadway Avenue, which has mushroomed with office

towers and complexes, many of which are small offices or branch offices of sales-oriented organizations. I would say to you that most of them would have 20 or more staff. In many cases the staff spends very little time there.

You can take branches of small insurance companies, general insurance companies, or even in fact life insurance companies, in which they undoubtedly would have staff complements of 20 or more, most of whom spend very little time in the office and that automatically triggers them to have a workplace safety and health committee made up of staff, made up of management that meets on a regular basis that has a formal agenda, that is presumably designed to make their workplace safe when I don't think there are too many unsafe conditions that you could even imagine in those kinds of small and medium-size offices.

So I know that the Minister has put in a provision whereby they could be exempted by order of the Lieutenant-Governor-in-Council, but I say even that is taking a baseball bat to hit a flea. I believe that you do not want to leave it to the situation where the Lieutenant-Governor-in-Council now has to start reviewing literally hundreds of offices to exempt them from the provisions of this act, which I believe are onerous, which I believe go far beyond what's reasonable under the circumstances. I say this is not something that should be taken lightly and I don't think that it should be in there.

I think if the intention was to exempt below 50, then a change should be brought in immediately because that's reasonable, Sir. I would say that beyond 50, you now start to confine yourself to a handful of very large office complexes and maybe there it becomes reasonable because they have any numbers of different pieces of equipment and furniture and facilities, elevators, stairs, other things that have to be evaluated. But when you get down to offices in the range of 20 employees, as I say, in many cases there are 20 employees, many of whom spend very little time in that office, I think you now start to put yourself, as a government, in a position of having to review far too many sets of circumstances for the purpose of deciding on an exemption; and if that's not the intention, then I don't think it need be in the bill.

So with those few comments, I'd be happy to have the debate closed by the Minister and passed along to committee, so that we can get further representation on it.

HON. J. COWAN: Well, firstly, I'd ask the member if he'd entertain one question.

MR. G. FILMON: Yes.

HON. J. COWAN: He indicated that he certainly felt there was not a need for offices where there were 20 or more employees, but I'm somewhat confused as to whether or not he perceives a need where there are 50 or more employees. Would, in fact, he agree that where there are 50 or more employees they are getting into the type of office facility where a committee could be of some value?

MR. G. FILMON: Mr. Speaker, although I know that there will be those who argue that, even at 50 or more,

all offices have no need for this, I say I am prepared to accept that, because I recognize that we now confine it to a very limited number of organizations; and provided the requirements for meeting and formalization are not too onerous on them, I can understand that they would want to review from time to time the overall set-up of their space in terms of its potential for hazard.

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

HON. J. COWAN: Thank you, Mr. Speaker. I want to address, if I can, in brief detail, the comments which were made by the Member for Tuxedo and the Member for St. Norbert, being the two lead critics in this area. I believe in the last instance, the speech by the Member for Tuxedo, he has indicated to us his perception of a need for committees under different circumstances.

I would just like to clarify the intent of the wording without referring to specific sections, because we will have that opportunity in committee. The intent of the wording is to make it so that offices of less than 50 will not have to have committees. They will have to have one worker representative as per the provisions, but that is a far different situation than having a committee. I would be prepared to entertain questions now or during committee on that, but they would not be required to have a committee.

He indicated that it would be difficult for the Lieutenant-Governor-in-Council to designate by normal procedures those areas or specific offices that would not need committees because they would indeed run into the hundreds and the thousands. What the legislation provides for is a designation by class, and the designation by class would be by way of regulation, which would exempt offices.

The reason we provided for that mechanism rather than writing it in the act is there are some areas where there would be confusion as to what is an office and what is not an office. We searched long and hard for a definition of an office which we could have included in the act, which would have covered all the circumstances. We did not find that definition. We will certainly entertain any suggestions that come forward by way of committee hearings on that, but we feel this is the best way to enable us to meet the objective of not having offices or other similar classes of workplaces required to have a committee at less than 50.

That is the intent. I will certainly entertain suggestions. If the member thinks there are ways that we can word it better, then we will certainly be prepared to discuss those and review those because we want the best possible legislation by way of wording as well as principle as we can obtain.

So the principle is that there need not be committees in offices below 50, but that there would be one worker representative required.

I want to touch briefly on the whole area of offices, because there seems to be some opinion of certain individuals, and certainly not the Member for Tuxedo because he has already indicated that he could see a need for a committee in an office above 50, but there seem to be others that don't see the need for committees in offices.

The offices of today - excuse me, Mr. Speaker. Can you hear? The offices of today are being radically altered

by way of modern technology to bring in to those workplaces hazards which did not exist in the past. One need only look at the concerns over video display terminals to understand that there is an emerging technology that is going to require a focus and an emphasis on safety and health in the office; that there is an emerging technology that is going to require good solid information on the part of employers and employees in respect to office hazards. There are other chemicals that are being introduced into the offices nowadays that were not in offices previously. There have been concerns about the impact of fluorescent lighting. There have been concerns about the impact of what is commonly called White Out or other solutions which are used in the office.

So all of those matters are safety and health matters, and all those matters require an informed employer and an informed employee. The requirement for committees and representatives will, in fact, provide that mechanism. We are certainly prepared to look at ways to make it as efficient as possible.

I might add that our original inclination was to have committees required in offices of 20 and above. We discussed it with organizations such as the Chambers of Commerce, such as the Canadian Manufacturers Association, and they indicated to us that they had some serious concerns about that. They felt the threshold number for a committee should be higher. We believe we have struck a consensus around the number 50, but it is not a full consensus and not a complete consensus, and there are still some who would suggest that it is too high, and there are others who would suggest that it is too low. But we think it is a workable solution and, for that reason, are recommending it by way of this legislation.

I believe that touches on the comments of the Member for Tuxedo . . .

MR. SPEAKER: The Honourable Member for Tuxedo.

MR. G. FILMON: Mr. Speaker, just so that we can be prepared for committee stage, I wonder if the Minister would permit one more question on that topic.

HON. J. COWAN: Yes.

MR. G. FILMON: Acknowledging that there are far fewer potential areas of hazards in office environments and settings than there are in workplaces such as construction sites and industrial and manufacturing sites, would the Minister also consider reducing the requirement for the Workplace Safety and Health Committee even in offices of 50 or more in terms of numbers of times that they would have to meet or the kind of requirement for reporting and recordkeeping and all that sort of thing, just so that it becomes a question that they have to meet on some regular basis, but not nearly to the extent and the scope and the mandate that would be done in other areas that are demonstrably more hazardous?

HON. J. COWAN: I don't believe the requirements now are unworkable or onerous, but I will certainly be prepared to discuss that in committee. I will at that time have the regulation available to both the member

opposite and myself so we can see exactly what the requirements would be. If he believes at that time that they are onerous or that they are unworkable, I am prepared to discuss it with him. If he can convince me of that argument, I am prepared to review changes. At the time, I am not convinced that what is in place now would be difficult to implement.

The Member for St. Norbert made some comments respecting the need for mandatory committees in general. Why is this compulsory? Well, it's compulsory because we don't believe that the previous system which he suggested did work, in fact does work. It is very difficult to regulate the number of committees by regulation on a specific basis. The reason for that is it takes a long time to develop a regulation. If you are dealing with literally hundreds of committees that would be put in place by way of one regulation, which has been done in the past, it becomes a very complex process.

Oftentimes, by the time you have the regulation developed, the circumstances which required the committee in the first instance may have changed somewhat. We feel it is far better to say that this is a requirement of an employer in this province to have a committee, and it is a requirement of the employees to participate on a regulated basis in that committee's work overall.

There will be certain industries where the committees will meet quite frequently and be very influential forces in the method of production in that particular work site. There will be other work sites, such as offices in some instances, but other work sites beyond that where it will not be necessary to have a committee so directly involved because the impact of that involvement would be less.

The regulations are written so that it allows for that latitude. It says the committee should meet in certain instances, and I don't believe they are difficult to implement or enforce.

As well, what this accomplishes for the government and for the employers and employees is a contact person in most workplaces where there may be problems that can circulate materials, that can make themselves aware of the regulations, make themselves aware of the legislation, make themselves aware of the difficulties that may be confronted with emerging technologies, and provide input into the workplace in a structured and formalized manner as to what they see as being necessary to improve health and safety conditions in that workplace. So we think that it is necessary to have that network of involved and educated individuals throughout the Manitoba industrial fabric and the Manitoba economic fabric in order to ensure that we have information flowing both ways.

By way of comparison, Workplace Safety and Health Committees are required in British Columbia by regulation based on classification and size of industry, and that evolves around the general principle of where there are greater than 20 or 50 workers, depending on the hazard class, and that's pretty much what we have here. Now that may be changed as a result of their recent initiatives which I am not fully aware of in regard to the Budget and the legislation which the new government has put in place, but that's how it was when we developed this regulation.

In Alberta, committees are required by the act, and the designation is by the Minister through regulation

at specific work sites. In Saskatchewan, committees are required by legislation at all workplaces greater than 10 workers. In Ontario, committees are required by legislation where there are greater than 20 workers employed, or a regulation is made with respect to a designated substance, or where there is a Minister's designation. In Quebec, they are not required by legislation, but they are required by regulation where both greater than 20 workers exist, or there is a frequency rate of 25 accidents per million working hours. In Nova Scotia, there are no requirements. In New Brunswick, they are required by regulation at workplaces having more than 20 workers. At Newfoundland, they are required by legislation, and the Minister may require a committee at a workplace of greater than 10 workers. In Prince Edward Island, there is no requirement.

So, in fact, what we are bringing forward today by way of this legislation is in tune generally with what is happening in the rest of the provinces, although there are exceptions. So I think it has been a method that has been tried over a number of years. It has been a method that has been proven, and I believe it is a method that will improve safety and health conditions in this province.

There is one other point upon which I want to comment regarding the Member for St. Norbert's remarks when he spoke to second reading of this bill. That is the cost involved. Indeed, as I indicated in my remarks on second reading, there is a cost involved. That cost will range from tenths of 1 percent of payroll up to 1 percent of payroll in most instances.

That cost we consider to be a legitimate cost of doing business in the province. It is a business cost like any other cost. It will improve productivity. It will improve workplace conditions. It will improve the ability of government employers and employees to respond to workplace hazards. In the long run, I would suggest, it will reduce overall business costs because you will have less accidents.

I don't want to go through all the specifics in regard to cost, which I talked about in second reading. They are a matter of record. I would suggest anyone who would wish to review them can do so by reviewing the transcript. But it is, in fact, by way of principle what we consider to be a legitimate business cost like any other business cost and, for that reason, support it and recommend it to you.

I look forward to the comments which we will have in committee. It is, I believe, going to the Industrial Relations Committee as I indicated yesterday. We are now notifying those individuals who have helped in preparing this legislation to the fact that a committee will be taking place probably within six, seven days time, and asking them to make presentations.

I might note that we had a far more extensive consultation process on The Workplace Safety and Health Act than we did on the workers compensation amendments, because we felt it was required. However, we will be notifying those individuals that have helped us on The Workplace Safety and Health Act as to the existence of The Workers Compensation Bill at the same time, and we will be dealing with both of those at the same time to try to expedite their comments. We have sought them throughout, we value them, and we believe they will help us make a better piece of legislation.

QUESTION put, MOTION carried.

CONSTITUTIONAL AMENDMENT RE: OFFICIAL LANGUAGES

MR. DEPUTY SPEAKER, P. EYLER: On the proposed motion of the Honourable Attorney-General regarding the Constitutional Amendment with respect to Official Languages, standing in the name of the Member for The Pas.

The Member for Radisson.

MR. G. LECUYER: Mr. Deputy Speaker, the bill can stand in the Member for The Pas' name. Could I speak at this time?

MR. DEPUTY SPEAKER: Is that agreed? (Agreed)

MR. G. LECUYER: Thank you, Mr. Speaker. First, I would like to inform the members that the first part of my speech and the concluding remarks I would like to make in French, but throughout most of my speech I will be speaking in English.

Monsieur le président, il me fait plaisir comme membre de cette chambre de prendre la parole au sein de ce débat traitant d'un amendement à la Constitution canadienne. Toute cette question me touche évidemment de très près et préoccupe les Franco-manitobains puisqu'ils sont les premiers à y être affectés. Cependant, à bien y penser elle touche tous les groupes minoritaires du Manitoba aussi bien que ceux de tout le Canada. Elle aura, on le sait, des conséquences marquantes pour les générations à venir. Tous les partis au Canada indépendamment de leurs couleurs politiques, qu'ils soient néo-démocrates, péquistes, conservateurs ou libéraux suivent le déroulement de cette affaire et en attendent l'issue.

Comment le Manitoba traite la minorité officielle de cette province aura une grande répercussion sur tous les autres groupes minoritaires. Comment cette province respecte les droits des Manitobains d'expression française en dira long pour le respect des minorités qu'ils soient Ukrainiens, Allemands, Chinois ou autres.

En adoptant la résolution devant nous, le Manitoba refait son histoire et entreprend une phase nouvelle d'un Canada plus uni.

Monsieur le président, au début de mes propos je voudrais passer en revue les antécédents qui nous amènent à ce jour. Ensuite, je vais brièvement expliquer les éléments de la résolution et les ramifications de son approbation. Enfin, je propose de réfuter les arguments de ceux qui refusent de comprendre le bien fondé de cette résolution.

Un rapide retour dans notre histoire nous permet de rejeter les énoncés de ceux qui disent que ce pays n'a qu'une seule langue et que tout débat sur cette question fut réglé sur les plaines d'Abraham. Je voudrais ici vous rappeler que le Traité de Paris en 1763 mettant fin au conflit entre la France et l'Angleterre garantissait aux francophones de la Nouvelle-France leur langue et leur religion. En plus, en 1774 l'Acte de Québec garantissait les droits linguistiques des anglophones et leur donnait le contrôle politique bien que ces derniers ne constituaient que 1% de la population résidente à l'époque.

Donc, Monsieur le président, dès les débuts de la colonisation, on avait compris que selon la façon qu'on

allait traiter les perdants du conflit et selon qu'on reconnaissait leur identité et leur droit d'exister était d'importance capitale en vue de créer une société harmonieuse et un pays vivant en paix. Après tout, n'étaient-ils pas les premiers à venir de l'Europe pour s'installer en permanence dans cette partie du nouveau monde pour coloniser et développer les ressources du pays. Enfin, il fallait l'appui de tous les colonisateurs, anglophones et francophones pour affronter et résister aux intrusions des groupes des Etats-Unis.

Lors de la Confédération en 1867, l'Article 133 de l'Acte Britannique de l'Amérique du Nord garantissait la parité du français et de l'Anglais aux parlements du Canada et de Québec, ainsi que dans les cours. Et ainsi, Monsieur le président, on protégeait la langue et les droits de la minorité du Québec. N'était-il pas normal d'en faire autant pour les francophones du Manitoba sous la pression du gouvernement provisoire de Louis Riel, surtout que les francophones et/ou métis, premiers colons du Manitoba, formaient plus de 50% de la population lorsque cette province s'est jointe au pacte confédératif en 1870.

Puisqu'on avait garanti les droits de la minorité anglophone du Québec, minorité qui a pu s'épanouir avec le contrôle total de ses institutions, commissions scolaires, écoles, hopitaux, universités, bibliothèques, musées, etc., il était tout à fait normal et conséquent d'accorder des droits linguistiques égaux en 1870 aux francophones du Manitoba alors en majorité. Nous avons et nous avons toujours ces mêmes droits enchassés dans l'acte du Manitoba. Voilà pourquoi je n'arrive pas à comprendre l'attitude du chef de l'opposition lorsqu'il disait l'autre jour et je cite Hansard page 4162:

"... This is a very important matter, one that will bind the province for generations to come."

Pourquoi alors, Monsieur le président, a-t-on saboté les droits des Franco-manitobains? Pourquoi a-t-on eu recours à des lois néfastes et illégales en 1890 et en 1916? Pourquoi pas enfin, aujourd'hui redresser les torts et les injustices du passé car il n'est jamais trop tard pour faire justice.

Monsieur le président, en 1908, par une résolution adoptée en conseil, la ville de St-Boniface se déclarait volontairement bilingue, alors qu'il n'y avait que quelques familles anglophones sous sa juridiction. L'histoire démontre que les anglophones minoritaires ont été traités avec justice. Il est temps que les francophones le soient. Monsieur le président, c'est tout ce qu'ils demandent.

Mais que sont les éléments de cette résolution? Vient-elle rétablir le fait bilingue de cette province? La réponse est nettement non. Cette résolution ne vient pas bilinguifier tous les secteurs de cette province. Certes elle oblige la province de faire la traduction des statuts et des lois et des records officiels de cette législature et donne le droit d'utiliser le Français dans cette chambre tel que mandaté en 1870 et réitéré par décision de la Cour suprême en 1979. En plus, cette résolution permettra au public manitobain de communiquer en Français ou en Anglais avec les agences ou institutions gouvernementales suivantes pour en recevoir des services.

(1) le siège ou l'administration centrale des ministères du gouvernement de la province;

(2) le siège ou l'administration centrale des organismes suivants: les tribunaux, les juridictions

quasi-judiciaires, les sociétés de la Couronne et le organismes du gouvernement de la province;

(3) le bureau du directeur général des élections;

(4) les bureaux de L'ombudsman de la province.

Monsieur le président, ce sont donc nécessairement des droits précis et restreints qui sont accordés dans cette résolution vis-à-vis l'utilisation du français. De plus, nous sommes contraints à assurer que ces droits restreints fassent partie d'un amendement à la Constitution canadienne afin que des gens comme le chef de l'opposition ne nous redonne pas à nouveau des coups comme ceux qu'on a dû subir en 1890 ou en 1916, afin que nos droits ne soient pas réduits à des privilèges qui nous obligent à vivre dans la crainte et les conflits. Je n'ai pas dit pour . . . je finis ma phrase d'abord . . . et qui sont toujours soumis au humeurs politiques du jour.

Pour les inquiétudes du membre de St-Norbert qui pose des questions, je n'ai pas accusé le chef de l'opposition. J'ai dit afin que cela ne nous arrive pas ni par le chef de l'opposition ni par quelqu'un d'autre dans le futur. C'est ça que je dis.

Monsieur le président, je cite ces quelques mots parus dans l'éditorial de l'hebdomadaire La Liberté du 24 juin 1983. Je cite:

"... le sens de justice d'une société, paraît-il, se mesure à la place que les majoritaires sont prêts à donner à leurs minoritaires. Sterling Lyon ne fera quand même pas croire à une personne de bon sens que son approche type "courtoisie" envers les Franco-manitobains reflète la tolérance et la compréhension . . ." Fin de la citation.

Cette résolution va-t-elle trop loin et trop rapidement comme le prétendent ceux qui sont aveuglés et obsédés par leur ignorance et/ou leur bigoterie. A mon avis, cette résolution est un juste compromis qui répond à des attentes raisonnables pour une minorité qui a toujours marqué une patience et une tolérance remarquable. Après tout, nous avons des garanties dans l'Acte du Manitoba, mais elles nous furent illégalement enlevées pendant 90 ans alors qu'elles furent assurées sans interruption aux anglophones du Québec. Il est impossible de recréer la situation qui prévalait au Manitoba lorsque ces lois néfastes furent passées et cette résolution ne se veut pas un retour en arrière mais plutôt un pas en avant démontrant une plus grande ouverture d'esprit et un plus grand sens de justice pour l'avenir.

Mr. Speaker, what are the ramifications of this resolution in terms of advantages and disadvantages for Canadians and for all Manitobans?

Let me at the outset state, Mr. Speaker, that from the many comments I have heard in this Legislature and from the numerous articles that have been written in Manitoba newspapers and other newspapers across Canada, not a single legitimate argument has come forth which should lead us to oppose the passage of this resolution.

As was stated in the editorial page of last Saturday's Free Press, July 9th, the same message is brought forward, and I quote, "But most of the shells they lobbed landed nowhere near the proposed constitutional amendment that is now before this Legislature."

Of course, there have been some arguments in opposition, but they have all been based on lack of information as to what is being proposed, except

perhaps the MGEA suggestions. Not a single opposition point of view has been directed at the substance of the proposed amendment - and I repeat - at the substance of the proposed amendment.

Some of those guilty of scare tactics, guilty of trying to portray the proposed amendment as something that it isn't sit right here in this House. These are people who in the past, and even today, see me and those of other ethnic backgrounds as people less worthy than they, who are white Anglo-Saxon background. That is why we are sometimes told by members of this House that we are not worthy of sitting in this Chamber since - and I quote the words of the Leader of the Opposition - "We don't have the right background."

Lately many racial slurs have been shouted at me from members across, some of them from the Member for Arthur. Generally I ignore these remarks, as they are I hope, generally made in gest. But at the moment I cannot help but wonder whether they are meant jovially as words of endearment or are they really perhaps meant as disparaging racial expressions.

At any rate, Mr. Speaker, let me assure you, that these words don't snake me at all. I've heard those words and worse ones in the past, but I know who I am and I'm proud of what I am.

The fact remains that so far on this resolution, the opposition has done its best to fire up the rednecks and the bigots who have tried to hide their racial feelings behind such red herrings and unfounded arguments as entrenchments, costs, waste of money, etc. The obligations and the responsibilities we have as legislators to abide by the law, to exercise justice, to honour acts and treaties and to remain true and honest to history, should come first. Certainly we should not distort history; certainly we should make an effort to understand; and certainly we should make every effort not to be blinded by gross bigotry and flagrant injustice.

Mr. Speaker, I am proud of my cultural heritage, deeply rooted and tied to the early settlers of this country and of this province. I am proud that throughout the many years of interrelationships Manitobans and Canadians, as a whole nation, have been enriched and continue to be enriched through contact and intermingling with the original inhabitants of this continent and with the countless thousands of others from practically everywhere else in the world who have chosen this country as their home. Each one is an equally worthy Canadian and has a rich cultural heritage of which he should be proud.

I ask, Mr. Speaker, how will all these people of other cultures survive in Manitoba if the rights of French speaking Canadians cannot be protected even though the guarantees were written and enshrined in The Manitoba Act which brought this province in the Canadian family.

In 1971 this Legislature finally passed legislation which allowed the teaching in French in schools. Anyone who knows anything about education in Manitoba also recognizes — (Interjection) — well some member across says it was passed in 1960. What I'm referring to, of course, is when it was passed in 1971 allowing the teaching of French on an equal basis as that of English starting at Grade 4. Anyone who knows anything about education in Manitoba also recognizes that this measure opened the doors of progress for all others and all those who wanted to learn Ukrainian, German, Spanish, etc.

Representatives from all ethnic groups understand this perfectly well. I quote here from an article in the Winnipeg Sun for July 13, 1983, words spoken by Terry Prychitko, a Ukrainian-Canadian who accepts Canada's policy of having two official languages and many different cultures, explained that it was in his own interest to side with this accord. I quote his words: "If the rights of the Francophones in Manitoba are denied in Manitoba then the rights of any other multicultural groups in Canada could just as easily be denied."

Mr. Speaker, representatives of a large number of other ethnic groups have given their support for this resolution, among them representatives of the German, Jewish, Italian, Portuguese, Chinese and Mennonite communities. Could it be possible that everyone but the Leader of the Opposition is wrong? I can't and I won't believe that. Rather, the support is growing because people see this amendment as doing justice for the Francophones, as something that is good for themselves and good for the unity and well-being of this country as a whole.

Mr. Speaker, why can't we at this time progress one small step and guarantee these limited essential services in our Constitution thereby giving Francophones of Manitoba some assurance that they will not have to live under constant fear and harassment as they have for better than 100 years. Why can't we finally let them know that they will not be trampled over as they were in 1890 and in 1916 and through countless other incidents of the past? Why can't we today when we have this great opportunity reduce social tension, reduce social discrimination and enhance Canadian unity.

Mr. Speaker, let us not forget that this resolution will have important ramifications in favour of Canadian unity. The English minority of Quebec has no doubts in this regard and their representatives of Alliance Quebec have praised this amendment as being a step in the right direction, a step for the future.

Not only will it be a signal that there is a recognized rule for linguistic duality outside Quebec thereby removing the not so unjustified fear of French-speaking Canadians, that this country can never be one from sea to sea; that the rights of the French and English speaking minorities will be protected, supported and allowed to flourish unmolested everywhere in Canada will also signal to all minorities that they are all Canadians. Let's also remember that every Canadian is a part of a minority. Let's signal to all, that in Manitoba we value each cultural heritage for it is that which will make this province and this country the most enlightened place to live.

Mr. Speaker, through this resolution, as has been said by the Attorney-General when introducing it, no one can lose and everyone stands to gain. The gain will be through justice being done, a recognition of our historical foundation and better and more peaceful relations. Anyone who doesn't speak French or who doesn't want to speak French will not be forced to do so. It simply will enable those who do, to continue doing so in a practical way without fear. It will enhance the purpose of those who see the intrinsic value of speaking a second language, a sharing in the second founding culture of this country and it will make us all more tolerant, more respectful and indeed as it should be more appreciative of the many other cultures and languages which all together make this a great nation.

Mr. Speaker, those who say this will involve waste of money simply do not understand the facts. First of all, as a result of The Manitoba Act all the laws and statutes of this province should have been in both languages since 1870. That being the case, the costs of translation should have been borne throughout these last 113 years, and we would have no more reason to question these costs than those costs which have to be paid in salaries for the people who prepare the legislation in English. Furthermore the cost to Manitoba is no different than the cost for translating in English all statutes, laws, and legislative records in Quebec and in New Brunswick. The highest court in the land, in 1979 has reaffirmed that this must be so. People who say today that it costs too much don't seem to realize that we don't have a choice in this matter, unless as a government we choose to break the law. That, Mr. Speaker, I humbly say would be akin to adopting total anarchy. How can a law-making body break the law and expect the people who fall under its jurisdiction to abide by the laws it enacts?

In fact this resolution, Mr. Speaker, saves many millions of dollars because as per the agreement proposed only a fraction of the existing statutes will now have to be translated - and I remind you - all of them would have been required to be translated were it not for this agreement and we are given a most reasonable length of time to put in place the mechanisms to get the job done. Furthermore, Canada as a whole will subsidize the province in meeting its obligation as per the law. No supreme court decision could have provided us with this financial assistance.

Mr. Speaker, some say they don't object to the costs associated with the translation of statutes, laws and legislative records but object to extending limited government communication services in certain areas where numbers warrant it. Mr. Speaker, can it be possible, can people be sincere in regards to accepting the translation costs and object at the same time to any and all services in French? What's the sense of translation then? Does it not make sense that if you accept the translation costs that you also accept the fact that in the area where it is most sensible and most practical - that of communication - the service will also be provided?

To leave matters as they now stand would only provide of an opportunity to communicate in French in the courts. In other words, the only time you'd have the opportunity to communicate in French, unless you're an elected member of the Legislature as I am, would be when you're accused of breaking the law. That French Language Services were logical was recognized also by the the previous government which started providing such services soon after the Supreme Court decision of 1979 and I am sure they didn't do this. I am convinced that their purpose in doing this was not purely window-dressing or tokenism. I'm sure that it was well intended and it was intended to provide real French Language Services. That, at least, is what I will choose to believe and that it was meant to be on a continuum.

I will also choose to believe that this resolution proposes that French Language Services simply be established as was originally intended - no more, no less. Therefore, these are not new additional costs suddenly being sprung on the province. They are there

now and represent 1/20 of a cent per dollar of government operating expenditures and would continue to be there even if we didn't pass this amendment. — (Interjection) —

The Member for Elmwood asks - how much in total? Is that how he sees justice being done, by the total cost? I said 1/20 of a cent per dollar. That he should be able to calculate if he looks at this government's operating budget. It's not the total that is important.

Of what value, I repeat, are translations without the availability of services? To deny these would simply be an indication that we encourage more monies spent in continued court hassles with people, with the hope of bringing Francophones to their knees in surrender, hoping that in the process they will give up and forget what some would choose to call this nonsense about culture and language.

Mr. Speaker, some say this will force bilingualism upon the Civil Service. There is no provision of that kind in this resolution, and how could there be when it only provides limited services in limited areas.

Would those who oppose this resolution want the government to turn the clock back so that there is no room for any bilingual person in the Civil Service? Do people think because someone in the Civil Service is bilingual - and there has always been some bilingual people in the Civil Service - do they believe that he or she can only render services to those who are Francophones? Is it not true that they will do a full-time job providing the services for which they were hired - to all people in Manitoba - rather than get buried in cobwebs, as the Member for Elmwood would have us believe?

Mr. Speaker, more and more people today recognize and support this resolution, especially the young people whose sense of justice and history has not yet been warped. They view this measure not only as repairing past injustices and removing an indebtedness, but more importantly as a step which will go a long way in unifying this country.

Mr. Speaker, it cannot be true that for me to be a Canadian I must deny my heritage, renege on my culture and limit the use of my mother tongue to the home, to the courts, or the Legislature. For me to accept to speak only English, or to speak "white," or to speak "Canadian" - as some ignorant people will sometimes tell me - would mean that I also have to accept that this country is forever divided. It would also mean that there is no place for me in this province and in this House.

Mr. Speaker, were this kind of thinking to prevail would also be an indication that there is no hope for redressing the injustices done to the Native people and to the Metis people of this province; and it would also mean that there is no hope that other ethnic minority groups can ever find their rightful place or will ever have a chance to flourish in this province.

Mr. Speaker, I invite all members of this House to unanimously support this resolution. I invite you to see this resolution as a practical and a most reasonable measure of progress rather than magnifying every facet of it into something that it is not.

Mr. Speaker, to stand in support of this resolution is to stand for justice and unity. It will show, that as elected representatives of the people, we are prepared to be examples of understanding and enlightenment,

laying down a more harmonious path for the future. Our support of this resolution, Mr. Speaker, will be an indication to all Manitobans and to all Canadians of other provinces that Manitoba has truly understood and is prepared to practise what it really means to be a Canadian.

Before I conclude, I would like to rebut a few of the comments made by the Leader of the Opposition, one of which is that he has indicated that this amendment was basically an adoption of a speech made by Sieur Joyal, Secretary of State, when he came and made a speech in March when he encouraged Franco-Manitobans to fight for the insertions of this type of amendment in Section 16 to 20. The Leader of the Opposition stated that, I don't have any qualms. That is what he said as well, but what he should have also said is that Sections 16 to 20 are part of the Charter of Rights. That is where you will find enshrined these guarantees and rights for the minorities of Canada, The Official Languages bill for Canada and in New Brunswick which would make it binding on all and in the same way as it is for the Government of Canada.

But this is not what we have chosen to do in Manitoba. That is why the word "institution" for instance is not in this amendment. That is why this amendment doesn't apply to school boards and municipalities. That the Leader of the Opposition should have also stated.

Instead we chose to amend The Manitoba Act, and it is clearly spelled who has to provide services. The municipalities and the school boards are not included, and the courts are given a very restrictive role as compared to the role they are given in the Charter of Rights in Canada where the courts are allowed to make interpretations which is not the case in the amendment we are proposing.

I would like also to revert to a speech on July 12th where on Page 4284, he states, and I quote, "... the fact that English and French are the official languages of Manitoba, something that's never been part of our history, never been part of our political traditions at all in this province."

After a short passage, he continues, "They're trying to paint them all as racists, rednecks, anti-French and they're using all of the calumny that they can, from their shallow minds, dredge up. But, Mr. Speaker, that kind of calumny won't work in the face of hard questions, and one of the hard questions I put to this government tonight is, why is that statement about the equality of English and French languages in Manitoba which has no historic tradition in the province except in Section 23.

Well he says, "... in Section 23." Therefore, he recognizes that in a limited way, Manitoba has always had, since 1870, French and English as official languages of Manitoba.

Now what makes a language the official language of a country, of a province, of a state? Look at any history book. Look at any geography book where they revert to the official languages, whether it be of Algeria, of any other country. They will state, Arabic or French for Algeria. What does this mean as official languages? It means that these are the languages of the government. By the fact that we have this amendment as part of The Manitoba Act which says that the statutes, the laws and the records of this Legislature have to be in both languages automatically makes those two languages both official languages of this province.

All right, if you say that French has not historically been a language of this Legislature or of this province, what has been the official language of this province? None? English? Well English is also one of the languages stated in that statement which says, French and English are the official languages of Manitoba. But by stating that, we are not in any way stating that this province is bilingual. That is the difference, and that you should understand.

I quote again from the words of the Leader of the Opposition. "Sir, I am not one who fights that. The Government of Canada in 1968 made a determination; my party agreed with that determination; the NDP agreed with that determination and the Liberal Party agreed with that determination that the official languages of Canada were to be English and French. I stand by that determination today, insofar as it affects federal services in this country." That is the difference, where they have to provide all federal services in both languages. This is not what we are saying here.

"But how can any thoughtful Canadian," the Leader says, "say that the policy of Mr. Trudeau, which our party has supported, which I have supported with respect to The Official Languages Act, how has that program been demonstrated to have been a success in terms of Canadian unity?" Well I tell you, Mr. Speaker, it has and will be a great success. What has been the problem is that in Manitoba itself, we have distorted the past.

I would like to conclude, Mr. Speaker, in French.

M. le Président, les gens d'expression française du Manitoba n'entretiennent nullement des attentes irraisonnables. Ils n'exigent pas la lettre de la loi, mais plutôt ils veulent uniquement ce qui est important pour pouvoir vivre en français, à part égale.

S'ils avaient voulu pousser cette question à la limite, ils auraient pu se buter à exiger que toutes les lois et les statuts adoptés antérieurement soient traduits. Ils auraient pu exiger que toutes les institutions gouvernementales leur fournissent des services complets dans les deux langues comme c'est le cas au Québec, ou au Nouveau Brunswick. Au lieu, la collectivité francophone du Manitoba a négocié de bonne foi et a négocié un compromis raisonnable. Ne doit-on pas aujourd'hui, en tant que gouvernement, démontrer autant de bonne foi et être nous aussi raisonnable.

Personnellement, je ne peux pas, en toute justice, pour les générations à venir, accepter moins que prévu dans cette résolution. Les francophones du Manitoba ont déjà survécu cent ans d'injustice, jamais ils n'abandonneront la lutte. S'ils ne reçoivent pas justice du gouvernement du jour, ils n'hésiteront pas à continuer cette lutte pour assurer que leurs droits soient respectés. Et en parenthèses, Monsieur le président, je vous dis que cette lutte qui nous divise. C'est cette lutte qui divise les partis du Canada et c'est en adoptant cet amendement que nous... enfin nous pourrions arriver à unifier ce pays. Si notre assemblée ne donne pas dernier mot à question, elle sera réglée de toute évidence par quelqu'un d'autre au risque que le tout nous soit des plus embarrassant.

Merci, M. le Président.

(English Translation to follow in Vol. XXXI No. 109A)

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

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

MOTION presented and carried.

MR. SPEAKER: Order please. I am informed that there was leave of the House to allow this matter to remain standing in the name of the Honourable Member for The Pas.

MR. A. KOVNATS: For The Pas. Thank you, Mr. Speaker.

BILL NO. 3 - THE FARM LANDS OWNERSHIP ACT

MR. SPEAKER: On the proposed motion of the Honourable Minister of Agriculture, Bill No. 3, and the amendment thereto, proposed by the Honourable Member for Kirkfield Park.

The Honourable Member for Arthur.

MR. J. DOWNEY: Thank you, Mr. Speaker. In opening my comments today I want to first of all say that the reason that the official opposition have made the motion to further withhold the debate on this bill for a six-month period has to be very clearly stated; that we do not believe it is in the best interests of Manitoba to pass such legislation; that this Minister of Agriculture in the Province of Manitoba has not provided sufficient background evidence, or substantiated his case as to why this kind of legislation is necessary. We believe that there has to be statistical background gathered so that his case could be substantiated and therefore speak in support of the hoist motion, as well as referring back to the content of Bill No. 3.

Mr. Speaker, the Minister of Agriculture, in his response to the motion by the Honourable Member for Kirkfield Park, has to be addressed but addressed very briefly and does not warrant a lot of the opposition's time in repudiating the remarks that he made.

I will first of all refer to a Cabinet document that he tried to use as evidence which he found, or received from either the department or from the Farm Lands Protection Board - one of them was not even signed by anyone - but in fact part of that Cabinet document did make reference to the fact that consideration was being given to the introduction or the supporting of, or the passing of regulations, which would have The Canadian Citizenship Act apply to the Province of Manitoba - a criticism which I had some time ago received from one of the farm organizations, the Farm Bureau - but had indicated in their submission that if that had been done there wouldn't be any need for this new legislation, and that is pretty accurate, Mr. Speaker.

I would suggest to the Minister of Agriculture, in my opening comments, that that kind of action today probably would be sufficient to curtail or to contain any proposed foreign investment in the Province of Manitoba by offshore or non-Canadian investors. I would most sincerely recommend in the next six months that we have asked to have this bill stand or delayed for debate. Mr. Speaker, that the Minister of Agriculture

sincerely look at the regulations which may be passed, which would support the current act that's in place and deal with the problem which he has continually tried to say is before us.

The other argument that he made, Mr. Speaker, is one which I find very difficult to find any rhyme or reason to. The argument that he used, Mr. Speaker, was in fact that there was a large amount of speculation - and he referred to special cases - and this was particularly in reference to corporations, where a corporation had bought and resold land and made a certain amount of money.

Mr. Speaker, the present act that the Minister of Agriculture is introducing will not stop that one iota because he is still allowing any individual, any private citizen of the Province of Manitoba, on their own, to do that very thing. So he is not going to solve that particular problem of speculation in Manitoba of farm land. And as well, Mr. Speaker, I think the Minister should be well advised that it is not really going to solve the overall problem that we have all tried to deal with, as far as foreign investing is concerned. So those were the only points, Mr. Speaker, which I want to make in reply to the current Minister of Agriculture.

However, Mr. Speaker, I do want to - in referring to the hoist motion - add to my comments that when we talk about the reason or the need for, or why should we have this kind of legislation, it would be traditional and it would be helpful to substantiate the case before the people of this Legislature, or the Province of Manitoba, and it has not been done, Mr. Speaker.

In doing that, Mr. Speaker, one has to go back several years to see what was said initially and where is the philosophy of the government that introduces this kind of legislation and why are they doing it? And we did that, Mr. Speaker. We went back to the 1978 introduction of the initial Farm Lands Protection Act - and I want you to note this as well - that at that time and under our government, Mr. Speaker, it was called The Farm Lands Protection Act, but has changed to now become The Farm Land Ownership Act. There is a substantial difference in those two titles because what The Protection Act was intending to do was to protect the land or to preserve the land for opportunities of Manitobans under their government - and we changed it so that corporations and all Canadians could buy land - but their intent, Mr. Speaker - and we'll make the case for it - is to control precisely who owns land and at what price they would like to do that. They're doing it under the guise, Mr. Speaker, of somewhat false pretences because it is a nice terminology to use, that this kind of legislation is being introduced to protect and to give the new young family farm operator an opportunity to buy and invest in farm land.

I will as well substantiate, Mr. Speaker, by individuals who are reading this bill and trying to start farming in Manitoba, where it is doing precisely the opposite. But let us deal first of all with the first reason why this was brought in, and this was the Member for Lac du Bonnet who was the Minister of Agriculture at that time, and this is what his proposal was and I will refer to the Hansard. It's Page 5192 of that particular July 17, 1978 and he said: "Mr. Speaker, we have a fair and reasonable package as between the program," meaning the land lease program which was a state farm program, "and the restrictive restriction on legislations on farm land ownership."

What he was referring to there - and it can be elaborated on but I don't want to take my time to do so, Mr. Speaker - really what the philosophy of the Government of the Day was, that they were planning to continue to invest taxpayers' money in the production land or the agricultural land in Manitoba and at the same time restrict other competitive bidders from getting involved.

So the philosophy of it was, was to encourage the state-owned land lease program and at the same time stop other corporations or other individuals - who they didn't think should be owning farm land - from getting into that particular business or handling it. So the philosophy and the philosophy again, the comments were made and in fairness to the Member for Lac du Bonnet at that time, indicated it was because land prices were escalating and that something had to be done to protect them, but pointing mainly, Mr. Speaker, at the foreign investor or the corporate structure as being the problem.

Well, that being the case, Mr. Speaker, we will concede that land prices did go up - land prices went up and I know my colleague from Morris has done a pretty good job in his comments in tying the price of land to the commodity prices and that case has been made - but the price of land is not in relationship to foreign investment, or absentee ownership, or outside capital from the farm community, but in fact the main effect on land prices is the farm community itself and is tied directly to the commodity prices that they receive for their agriculture commodities. That's an argument, Mr. Speaker, that can be made and substantiated over and over again; that it is the farm community itself that regulates the farm prices with the commodity prices that they are receiving and is being evidenced in this last year and a half to two years with the prices of commodities being extremely low, and the prices of fuel and all other inputs being extremely high. Prices of land in Manitoba, particularly, have been going down.

My colleague from Emerson, the other day, in wanting this bill hoisted for some six months so the people of Manitoba can truly understand that this government is not really concerned about who owns the farm, or not so concerned about the price of land or the interests of young farmers getting in, but are more concerned and interested, Mr. Speaker, on saying who shall own it. Canadians can't own it. Farm corporations, if you're an absentee or if you're not an active farmer in that corporation, can't own it. If you are intending to be an outsider or a person from outside Manitoba and wanting to invest and help a young farmer get into business, Mr. Speaker, you are prohibited from doing it under this government's act.

That, Mr. Speaker, is no way of helping people in agriculture, but it is truly a philosophical approach to say that if they cannot control the land through this kind of legislation, then they, in fact, want a land lease or a state farm program so they can do it in that way. But their objective is basically to control the ownership of land, whether it be through this kind of legislation or through a land lease program, Mr. Speaker.

Well, in dealing with the price situation and saying whether or not this is, in fact, going to do anything about the price of land, we haven't had in the last two years, Mr. Speaker, the kind of legislation that they're talking about implementing. In fact, we have never had

this, other than that which was introduced by the former NDP Government.

Land prices - and this comes from Statistics Canada, Mr. Speaker - land prices from 1971 to 1982, and it shows in Manitoba starting on a base of 100, that in 1973, when inflation took off, land prices started to go up. From 1973 to 1981, they did increase by a substantial amount. Starting on a base of 100, they went to 360 at that particular period of time. That's about a 10-year period.

But what happened following 1981, Mr. Speaker, in Manitoba? We saw a substantial decrease in the price of farm land. As my colleague from Emerson stated the other day, we saw a reduction in the value of farm land of some 10 percent, a reduction in the value of farm land by 10 percent.

Well, Mr. Speaker, if the case that they are trying to make is because they're providing opportunities for farm people to get into agriculture, young people, whether they be farming or not, doesn't hold water. It doesn't stand up to the test of debate, Mr. Speaker, and therefore we don't need the legislation that they're introducing.

So the price and the opportunity for young people to get into farming cannot be made and substantiated and has to be given time in the next six months for the Minister to argue against those, because to this point there hasn't been one member of the government stand up and give a reasonable debate and give reasonable support to Bill 3. We have to take some time for them to come back with the kind of backup information and statistics that are available.

Mr. Speaker, when I talk about statistics and background, we have to look at the information which was not provided by the government, but which was available to us. I have two particular pieces of information which are available, and we had reference to that in the House some time ago; that we had a survey done of the R.M.s within the Province of Manitoba where, in fact, it appears that in most cases, and this is in most cases, Mr. Speaker, where the non-resident owners, non-residents - and I consider them non-residents of Manitoba, people living outside of Manitoba, could be Canadian or, in fact, foreign - that it probably averages about 2 percent or less of any land that's agricultural land in Manitoba is not owned by Manitobans. In fact, in the majority of cases throughout agriculture Manitoba, 99 percent of the land is owned by Manitobans and pretty much owned by farm people.

So he hasn't been able to substantiate his case, Mr. Speaker, and again the reason for wanting to delay it, we did a survey and some may say it isn't very accurate and some may say that it is and, again, it's been referred to in this Assembly, but we're all familiar with the Manitoba Co-Operator, known in most circles in the farm community as the farmer's bible. It is pretty well read by everyone and pretty well paid attention to and there was a survey done by our caucus, Mr. Speaker, paid for by our caucus members, just to find out what the people of Manitoba want in The Farm Lands Protection Act.

They responded, Mr. Speaker, I think pretty accurately; and what did they tell the people of the Progressive Conservative Caucus? By the way, Mr. Speaker, that's something that this Minister of

Agriculture hasn't done; it's something the Premier hasn't done on the bilingual thing; it's something the Minister of Agriculture hasn't done on the farm lands protection, is to ask the people of Manitoba what they want in The Farm Lands Ownership Act or Foreign Land Protection Act. Because, Mr. Speaker, some time ago, they led this House to believe that they'd had a serious of meetings to find out and tell the people, or find out.

I have had on the Order Paper for months a written question as to where and when the meetings were held, asking the farm community where and when the farm community met with the government to find out from the farm community what they wanted in relationship to this kind of an act, and he hasn't provided, Mr. Speaker, the farm community with that opportunity.

But back to the questionnaire which was put out, Mr. Speaker, and I'll quote directly from it. The question was asked: "Should foreigners be allowed to own farm land in Manitoba?" And there were some 29 percent said, "Yes," and 67 percent said "No." We all agree with that, Mr. Speaker. We agree that foreigners should have an element of control on them so they can't come in and take advantage of our farm community and our food production base.

The second part of the question, Mr. Speaker: "Should Canadians be allowed to own farm land?" Eighty-nine percent said, "Yes," Mr. Speaker. That's what we believe in, Mr. Speaker. We believe in Canadians all being equal. As the Member for Radisson said, "All Canadians should be equal." I believe they should be too. Now, let's practise what they preach. I would expect him to talk to his Minister of Agriculture and get involved in supporting the opposition in this hoist motion. I challenge him to do so, if he's not speaking out of both sides of his mouth.

Should all Manitobans be allowed to own farm land? Eighty-seven percent said, yes. Should Manitobans be allowed to own farm land in other provinces? Eighty-five percent said, yes.

Mr. Speaker, the best statistics available to us today are saying that government is doing the wrong thing. They're doing the wrong thing by bringing in Bill 3, and that's why we need six months to get documentation, to allow the farm people to make representation to this government to stop bad legislation, Mr. Speaker. We have evidence here that tells us that the people of Manitoba don't want this legislation. That is why we are persisting on stopping it, Mr. Speaker, because, first of all, the government didn't substantiate it and the substantiation that they used isn't very accurate when they refer to a Daryl Kraft study.

I want to make reference, Mr. Speaker, for members of this Assembly and the people of Manitoba, and I want to compliment a particular individual. Her name is Dawn Harris. This is an article that she put in many of the rural papers, she put it in Grain News, and it's very well done. It points out precisely the opposite to what the initial intent of what that government said they wanted to do and that was to provide the opportunity for young farmers and new people to get into agriculture. She is pointing out very accurately, Mr. Speaker, that it is in fact, doing the opposite than what was intended.

I will refer to the article, Mr. Speaker, and certain parts out of it so that it helps to point out to this

Assembly again why we have to put this hoist motion on and want the people of Manitoba, all the farm people of Manitoba, to understand what this government is doing. I will make reference in a few minutes to comments or to a brief that was presented to the Minister of Agriculture saying how this act is discriminating against the rights of Manitoba farmers. It is putting restrictions on the farm community that no one else in society has on them. So rather than helping them, Mr. Speaker, he is removing their rights and their opportunities and freedoms with Bill 3, and it's wrong, Mr. Speaker, and we will stop it. We will stop it, Mr. Speaker.

I'll go back to the article by Dawn Harris, Mr. Speaker, where it says and I'll quote directly: "My husband and I are one of those beginning farm families this act is supposed to help. Unfortunately, if the bill becomes an act it will drastically alter, if not destroy, a dream I have had for some 17 years and which is about to become a reality." A person, a young woman who has come back to Manitoba to start farming, a dream she's had for 17 years, and this government is going to prohibit her and stop her and her husband from becoming a part of the Manitoban community. That's the kind of legislation, Mr. Speaker, they are bringing in.

I refer the Member for The Pas to read it. It's in Grain News, and I'll tell you, it was dated February, 1983. She has laid it out very well. I don't want to take all of my time, Mr. Speaker, to quote from it, but she has laid it out very well in this article, the reasons why she hasn't been able to do so. But the main reason was, Mr. Speaker, that this government through this act and their philosophy of restricting non-farming corporations, or corporations formed that don't have active farmers involved are restricted from owning land, or holding title to property has eliminated her opportunity; and it is nothing more than a philosophical hang-up of being against corporations, whether they be farm or anything else, that is the bringing in of this act. Mr. Speaker, what is it doing to not only her and her husband, but many other farmers?

The Member for Turtle Mountain laid out very carefully the other day how it affects him. It would as well affect me, Mr. Speaker. I have no concerns about me particularly. I, Mr. Speaker, am worried about those thousands of young people in rural Manitoba that want to start farming and continue to do so.

Again I will refer to the Manitoba Association for Rights and Liberties and the brief that they recently presented to this Minister that points out, in spades, how it is discriminating against the farm community. Again I would well advise the government in the next six months when they support our hoist motion, to read all of those inputs and to meet with them, not let the Minister of Agriculture boondoggle you down the trail because he is giving you bad advice. Think for yourselves, and the Minister of Highways and Transportation knows precisely what I am saying; that the need for the legislation isn't here but is, in fact, going to restrict those people who would be possibly new farm entrants in the Province of Manitoba.

I will refer, Mr. Speaker, to the Daryl Kraft Study which this Minister of Agriculture has touted as his only support for this kind of legislation. Yes, Dawn Harris talked to Mr. Kraft and she said: "I recently spoke with Dr. Kraft and unless I misconstrued his statements,

his study cannot differentiate between foreign off-shore ownership and Manitoba or Canadian absentee owners. So when figures that state 10 percent to 12 percent of farm lands are owned by absentee owners, it cannot be assumed that a good part of this is in fact foreign."

Mr. Speaker, this lady has done a tremendous job in stating a case for the farm community against Bill 3. I again advise him in the time that we have in the next six months because if we don't, Mr. Speaker, we are passing bad legislation and we are discriminating against the farm community in Manitoba.

Mr. Speaker, we talk of the history in the price control; the lack of evidence for it; the fact that farming prices if it's the concern that we have all had over the last number of years of the possibilities of increasing opportunities to allow young farmers to enter farming; if it's price, Mr. Speaker, then that problem is behind us because the prices of land are going down without this legislation. In Saskatchewan, where they have comparable, although not exactly the same, legislation the land prices have gone up. So let's put aside that argument. Let's set aside the argument of price protection, but let's deal with the philosophical approach of this government, Mr. Speaker.

I warn the consumers of the Province of Manitoba, Mr. Speaker, the people who are buying daily, food that is what I would consider very reasonable, I want to make reference to the philosophical approach of this government because a lot has been said in the last few years, few months about the problems that society is having with the controlled agriculture production; with the supply-management system; with government involvement in the day to day operations of agriculture; and what it has done to the costs of food in Canada; and what it has done to the costs of foods compared to other parts of society.

Granted it has given farmers protection, but to how many farmers has it given protection, Mr. Speaker? When we go back to the point that everybody tries to make that we need this legislation to help young farmers and young people into agriculture I ask you the question - and I would hope the Minister of Agriculture or one of his colleagues would answer this question for me - what part of agriculture are we trying to get them into? What is open and available for farmers today, or anybody who is not a farmer, to get into? Can you get into the dairy industry today unless somebody gives you the right to produce the product? Can you get into the broiler industry, by the way, where there's 112 producers; where somebody has to give you the right to produce? Can you get into the turkey industry which the Minister of Agriculture is very familiar with himself because he is one of them - a producer that is? Some people have made reference that he is not only a producer, but I will be kinder to him than that.

But, Mr. Speaker, who are we trying to fool? You cannot go out today and start a broiler, a dairy or a turkey ranch in Manitoba unless somebody gives you the God-given right - pardon me, not the God-given right - the government-given right to do it. But we do have the God-given right if we didn't have all this bureaucracy, Mr. Speaker, in our way. I think . . .

MR. A. ANSTETT: Why didn't you change that?

MR. J. DOWNEY: We did make some changes and I'm not saying, holus-bolus, throw out marketing boards,

Mr. Speaker, and I don't want the Member for Springfield to say, why didn't we change it? We worked very closely with the marketing boards, Mr. Speaker - (Interjection) - yes, Mr. Speaker, the Member for Lac du Bonnet said, I forgot eggs. You cannot start an egg farm in Manitoba, or produce eggs in Manitoba without the government-given right; and that, Mr. Speaker, is what The Farm Ownership Act is intended to do, is to give to the government, through legislative authority, the right - through their political-appointed board - to say who and who cannot be a part of the Manitoba farm community, Mr. Speaker, and that's what the intent of it is. It's been in their philosophical idea; it's been their way from Day One. That's what socialists believe in, Mr. Speaker. That's what socialists believe in.

So let not the consumer be fooled, if they think that they're protecting the land base that's going to provide them with an abundance of food at a price which is available to them today. If this is to pass, it has serious implications on the future, Mr. Speaker, of what their food will cost because of the over involvement of government involved in agriculture today and the rights of producing people. If you impose that kind of control onto the land ownership, it is going to have very serious repercussions on the future production of food in Manitoba.

I want to take a few minutes, Mr. Speaker, in making reference to a copy, and I want to thank the Manitoba Association for Rights and Liberties, as well as the Manitoba Real Estate Association, the Farm Bureau and all those organizations in Manitoba and, particularly, Dawn Harris who has made her point very well; that what we are being asked to do to impose on the farm community is not in their best interest, which again is what the Minister of Agriculture is saying he is doing; that it's in the best interests of farmers; but in spades, Mr. Speaker. Documented opposition to this is telling us, Mr. Speaker, that it's not in their best interests.

I have, Mr. Speaker, a copy of a news release which was distributed to me yesterday. It came from the Manitoba Association for Rights and Liberties, and here was one of the things that I picked out. I would again advise in the hoist, in the next six months, that this will be delayed because I do believe, Mr. Speaker, if they are a sincere group of backbenchers and government, that they will look at all the information that's available. That, Mr. Speaker, in their press release, and I quote from it, from the Association for Rights and Liberties, it also expresses concern that under this act people who own and till land may be subject to greater infringements of privacy and breaches of confidentiality than non-farm people, Mr. Speaker.

Is that the kind of legislation that we should be imposing on the farm people of Manitoba? No, Mr. Speaker. It was brought to their attention, and I would plead with them to go through the brief because there are many other things in here that are going to be imposed on the rights and freedoms of farmers than anybody else in society. That's not our job, Mr. Speaker. Our job is to fight to the end that kind of imposition of bad law.

There was another part, Mr. Speaker, which I want to make reference to. I think we all know the kinds of powers that have been given to the income tax people in the country of Canada; that if the income tax people

want to do a snoop on you, that probably they have more power than anybody else.

Mr. Speaker, I will again refer to the brief that was presented to us, and I'll quote from it in several of its subsections. This is Section 11 of the bill, and I know that I'm a little bit out of order but it's a matter of bringing the point across, and I'll be very brief. It's subsection threatens the privacy and rights to confidentiality of individuals. Subsection 11(1) compels the production of books, documents, papers, correspondence, etc., and I go on. This, Mr. Speaker, is for the investigator, and not even the income tax provides such powers and such protection to an investigator.

So we're giving or being asked to give in this bill the kind of power to an investigator under an NDP appointed board, which has every political hat that their party has, to go into the farm community, to go into people's books, the citizens of Manitoba, giving them powers that The Income Tax Act hasn't even got for their investigators, Mr. Speaker. What are we doing, Mr. Speaker? In the next six months, I would advise the Minister of Agriculture to reassess his position, Mr. Speaker, because we are being asked to pass legislation which is bad bad legislation.

In concluding my comments, Mr. Speaker, I want to re-point out what the reason for the delay, or the need for the delay is. No. 1 - we need to have this Minister of Agriculture bring forward the kind of statistical background that the people of Manitoba can understand, that this Chamber can understand, before we're asked to support it. He hasn't done it. We have, Mr. Speaker.

We're standing here daily telling them what we have for information. We want him to do that, Mr. Speaker. We want him to bring figures forward that can substantiate. We want, Mr. Speaker, the Minister of Agriculture to come clean on why he is doing it. He is not doing it to help young people into agriculture because it is documented, Mr. Speaker. It is doing the very reverse. It is removing those people's opportunity that had a dream to get into agriculture. It is taking the right of some of my colleagues and my farm friends who have lands or corporations, family farm corporations who are not actively involved from owning land, Mr. Speaker, and will prohibit them from a livelihood. That has been well spelled out, Mr. Speaker.

The price control element and the principle of what this Minister wants is to say who can and who cannot own land. That's what he wants to do. It's not to protect the land against foreign investment. It is to say who he wants in farming and who he doesn't want in. He doesn't want somebody that may make a profit, Mr. Speaker, if they invest in land, and 10 years down the road, sell it. He does not want that kind of lifetime saving built up by the people of Manitoba, by the people of Canada, Mr. Speaker. I again go back. We have to change it, Mr. Speaker, so that all Canadians have the opportunity to invest and own Manitoba farm land so we can help one another through tough economic times, Mr. Speaker. It is essential that we do that.

When we say we are trying to help young people into farming, I again go back and ask the opposition to tell me what part of agriculture they want them into,

because there is such a restricted field now because of government involvement. If you put another imposition of law by Bill 3 on the heads of the farm community, determining who will own and who won't own land and has to be approved by a board appointed by this government, Mr. Speaker, that's not a free country. That's not a free society. That's taking away the freedom. We can't stand for that, Mr. Speaker, and we won't stand for it and we'll fight this bill till the end.

I'll make one further commitment, Mr. Speaker, and I can assure you, and we've had warnings from the Premier that closure will be put on this bill. Mr. Speaker, if this government forces the bilingual thing, the bilingual amendment, if they force The Farm Lands Ownership Act and all those laws that are wrong to the people of Manitoba, they will be replaced after the next election and we will reverse The Farm Lands Ownership Act so that people do have their freedom which they were born into in this country.

Thank you, Mr. Speaker.

MR. SPEAKER: Order please. Has the honourable member completed his remarks? He still has five minutes remaining.

The Honourable Member for River Heights.

MR. W. STEEN: Mr. Speaker, I move, seconded by the Honourable Member for Rhineland, that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: The Honourable Minister of Natural Resources.

HON. A. MACKLING: By agreement, the hour being 12:30, and no intention to call Private Members' Hour, I move, seconded by the Honourable Member for Fort Garry, that this House do now adjourn.

MR. SPEAKER: It is moved by the Honourable Minister of Natural Resources, and seconded by the Honourable Member for Fort Garry, that the House do now adjourn.

The Honourable Member for Arthur.

MR. J. DOWNEY: Yes, Mr. Speaker, as a matter of a question on a point of order, earlier in question period we had asked if there would be information available to the House as to the outcome of the meeting of the government this morning. At what point will that information be available, Mr. Speaker?

MR. SPEAKER: The Honourable Minister of Natural Resources.

HON. A. MACKLING: Mr. Speaker, it's my understanding that the meeting is still ongoing; so I assume that on Monday there will be an opportunity to question the Ministers as to the decision of the meeting.

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