



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

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**DEBATES  
and  
PROCEEDINGS**

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31-32 Elizabeth II

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Second Legislature**

**Members, Constituencies and Political Affiliation**

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

# LEGISLATIVE ASSEMBLY OF MANITOBA

Friday, 13 January, 1984.

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 . . .

## MINISTERIAL STATEMENTS AND TABLING OF REPORTS

**MR. SPEAKER:** The Honourable Minister of Education.

**HON. M. HEMPHILL:** Mr. Speaker, I am pleased to announce today funding to school divisions for 1984. But, before giving details of this government's funding support, I wish to take this opportunity to tell the House and the people of Manitoba that there will be no increase in the provincial levy on property tax for education in 1984.

The government is adding nearly \$16.5 million in direct contribution from Consolidated Revenue to support education for the coming year. This brings the total of provincial contributions to education to \$561 million, including the Education Support Levy. We have also asked school divisions to make every effort to meet provincial guidelines of 3 percent on their budgets while maintaining programs. Mr. Speaker, while school divisions are still in the process of preparing their budgets, I have had many discussions and meetings with the education community and can tell you that their primary concerns are to maintain programs for children. I appreciate their co-operation and interest in working to achieve our shared purpose.

Mr. Speaker, in providing this year's grants we have directed resources to where they are needed most. We have increased support for programs to help children who are considered to be "at risk" because of a variety of social and economic factors. The review of education finance prepared by Dr. Glenn Nicholls was instructed to consider how best to respond to the needs of these children.

The difficult economic period we have all come through has placed even more economic and social strains on many families. We are responding to these challenges by maintaining the special \$2 million grant to Winnipeg School Division and through \$2 million in compensatory grants to help schools which have large numbers of high-risk children.

Mr. Speaker, there has been recognition for many years that the earlier a child's learning problem can be identified, the better for the child. This year we are providing \$250,000 to increase early identification of problems, which interfere with many children's ability to learn.

We are continuing to increase support to school divisions which were negatively affected by deficiencies in the Education Support Program.

It has been confirmed by the Education Finance Review that these divisions are suffering from

inadequate revenue support and inequities in their abilities to raise funds from local property taxes. The two major means of supporting disadvantaged school divisions include continuation of the Small Schools Support Program with \$1.8 million in grants and increases to supplemental grants.

Mr. Speaker, supplemental grants to poor divisions will increase by approximately \$7 million to \$23 million in 1984. Operating grants to all divisions will increase by \$3.3 million.

Last year there was a \$2.5 million increase in the Education Support Levy which was assessed against property taxes. That increase was to meet an inflation rate of 10.4 percent.

Mr. Speaker, I'm going to make a correction in that. I think it's a typographical error but it's 2.5 mill increase.

This year the Education Support Levy will not rise. It will remain at 43.7 mills on farm and residential balanced assessment and 81.7 mills on other balanced assessment. Mr. Speaker, it was a decision of this government to keep provincial property taxes from rising this year.

At the same time, within the Education Support Program, provincial support out of General Revenues is maintained at 65 percent with 35 percent provided from the Education Support Levy. The increase in direct provincial funding raises provincial support for education from 54 percent to 54.6 percent of net operating expenditures of schools. In dollar figures this is \$381 million. At the same time we are continuing to correct deficiencies in the Education Support Program brought in by the previous administration and we are maintaining existing educational services.

Over half the increase in provincial support will be going in block grants to offset increases in school divisions' operating costs and about half will go to provide categorical grants to respond to the highest priority needs of children.

Mr. Speaker, there has been considerable interest (sic) in the demand for language instruction such as heritage languages, English as a second language for Native Manitobans and French language instruction. We have provided increased funding for all three of these important language program areas.

We have responded to another growing aspect of education - the area of computer education - by increasing from \$30 to \$40 per pupil grants for print and non-print instructional materials, including computer software. This will enable school divisions to develop and purchase material to meet the tremendous growth in computer use we have experienced in our schools in the last few years.

Transportation grants have been increased, Mr. Speaker, from \$400 per transportable student to \$410.00. This will help offset growing costs in this area of expense for divisions.

Mr. Speaker, if school divisions stay within the 3 percent guidelines we have requested, the total cost for public schools should be just under \$700 million for the year or approximately \$3,500 per student. That

is an increase of about \$200 per student over last year and represents an increase of slightly more than 5 percent per student.

This level of funding should allow school divisions to maintain existing programs and also respond in some very important ways to the needs of many of the most disadvantaged students.

Mr. Speaker, to go over the main points once again:

This year there will be no increase in the provincial levy on property taxes for education.

The government is providing nearly \$16.5 million in new funding for education directly from Provincial Consolidated Revenue.

These funds will be used to continue addressing deficiencies in the Education Support Program; to go to support efforts being made to meet the needs of children who have social and economic disadvantages; and to help with the early identification of children who may have learning problems.

And, Mr. Speaker, these are all further steps to make sure that all children in Manitoba have equal educational opportunities.

**MR. SPEAKER:** The Honourable Member for Morris.

**MR. C. MANNES:** Thank you very much, Mr. Speaker. First of all, I would like to thank the Minister for the statement this morning. Mr. Speaker, I would like to spend some time going through this report, if I could, picking out various aspects of it.

First of all, I am happy to hear that there will be no increase in levy this year on property tax. Of course, we know why; there has been a substantial increase over the last two years and, of course, I think the government has finally taken our advice on this matter and they have finally seen the tremendous pressure that has come on the property tax owner and has finally realized, or come to the realization, that that individual in our society can no longer support, totally, the tremendous costs levied for educational purposes.

The ministry indicates that the government is adding nearly \$16.5 million in direct contribution and of course we would point out, Mr. Speaker, that in the final year of our administration, we added \$70 million. Of course, in today's terms, that may have a value of closer to 90. So let's put into perspective the \$16.5 million contribution and let's not blow it totally out of proportion.

Mr. Speaker, the Minister talks about requesting of the school divisions to maintain the provincial guidelines of 3 percent and, of course, we would support that; although again we would ask to what effect this will have on negotiations with teachers. Does that mean the government will be supporting the school boards in their efforts to maintain that 3 percent as regarding salary increases? I think the government is going to have to come clear on that particular item.

Mr. Speaker, on Page 2, the Minister made a comment, and I would quote: "The difficult economic period we have all come through," and I would question that statement somewhat. It would make it sound like we have come through the most difficult times and that happy days are here again, and of course we know that is not correct. I hope it's not that type of thinking that permeates, not only the Department of Education

but the whole government, and I would wonder if the Minister of Finance would share that view.

Mr. Speaker, we support the attempt by the government and the provision of \$250,000 to increase early identification or problems, which interfere with children's ability to learn, and not knowing specifically how they will attempt to develop a program, or to continue the program that's now in existence, we'll say that at least the funding seems to be moved in towards a proper direction.

Mr. Speaker, further on that page, the Minister talks about "inadequate revenue support and inequities in their abilities to raise funds from local property taxes," and I again specifically question whether the criteria used in any of the Small Schools' grants, or the supplemental grants have changed at all. This government has a history of ad hocery as far as bringing forward criteria, to have certain schools become eligible for some of these grants and I'm wondering if the criteria, by which schools apply, are going to change, or whether, in fact, there will be the same criteria that have been in place for the past year.

Well, Mr. Speaker, the Minister talks about the fact there'll be a much greater shift from the so-called poor divisions to, I suppose, the wealthier divisions of \$7 to \$23 million. Then I guess I would beg the question then, were the additional revenue given, that \$16 million in addition is coming from the government, who is going to be making up the difference? It's obviously special levy within the so-called wealthier divisions, and obviously there will be a major increase on property taxes within those divisions and time will bear it out, of course, which divisions those may be.

Mr. Speaker, as we said earlier, we support the government in maintaining the mill rate at 43.7 on the residential balanced assessment but our concern again is the shift to special levy, and of course this is where many many of us hear from our constituents very quickly once the tax notices have been served. Again, we're wondering about the 3 percent - if divisions are going to be able to live within the 3 percent increase given that many many of the demands that are going to come upon them, not only from teachers, but also the increase in hydro and also many of the other operating costs that they are faced with.

Mr. Speaker, on Page 5 the Minister talks about the increase in demand for language instruction, and that there will be some provision for increased funding in that area, I guess I would ask by how much?

Also, on the second paragraph, I would commend the government again for increasing the amount of money directed towards computer instruction. During this time that, obviously, has to have a high priority. But, again, I would say that these are just continuations of programs that our government put into place a few years ago. The transportation grants - I notice that they're not being increased by 3 percent; they're being increased by some number under that and, again, I would ask the Minister of Education to tell us why?

My final comment, Mr. Speaker, it's noticable by its absence, but I see that there is no mention whatsoever as to aid to private and independent schools. I would wonder why that has been left out of this report. It seems to be a glaring omission.

Thank you very much, Mr. Speaker.

**MR. SPEAKER:** Notices of Motion . . . Introduction of Bills . . .

## INTRODUCTION OF GUESTS

**MR. SPEAKER:** Before question period, may I direct the attention of honourable members to the gallery. We have 31 students of Grade 11 standing from the Shaftesbury High School. They are under the direction of Mr. Semotok, and the school is in the constituency of the Honourable Leader of the Opposition.

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

## ORAL QUESTIONS

Pension registration

**MR. SPEAKER:** The Honourable Leader of the Opposition.

**MR. G. FILMON:** Thank you, Mr. Speaker. My question is for the Honourable Minister of Urban Affairs. Yesterday, in response to a question regarding the proposed pension for the City of Winnipeg councillors, the Minister indicated that the decision on registration or approval of that pension plan would not be a government decision, but rather a decision of the pension commission. My question to her is in her capacity as Urban Affairs Minister, does she plan to bring in amendments to The City of Winnipeg Act which would prevent that plan from being implemented in its present form? Would she plan to bring those amendments in at this next Session of the Legislature?

**MR. SPEAKER:** The Honourable Minister of Labour.

**HON. M.B. DOLIN:** Thank you, Mr. Speaker. The City of Winnipeg Act, by amendment, allows city councillors to draw up a pension plan. They did this, perhaps each of us could suggest that they might have done it in a different way; they might have limited it; they might have funded it; they might have done a lot of things that would have brought it in line with other pension plans that exist in this province. They chose to draw up their plan in the way they decided on. They now have a committee of review looking at that. I believe it's their responsibility to develop their own pension plan. What The City of Winnipeg Act allows is simply that councillors may have a pension plan.

**MR. G. FILMON:** Mr. Speaker, in view of the fact that this provincial government, at the last session of this Legislature, brought in amendments to The City of Winnipeg Act that specifically permitted the councillors to develop this pension plan, does that mean that the Minister and the government approves the pension plan that has been adopted?

**HON. M.B. DOLIN:** Mr. Speaker, we certainly do not approve, the information we had from City councillors was that they would be bringing in a plan that was similar to the one that we, ourselves, share in; and in fact their plan, as I read it, goes way beyond what the MLA's plan calls for and I believe those discrepancies have been pointed out through various articles in the paper, letters and so on and I certainly have that information, too.

The councillors decided on a plan that was way beyond anything that exists in the Province of Manitoba, but that does not mean that they do not have to file for registration with the Pension Commission.

**MR. G. FILMON:** Mr. Speaker, in view of the fact that the Minister and the government do not approve the plan that has been brought forth by the City of Winnipeg, will they then, in this session, bring forward amendments to The City of Winnipeg Act that would limit the extent of the pension plan City councillors could bring forward on their behalf? Will they bring in those amendments?

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

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please.

**HON. H. PAWLEY:** Mr. Speaker, if I could respond to that question. If there's an indication for honourable members across the way that we could, without delay, process first reading, second reading, third reading and appropriate a bill, I think, we could do that within the next few days. That would ensure consistency between the provincial and the City pension plan.

**MR. SPEAKER:** The Honourable Minister of Labour.

**HON. M.B. DOLIN:** Perhaps it is the question from the perspective of the Minister of Urban Affairs, Mr. Speaker. I believe the member who asked the question is on record on radio or TV, I'm not sure which media it was, saying that he would not interfere, that elected officials are responsible to their electorate and, in fact, it is the electorate that will remove them if they don't believe that you should have a full-time pension for a half-time job as . . . .

**MR. G. FILMON:** Mr. Speaker, I will accept the entreaties of the First Minister and let him bring forth that amendment and we'll deal with it in the proper fashion then. We'll take the credit for it.

**MR. SPEAKER:** Oral questions. The Honourable Member for St. Norbert.  
Order please.

## Tax increases on assessment

**MR. G. MERCIER:** Mr. Speaker, I have a question for the Minister of Urban Affairs following upon the announcement by the Minister of Education. In view of the fact that the real test of a government's support for municipalities lies in the net effect upon the taxpayer, would the Minister of Urban Affairs confirm that on an average assessed home in the City of Winnipeg School Division of \$7,000, that in the first two years of this NDP Government, the total increase in taxes is three times the total increase over four years under the previous Progressive Conservative Government?

**MR. SPEAKER:** The Honourable Minister of Labour.

**HON. M.B. DOLIN:** Mr. Speaker, I don't have the tax base or assessment records with me. I do know for

sure that the assessments are not balanced in the City of Winnipeg. I do know that there are some very large, comfortable homes that pay at a rate that is quite a bit less than those that are much less comfortable in some other parts of the city. Hopefully, in time and with reason, that will be changed. The exact answer to the member's question, I would have to look up and get for him at some future date.

### Attorney-General re charges

**MR. G. MERCIER:** Mr. Speaker, I'll look forward to the Minister of Urban Affairs checking on that matter and confirming that in the House.

A further question for the First Minister, Mr. Speaker. In view of his response the other day and the Attorney-General's response to the charges laid against Dr. Morgentaler and staff, would the First Minister request a report from the Deputy Attorney-General in order to determine in how many other instances the Attorney-General has laid charges, changed charges, or stayed charges without obtaining the recommendations of his department or senior law officers of the Crown; and also the number of instances in which the Attorney-General has rejected the advice and recommendations of his department and senior law officers of the Crown.

**MR. SPEAKER:** The Honourable Attorney-General.

**HON. R. PENNER:** I can answer that question right now. There have been two cases since I've taken office where an indictment has been preferred by the Attorney-General - that's the technical term - that is where the Attorney-General has decided on the course of action for prosecution.

In the first of these cases, it was a case which arose when the Member for St. Norbert was the Attorney-General and his law officers came to him asking that he direct an indictment in a particular case. He chickened on that and said, "Oh, take it to the courts." The courts decided very vigorously that that was the duty of an Attorney-General and not to be taken to the courts to duck out of the responsibility. Subsequently, while this was still pending and I was elected, the same law officers came to me with that request, and that was the case I quoted in this House a few days ago, and I accepted the responsibility, which I had as an Attorney-General, and directed an indictment in a case, indeed in which, at the preliminary, the judge had refused to commit for trial and in which it seemed clear to me, as a matter of public policy, there was an issue which ought to be tried; so that was the first instance.

The second instance is the one to which he refers and in which I followed the precedent that had been established in that case and upheld by the Supreme Court with respect to the responsibility of an Attorney-General to make sure that the law is fairly prosecuted because it is an essential principle of the administration of criminal justice that an accused be allowed to make full answer in defence, and that's the principle that's being pursued in this case. And also it's equally a principle of the administration of criminal justice that, where there is a case to be tried, it ought to be tried.

In the normal course all other instances, with respect to stays of prosecution, are dealt with by line attorneys

based on their assessment of the particular facts of the case.

**MR. G. MERCIER:** Mr. Speaker, a supplementary question to the Attorney-General.

In view of the fact that on June 2 when I asked the Attorney-General whether he would be dealing with this matter personally or will the matter be handled by the Director of Prosecutions, the Attorney-General said the matter will be handled by the Director of Prosecutions. My question to the Attorney-General is why, in changing the charges, did he not seek the advice of his department and the law officers of the Crown?

**HON. R. PENNER:** Mr. Speaker, I can't tell you how happy I am that the Member for St. Norbert has asked that question. Indeed, that's exactly what happened, that with respect to the whole course of the event up to the preliminary, it was the advice of the law officers of the Crown which was followed because at that stage they were the ones to assess the evidence together with the police, not the Attorney-General. But once the evidence became a matter of record, and not a matter of speculation then, but only then, was it the responsibility of the Attorney-General to decide the course of criminal prosecution so that the matter has been followed not only consistently but in accordance with established legal precedent.

**MR. G. MERCIER:** But, Mr. Speaker, a further question to the Attorney-General. In changing the charges, why did he not seek the advice of his department and law officers of the Crown? He stated the other day that he did not seek any advice from his department.

**HON. R. PENNER:** Mr. Speaker, I did not say that the matter was not discussed with the law officers of the Crown. Indeed, prior to the decision which was announced by me, the matter was discussed with the law officers of the Crown in which I advised them of the course I proposed to take, so that if they wished — (Interjection) — Well, I'm answering your question. . . .

**MR. SPEAKER:** Order please.

**HON. R. PENNER:** . . . so that if they had any objections on legal grounds, they had the opportunity to make it to me.

But, Sir, the responsibility with respect to the administration of criminal justice in the prosecution charges is that of the Attorney-General and not of Crown Attorneys. It may have been the case during the tenure of that Attorney-General, that he didn't know how to carry out his responsibilities; I do.

**MR. SPEAKER:** The Honourable Member for La Verendrye.

### Nevada takeover

**MR. R. BANMAN:** Thank you, Mr. Speaker. I direct my question to the Minister in charge of Lotteries and would ask him if he could inform the House when the private wholesalers of Nevada Bingo Supplies will be put out

of business? In other words, when does the government take over the functions now being performed by these private businesses?

**MR. SPEAKER:** The Honourable Minister of Health.

**HON. L. DESJARDINS:** Mr. Speaker, the general policy has been announced and when it takes effect, as soon as possible, then that also will be announced as soon as we know.

**MR. R. BANMAN:** Thank you, Mr. Speaker. I wonder if the Minister could confirm that letters have gone out saying that as of April 1st the private companies will no longer be able to sell Nevada Bingo Supplies in this province.

**HON. L. DESJARDINS:** If the letter was sent by the foundation, I will have to check with the foundation. I suspect that is correct.

**MR. R. BANMAN:** Thank you, Mr. Speaker. I wonder if the Minister could inform the House if either the Lotteries Corporation, or his office, has put forward any proposals to deal with the people, the employees that are working for these different companies, what will happen to them when the government takes over this function.

**HON. L. DESJARDINS:** Mr. Speaker, the general policy is to, as much as possible, take these people within the foundation where they're needed. They certainly will have the first chance, those who wish to work but can't, certainly will be given the first chance on application.

**MR. R. BANMAN:** Thank you, Mr. Speaker. A further question to the Minister. I wonder if he could inform the House if he has got a rough idea of how many new employees the Corporation is going to be hiring to take over these functions.

**HON. L. DESJARDINS:** I'll have to take that as notice because we're not going to go out and hire everybody. This will be done, as needed, in an orderly fashion. There's many of the functions that were being done in other areas will be done now by the foundation, and we certainly will have a full report during the Estimates at the next Session.

**MR. R. BANMAN:** A further question to the same Minister. I wonder if the Minister could inform the House whether or not, by cutting the prize money - and I'm referring now specifically to the Nevadas - the new proposal which cuts the prize money, in other words, the money that goes back to the player of the game. I understand that the government will be cutting that; they will also be reducing the profits that the community organizations can make; and I also understand that they are increasing substantially the licence fees.

I wonder if the Minister could inform the house whether or not the figures - I believe there's something like \$3 million that the government made on the Nevadas this last year - will that figure be increased to about \$20 million. In other words, by going ahead

and increasing licence fees, cutting back the return to the player and cutting back the profits to the community groups, does the government intend to increase its profits from some \$3 million to some \$20 million?

**HON. L. DESJARDINS:** Mr. Speaker, I'm surprised at this question because it was the same honourable gentleman who last year, and I'll find Hansard, who suggests to us that there should be less money, that the government or the charity should receive more funds. This is what we've tried to do.

Now the honourable member is absolutely wrong when he refers to profit to government and so on. Every single cent will go back to the charities, but it'll be done to cover more people to have a fairer distribution of funds, that is our aim.

**MR. R. BANMAN:** Thank you, Mr. Speaker. A final question and it's one raised by a number of small private retailers who are now selling the different tickets. I wonder if the Minister could check for me, or report back to the House, whether the Lotteries Corporation has adopted a new policy whereby retailers, who sell less than \$100 worth of tickets or product a week, will not be serviced by the Lotteries Corporation. In other words, the small little corner store that maybe doesn't have the volume that others do, that sell less than 100, will they not be serviced by the corporation?

**HON. L. DESJARDINS:** Mr. Speaker, this is a new one for me. I would consider that as strictly administration. There's a possibility like any other product that is delivered, if the order isn't sufficient they might be asked to pick their product themselves, but that I have never even heard of that. I'll try to find out for the honourable member.

**MR. SPEAKER:** The Honourable Member for Morris.

**MR. C. MANNES:** Thank you, Mr. Speaker. — (Interjection) —

**MR. SPEAKER:** Order please.

### **Brandon University - president**

**MR. C. MANNES:** I'd like to address my question to the Minister of Education. It's a specific question, Mr. Speaker. Why was Dr. Perkins fired as the President of the University of Brandon?

**A MEMBER:** Ask the Board.

**MR. SPEAKER:** Order please. The Honourable Minister of Education.

**HON. M. HEMPHILL:** Mr. Speaker, first of all, I'd like to take just a moment to congratulate the Member for Morris for being named my official shadow.

**A MEMBER:** And what a shadow you will have.

**HON. M. HEMPHILL:** Mr. Speaker, I'm looking forward to getting to know him a little better in the future, and I'm particularly looking forward to working together

with him in what I hope will be a mutual concern and interest for the education in the students of Manitoba. Having said that I'd like to answer his first question. I've been waiting with baited breath for his first question, and I'm sorry I can't . . .

**MR. C. MANNESS:** Pawley didn't answer it the other day, so you might as well.

**HON. M. HEMPHILL:** Mr. Speaker, I think the Member for Morris knows that the decision to hire or fire administrators is made by the Board of Governors, and if he wants an answer to that question he should direct it to the Board of Governors.

**MR. C. MANNESS:** Mr. Speaker, all the fine platitudes aside, I will ask the government, specifically the Minister of Education, whether this government has any idea as to why Dr. Perkins was fired? Did they call or have they been in touch with the Board of Governors to ascertain those reasons that he was fired?

**HON. M. HEMPHILL:** Mr. Speaker, I'm sure that the Member for Morris and the members opposite also are quite aware that the either hiring or firing of a top senior official, the Chief Executive Officer, is not only a very difficult decision for anybody, whether your government or a Board of Governors, but it is a very sensitive activity and that often I think it is very important to make the point that when matters like this are in the hands of legal counsel, and I believe they are at this time, that we have to be very very careful not to interfere with a fair judicial process. I don't want to do that and I don't think the members opposite should want to do that either.

**MR. C. MANNESS:** Mr. Speaker, I understand, of course, it is a very sensitive situation, but my question was quite specific: does the government know the reasons for the firing of Dr. Perkins?

**HON. M. HEMPHILL:** I think I was trying to answer that, Mr. Speaker, by saying that I am not in a position, nor do I want to do anything in this House, or outside of this House, that is going to cause problems or interfere with a fair judicial process.

### Brandon University Music Building

**MR. C. MANNESS:** Mr. Speaker, I can't demand an answer, but my question was whether the government knew, and I didn't ask them to disclose that at this time.

Mr. Speaker, I would ask a further question to the Minister, is the University Grants Commission required to approved the application by the University of Brandon for the building of a school of music?

**HON. M. HEMPHILL:** Mr. Speaker, the University of Brandon has had approval for quite some time to build the music building. That approval was conditional, as he knows, on the Brandon University being able to raise \$4.5 million, so that they were given approval to build; they were not given an indication that government would support to that level. They have since received

approval from the Grants Commission and are required to receive approval for a building that the government will fund. We have agreed to support a music building to the tune of \$4.5 million with the university being required, I believe it is to raise a little over a million dollars of that money.

**MR. C. MANNESS:** I would ask the Minister of Education then, when and how the university has to prove its total, or what commitments have to be made to the university that will assure the government that the community of Brandon has collected its \$1 million, and when does that have to be done to satisfy the University Grants Commission so that construction can proceed?

**HON. M. HEMPHILL:** Mr. Speaker, I would like to say one thing just before I answer that specific question. If the members opposite and the previous government had not frozen construction, and stopped construction of that building years ago, we could have built it for half the amount of money it's going to take today.

So, if they're so concerned, as they've demonstrated, about whether or not they have a music building, we could have all wished they would have let them build it three or four years ago. The Province of Manitoba has committed themselves to put in \$1.6 million to the program.

**MR. SPEAKER:** Order please. The Honourable Minister.

**HON. M. HEMPHILL:** This is the breakdown of the funding for the Brandon Music Building. The Province of Manitoba is putting in \$1.6 million. We have agreed that the anniversary grant, which was designated at \$500,000 will be continued, even though it was a dollar for dollar matching grant, and the university, to date, I think, has only been able to raise \$250,000.00. We, nevertheless, said we will still give you the \$500,000 of the anniversary grant. The Federal Government NEED Grant is going to put in \$1.4 million and Brandon University fund raising is going to have to raise \$500,000.00. Now, that is for a building that has been approved at \$4.5 million. The university has indicated they may want to spend more than the total project that has been approved. They may want to go to \$5 million. They may, if they wish, but they have to raise the additional monies themselves.

### McKenzie Seeds - member disqualification

**MR. SPEAKER:** The Honourable Member for Turtle Mountain.

**MR. B. RANSOM:** Thank you, Mr. Speaker. My question is for the First Minister. Does the First Minister have any knowledge of any information or any circumstance that might disqualify the Member for Brandon East as being the Minister responsible for A.E. McKenzie Ltd.?

**MR. SPEAKER:** The Honourable First Minister.

**HON. H. PAWLEY:** No.

### Payroll tax late filing fines

**MR. B. RANSOM:** Mr. Speaker, I have a question for the Minister of Finance. Some months ago there were penalties assessed against people, businesses, who were late in filing, remitting, their tax for the payroll tax, or the education levy as the government knows it. In many cases those fines levied were larger than the payment due, and those fines were assessed, I might say, in a very high-handed, bureaucratic and officious fashion. Can we have the assurance from the Minister of Finance that the enforcement of the regulation and of the law concerning remittance of that tax will no longer be carried out in that high-handed fashion and that the taxpayers will be given the respect that is due to them?

**MR. SPEAKER:** The Honourable Minister of Finance.

**HON. V. SCHROEDER:** Mr. Speaker, I believe it was in the month of November. The due date for that tax is the 15th of the month, and in that particular month, I believe we experienced the first month that it fell on a Saturday and some people sent it in on the Monday following, or on the Tuesday following and so on, and there was an administrative decision taken within the department to fine those whose money had not come in by the 15th, or whose letters were not postmarked by the 15th. That is, anyone whose letter was postmarked by the 15th of the month, even though the money wasn't in until later, was not charged with that fine.

The fine, which is 5 percent of the amount due or a minimum of \$20, is an item that we have indicated to taxpayers is under review. The 5 percent is identical to other tax penalties, such as, on the income tax and so on. The \$20 minimum, I believe, is probably too high in view of the fact that there are some people who pay very little, they have maybe an employee who works one day a week or that sort of thing. So we will be looking at that and, of course, it is in the statute that was before the Legislature when it was passed, that \$20 fine minimum, and I don't recall any complaints from the opposition about that at the time. They didn't raise that in debate; they certainly had the opportunities to do so. It has come to our attention now. We have indicated that we are going to review it. The fines in general were cancelled and we are proceeding as normal with taxation statutes.

### University tuition fees

**MR. SPEAKER:** The Honourable Member for Inkster.

**MR. D. SCOTT:** Thank you very much, Mr. Speaker. Mr. Speaker, I have a question for the Minister of Education, and I must say I was somewhat concerned when she said that she was looking forward to working with the Member for Morris, or alongside the Member for Morris, in the interests of education, furthering education in Manitoba.

My question, Mr. Speaker, is can she assure this House and can she assure the students of the universities of Manitoba that she will not follow his advice when he suggests that university student's tuition fees should move towards 25 percent of the total cost

of education which, in fact, would be two-and-a-half times the current rate of tuition fees for university students and would close the door for higher education for most students in our universities today?

**MR. SPEAKER:** The Honourable Minister of Education.

**HON. M. HEMPHILL:** Mr. Speaker, I think the point I made earlier, that the Member for Inkster just referred to, was that I really hoped to be able to work with him in the best interest of the education system and the students of Manitoba, and I do hope that he takes their interests at heart and not short-term political interests. To the 25 percent tuition fee increase that he has suggested, I think it's shocking. I think it's a shocking recommendation and one that we would not be prepared to support.

I think this government is on record as being very concerned about accessibility to post-secondary education. To that end, we put \$1.6 million additional money into funding for universities in the first year we were in government so that there would be no increased tuition fee to the students of Manitoba, and that last year, to the suggestions from the university that there might be a 25 percent tuition fee increase, we indicated that there should not be an increase beyond the guidelines of 9.5 percent, and there was not.

So what I would like to say, Mr. Speaker, is that we consider that to be very important and we will do whatever we can to keep the tuition fee rates for Manitoba one of the lowest in Canada as they are presently today.

**MR. D. SCOTT:** Mr. Speaker, I have a bit of a problem with some of the answer that the Minister gave in that she fell into the trap a lot of other people have.

**MR. SPEAKER:** Question.

**MR. D. SCOTT:** I think that he was speaking of a 25 percent increase. What he is talking about is a two-and-a-half times increase, and I appreciate . . .

**MR. SPEAKER:** Order please. Order please. The Honourable Opposition House Leader on a point of order.

**MR. H. ENNS:** On a point of order, I hardly think I need to state it, Mr. Speaker, but I look to you to bring the questioner to order.

**MR. SPEAKER:** I am sure that all members will recall that both questions and answers should be short, concise and to the point.

The Honourable Member for Inkster.

**MR. D. SCOTT:** Mr. Speaker, I was simply trying to clear a misunderstanding of the original question. Can she assure us that not only will she fight against a two-and-a-half times increase in the tuition fees for university students, which the Member for Morris suggested, but also a 25 percent increase, or any increase, in tuition fees for the students of Manitoba of that nature?

**HON. M. HEMPHILL:** Mr. Speaker, I think the best answer I can give is that this government is going to

continue to do whatever they can to keep the tuition fees for students of Manitoba one of the lowest in Canada.

### Accreditation of Ophthalmologists

**MR. SPEAKER:** The Honourable Member for Fort Garry.

**MR. L. SHERMAN:** Thank you, Mr. Speaker. My question is to the Honourable Minister of Health. I would ask him, Sir, whether he can confirm that the University of Manitoba Medical School was in danger of losing its accreditation to train eye specialists, ophthalmologists, because of poor conditions for ophthalmology at the Health Sciences Centre?

**MR. SPEAKER:** The Honourable Minister of Health.

**HON. L. DESJARDINS:** No, Mr. Speaker, I haven't heard anything about that.

**MR. L. SHERMAN:** Well, Mr. Speaker, could I ask the Minister whether either he or others in his office, or at the Health Services Commission, have been assigned to investigate a series of recent reports, both from health professionals and from the Winnipeg Free Press, into conditions in the hospital situation in this city and in this province; and have they not seen and read those reports, including the very serious reports having to do with conditions in ophthalmology and the danger of the University of Manitoba Medical School losing its accreditation in that field?

**HON. L. DESJARDINS:** Mr. Speaker, it's automatic in our department that if there are any complaints that they are investigated, and this is something that would be better discussed during the Estimates review - we are talking about next year. Well, the former speaker is moaning out there. I don't know if he is sick, maybe we can try to . . .

**SOME HONOURABLE MEMBERS:** Oh, oh!

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

**HON. L. DESJARDINS:** I have stated, Mr. Speaker, that we look at all concerns of any criticism or anything that is brought to our attention, but that we will not automatically react just by pressure. There is a certain way of dealing with this and we will be able to give the answer. I have also stated that in the past, and there is not much I can do about that if the Free Press wants to keep on with these stories. I would say that any reporter worth his salt can go in any hospital in Canada and find something wrong. I would like to see them go around and find some of the good stories of some of the things that are done to give the people the idea of the dedicated people that we have here, the provider of services. I think that would be fair.

Now, I think I'm ready to debate that during the Estimates and we will address the concern that was brought to our attention.

**MR. L. SHERMAN:** Well, Mr. Speaker, if we could just stick to the problem of ophthalmology at the University

of Manitoba Medical School for the moment, in view of the fact that the College of Physicians and Surgeons, which provides the accreditation and which has indicated that it's going to withdraw the accreditation and is due for a further visit to ophthalmology at the Health Sciences Centre in February, and the Estimates of the Minister's department are not likely . . . — (Interjection) —

**MR. SPEAKER:** Order please.

**MR. L. SHERMAN:** . . . the Estimates of the Minister's department are not likely to be before this House for several months, Mr. Speaker, that crucial visit is scheduled in February, would the Minister — (Interjection) — would the Minister give the commitment to this House, and to the people of Manitoba, that he will have that situation with respect to accreditation for ophthalmology at the U. of M. Medical School looked into within the next very few days and report back to the House on that subject. It cannot wait for his Estimates.

**HON. L. DESJARDINS:** Mr. Speaker, I think that I already said that any concern that is brought to my attention is being investigated, but there is something else that I want to say. There is no such a thing as one person responsible for all health care in Manitoba and the sooner — (Interjection) — if he got sucked in that's his business, that's not my problem. I've repeatedly said, Mr. Speaker, that at the request of the hospital we've gone to block funding. Now if you need a lecture on what block funding is, I'm ready to give you one.

Also, we are told to respect the boards and the boards have recommendations and have a duty to play. If these things, Sir, should be that bad I don't want to learn from the Free Press, I want to learn from the Medical School if there's any problem and I haven't heard anything from them at this time. There is no way that we are going to make every single decision in the Department of Health. This is a co-operative thing with the suppliers of the service, those that are delivering the service, the professionals, the planners, the administrators, and the boards of the different hospitals, and it is wrong to try to change this, and to act and to plan just by pressure, and I will not do it.

**MR. L. SHERMAN:** Mr. Speaker, can the Minister confirm that he received a letter from a Dr. Edward Anhalt, the former head of Ophthalmology, Head of the Department at the Health Sciences Centre, and professor at the university, who resigned from the position recently out of frustration, who sent a letter to the Minister and claimed, Sir, that he received no response from the Minister at all on the situation; that the Minister refused to meet with him; that he referred him to his Deputy, Mr. Edwards, and that he, Dr. Anhalt, never heard from Mr. Edwards? Can the Minister confirm that sequence of events?

**HON. L. DESJARDINS:** Mr. Speaker, I will have to check with Mr. Edwards who is the Executive Director of the Manitoba Health Services Commission. If I remember right, and I stand to be corrected, the letter that I received was a copy of a letter, and the former Minister

knows well that automatically that is referred to staff for action at this stage.

I've said in the past that the member is on every side of every issue and there's another example. When he was the Minister he was talking about getting away from the hospital model for the medical model and that there were too many beds. All of a sudden, he's taking the easy way because of a few stories and all of a sudden we're going to have a bed for every single person here. The same people are talking about the high deficit that we have or the taxes that we have. I would like to know what my honourable friend or what the members on this side are advocating?

Are they suggesting that we should have a bed ready for every citizen of Manitoba? If so, I would like them to give me an idea where we're going to get the money to do that, and then we will go. I think that we are doing very well. I've made the comparison and we are doing very well. You can lift that up as high as you want. I think that we have done very well.

First of all, we set up a planning system — (Interjection) — Oh, he's pointing at something. If that's in order, let me answer that. Let me answer that. Either you want the answer or you don't. I am saying look at the difference in money, first of all, that we received from the Federal Government. In the next five years it'll be \$700 million less than in your days; and look at the money that we're spending compared to the Conservative provinces in the west; then let's look at the money that we're spending compared to what you did in the last four years. If you're advocating more than that, let us know, we will consider it.

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

The Honourable Member for Turtle Mountain.

### MATTER OF URGENT PUBLIC IMPORTANCE

**MR. B. RANSOM:** Mr. Speaker, before Orders of the Day, I move, seconded by the Member for Arthur that under Rule 27, the ordinary Business of the House be set aside to discuss a matter of urgent public importance, namely: the government's refusal to provide an early and adequate opportunity to examine its management of A.E. McKenzie Limited.

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

In accordance with our Rule 27, the honourable member has five minutes to explain the urgency of the matter.

The Honourable Member for Turtle Mountain.

**MR. B. RANSOM:** Thank you, Mr. Speaker.

When I rose in this House last June, I raised two questions with respect to A.E. McKenzie Limited. No. 1, had to do with an allegation of conflict of interest involving the Chief Executive Officer and other senior officers of A.E. McKenzie Limited.

The second question that I raised had to do with whether or not the Minister responsible for A.E. McKenzie had had any prior knowledge of a possible conflict of interest. Mr. Speaker, the government dealt promptly with the charge of conflict of interest.

The Provincial Auditor was called in; the auditors who had been handling the business of A.E. McKenzie were dismissed, subsequently, the Chief Executive Officer and two other senior officers were dismissed.

**MR. SPEAKER:** Order please, order please. The Honourable Government House Leader on a point of order.

**HON. A. ANSTETT:** Mr. Speaker, as I understand our rules, and based on past practice in this House, the purpose of the five minutes assigned to a representative of each side of the Chamber is to express the need for urgency, rather than to debate the question. The member is clearly debating. The matter that he proposes should be debated and not addressing the question of urgency for debate, and the reasons why all other matters should be set aside in this Chamber purely to discuss that issue. That's the question to be addressed, not to debate the issues.

**MR. SPEAKER:** Order please.

The Honourable Member for Virden to the same point.

**MR. H. GRAHAM:** On the same point, Mr. Speaker. It's an unwarranted intrusion by the Honourable Government House Leader, who wants to impress on this House his wonderful knowledge of the rules. The Honourable Member for Turtle Mountain has five minutes to express the urgency of debate. At least give him the courtesy of the five minutes without interruption. I suggest, Mr. Speaker, that the honourable member should sit and listen, and we will listen to his five minutes of debate without interruption.

**MR. SPEAKER:** Order please. The Honourable Minister of Energy and Mines.

**HON. W. PARASIUK:** Yes, I'm speaking to the same point of order, especially in light of the contribution made by the Member for Virden who was the former Speaker of the Legislature. I think that if anyone looks through Hansard, from the period 1977 to 1981, they will find that whenever we try to introduce motions of urgency for debate, the Speaker at that time would get up, not give us the courtesy of the five minutes and interrupt us to point out that we should follow the rules, Mr. Speaker. There were members of the Conservative Party in the House at that time who also got up, interrupted us in our five-minute statements to say that we should follow the rules. Mr. Speaker, they were obviously either terribly wrong at that time or the Member for Virden has a very bad case of amnesia. We could find out through Hansard, it's quite easy to do, Mr. Speaker, and I find it very amusing and sad at the same time, sort of like a tragic comedy, that the Member for Virden interrupts every once in a while to talk about rules in a way that he didn't do when he was Speaker. I would ask you, Mr. Speaker, to follow the rules as we are trying to do.

**MR. SPEAKER:** I thank all those honourable members who have reminded us that our Rule 27(2) allows the honourable member five minutes to show the urgency of the matter, not of the substance of the matter itself.

The Honourable Member for Turtle Mountain has used one of his five minutes.

The Honourable Member for Turtle Mountain.

**MR. B. RANSOM:** Mr. Speaker, I assure you, Sir, that I am in the process of demonstrating the urgency of this matter. There were two issues raised in this House: one was the conflict of interest; one was the government's management or mismanagement, their knowledge or lack of knowledge about this affair. The point I am making is that the government acted promptly to deal with the charge of conflict of interest. The Chief Executive Officer and others were subsequently dismissed. The RCMP have been called in to investigate the possibility of criminal activity. That is being dealt with, Sir.

The other question I raised has not been dealt with. We had called for the resignation of the Minister responsible; we had called for the resignation of the Chairman of the Board because they had not demonstrated any understanding of their role and responsibility. The Chairman of the Board doesn't seem to recognize a conflict-of-interest situation when it runs right over him, and we haven't been able to get answers, Sir, and this hinges upon the ability of this Legislature to control Crown corporations.

We have not been able to get answers. What has happened now, after the government defending the Minister responsible and defending the Chairman of the Board, we find that the Minister has been removed, the Chairman of the Board has resigned, coincidentally at the same time, so that they will not be available to this House to question. The government refuses to call the Standing Committee on Economic Development so that we can deal with this issue promptly. This goes to the heart, Sir, of the question of how the Legislature can control a Crown corporation, A.E. McKenzie specifically and Crown corporations generally.

There is no other opportunity for us to deal with this situation, Sir, and I suggest that the conflict-of-interest situation has been dealt with promptly, but the government has not dealt with the question of their management of this situation and it is urgent, in the interest of this House and in the affairs of this province, that this matter be dealt with immediately.

**MR. SPEAKER:** The Honourable Government House Leader also has five minutes concerning the urgency of the matter. The Honourable Minister of Municipal Affairs.

**HON. A. ANSTETT:** I appreciate that members opposite have an interest in this matter, as do members on this side who have been quite concerned about the question which the member wishes to debate today. However, the question before us is whether or not there is merit in setting aside all other business of the House to address this question.

Mr. Speaker, the honourable member suggested, after he addressed the issue itself, and then began to address the question of urgency, that there were essentially three issues that he felt required urgency, that gave the issue some sense of urgency. He said there were some firings last summer. Mr. Speaker, after those firings the House was in session for excess of two months. It wasn't

urgent then, why is it urgent now? I submit, Mr. Speaker, the argument for urgency fails on that case.

The second suggestion was that the opposition had demanded some resignations and, therefore, it was urgent that the matter be debated. Mr. Speaker, a demand by the opposition does not constitute, under any preposterous concoction of our rules, a definition of urgency, otherwise a demand by the opposition could make any issue under the sun urgent.

Sir, the third argument, the Member for Turtle Mountain tried to suggest defines urgency is that the opposition hasn't had an opportunity to ask questions. Mr. Speaker, on only one or two days in the last six days that we've sat has the opposition asked any questions. The opportunity to ask questions is 40 minutes every day. There were no questions today, I don't believe there were any yesterday — (Interjection) — Oh, there was one today. My apologies, Mr. Speaker, I believe there was one question, that question was answered.

Clearly, Mr. Speaker, the arguments for urgency put forward by the member opposite do not hold any water. But, more important, Mr. Speaker, the Provincial Auditor did a review of some of the activities that were alleged to have gone on last spring, and that review has been made public I am advised. In addition the Provincial Auditor currently has the Financial Report of McKenzie Seeds for last year. It has not yet been transmitted so there is information that is not available to members on this side, or the other side, because that has not been received.

Mr. Speaker, further, the appropriate mechanism, and there must be an appropriate mechanism available if it is to be argued that there is no urgency of debate. The appropriate mechanism is, and always has been, the standard referral of the Annual Financial Statements of McKenzie Seeds to the Standing Committee on Economic Development, that's always done, there is that opportunity.

So, Mr. Speaker, I submit, (1) that there is not urgency; but (2) that there is an appropriate vehicle. In addition, as members are aware, there is an RCMP investigation on this matter at the present time; there is, in addition, Mr. Speaker, has been by the Minister responsible for A.E. McKenzie, a statement that they will be filing a Statement of Claim against former officers before the end of this month. Mr. Speaker, that is of some significance and certainly we would not want to impinge on that, or define urgency as precluding activities that are important, and will all be reported to the committee.

Mr. Speaker, in terms of knowledge in the allegations the Member for Turtle Mountain said were urgent and needed to be addressed, with regard to the knowledge of the former Minister responsible, those allegations were made last June, last July, last August. They were not urgent then, in fact, the only clear information about knowledge is that the opposition had knowledge before May 26, 1983 which they did not bring to the attention of the Standing Committee.

So, Mr. Speaker, in conclusion, I would draw your attention to Citation 286 in Beauchesne which expands upon the definition of urgency in our Rules, and it says, specifically: "The 'specific and important matter requiring urgent consideration', for the discussion of which the adjournment of the House may be moved under S.O. 26, must be so pressing . . . "Mr. Speaker, this is important.

**MR. SPEAKER:** Order please.

**HON. A. ANSTETT:** ". . . must be so pressing that public interest will suffer if it is not given immediate attention."

Mr. Speaker, I submit that nothing in the arguments presented by the Member for Turtle Mountain made that case.

### SPEAKER'S RULING

**MR. SPEAKER:** Order please. As required by our Rule 27(1) I can confirm that the Member for Turtle Mountain gave me the required prior notice of this resolution. The motion is in order, as required by our Rule 27(5), but I am also required to find that the matter is of urgent public importance.

As all members have noted, it may be of widespread public interest, but I have not been convinced that the matter is of such urgency as to require that the regular business of the House be put aside in order to debate the matter, therefore, I would rule against the motion.

Orders of the Day.

The Honourable Government House Leader.

### ORDERS OF THE DAY

**HON. A. ANSTETT:** Mr. Speaker, would you call the resolution standing in the name of the Member for Turtle Mountain, please?

### ADJOURNED DEBATE ON RESOLUTION CONSTITUTIONAL AMENDMENT RE: OFFICIAL LANGUAGES

**MR. SPEAKER:** On the proposed motion of the Honourable Attorney-General and the amendment thereto proposed by the Honourable Government House Leader, the Honourable Member for Turtle Mountain has 19 minutes remaining.

**MR. B. RANSOM:** Mr. Speaker, last night when I was addressing this resolution . . . I wonder if the Member for Brandon East could contain himself so that I could continue with my . . .

**MR. SPEAKER:** Order please.

**MR. B. RANSOM:** Mr. Speaker, last night in addressing this resolution, I was attempting to make a number of points. One was that indeed there was the possibility that the government and the province might have been faced with legal chaos if Bilodeau was successful in having The Summary Convictions Act and The Highway Traffic Act overthrown and that might subsequently lead to all the laws of the province being overthrown.

If the government wished to avoid that possibility, they evidently had two options open to them; one as outlined by Professor Dale Gibson in the exhibit tabled before the House would simply have seen the government bring forward a resolution in this House that would have called for the validation of all Manitoba's laws and that the motion could have been taken to the Parliament of Canada for their passage

as well. We could, thereby, have validated the laws of the province and overcome any possibility of legal chaos.

The other opportunity as outlined by Mr. Twaddle, in the exhibit tabled before the House by the Attorney-General, essentially said yes, the government could pass a resolution validating the laws, but made reference to having to enter into negotiations with the Franco-Manitoban Society for the extension of French language rights. Sir, I have never been able to understand and no one has explained to me why it was necessary for the government to enter into any negotiations whatsoever with the Franco-Manitoban Society with respect to the extension of rights.

This Legislature has the authority to pass a resolution. If Parliament passed the same resolution, then the laws of the province would be validated, we would be out of this problem and we could proceed then to give modern meaning to The Manitoba Act of 1870, and we would indeed have a Made-in-Manitoba solution which is evidently what the present Government House Leader is interested in.

So, Mr. Speaker, I would like to look now of the government having chosen a course of action which involved discussion with the Franco-Manitoban Society and bringing a resolution here for the entrenchment of the extension of rights, the government having chosen that route, of course, has caused a political storm in the province such as has not been seen for decades. Now we have an amendment before us proposed by the current Government House Leader - and I pointed out last night that really the only common ground with respect to the amendment and the original resolution is the validation section, that I believe is essentially the only common ground between those two resolutions. The present amendment though contains one new provision.

I think, Mr. Speaker, in the time available remaining, I would like to go through the amendments that have been proposed and see just what they mean, at least in my interpretation as to what they mean.

First of all, of course, they are proposing to strike out Section 23.1 of the original resolution. Now, Mr. Twaddle said about Section 23.1 - and I'm quoting here from Hansard of 5th of January:

"At that time, however, it was proposed to include in the constitutional amendment an entrenched but limited right to communicate with the government and be served by the government in French. Once it was decided that such a right should not be entrenched, but enacted by ordinary act of the Legislature, the danger of Section 23.1 being construed as guaranteeing language rights beyond those contained in Section 23 increased."

Therefore, of course, the government wanted to remove Section 23.1 and what they have done in place of that is to replace it with an amendment or a section that says, "As English and French are the official languages of Manitoba, the freedom to use either official language enjoyed under the law of Manitoba in force at the time this section comes into force shall not be extinguished or restricted by or pursuant to any act of the Legislature of Manitoba."

What that section does then is try to confirm that French and English are the official languages and then goes on to provide some protection against what I can

only see as the most remote of possibilities, Mr. Speaker, the most remote of possibilities. In addressing this section, the Attorney-General has said that the bottom line is that they wanted to prevent the possibility of the Manitoba equivalent of Bill 101. Well, Mr. Speaker, I suggest that the possibilities of the Manitoba equivalent of Bill 101 are so small as to be absolutely insignificant.

The next Sections, Section (b) of the amendment, I believe is basically a technical section; but Section (c), of course, that is the section that strikes out the language services, the entrenchment of language services in the original resolution. That of course was the main issue that had caused the concern, was the entrenchment of the services, and that has now been removed and I acknowledge that the government has gone a long way toward satisfying the concerns that the public had.

Now then, the sections that remain are rather curious sections, to say the least, as far as I'm concerned as a layman because they go on to say in the new 23.7, "Nothing in Sections 23.1 and 23.2 abrogates or derogates from any rights guaranteed by Section 23."

Well, Mr. Speaker, there's a very simple way to make sure that happens, that is, don't have 23.1. If you don't have 23.1 then there's no necessity, of course, to have a section in the Constitution that says that nothing in Section 23.1 or 23.2 abrogates or derogates from any rights guaranteed by Section 23, Mr. Speaker. — (Interjection) — I'm talking about Section 23.1 and is the prime one of concern.

Now, Section 23.8 in the amended resolution, Sir, says: "Except as may be required by Section 23, no municipality, school division, school district or institution established by or under an act of the Legislature of Manitoba with local legislative or local administrative authority is required to enact, pass, print or publish its by-laws, regulations, rules or resolutions in both the English and the French languages."

Sir, again to me as a layman, that section says absolutely nothing, because it says: "Except as may be required by Section 23." Well Section 23 is already in The Manitoba Act, and if there is anything going to flow out of that then it's going to flow out of that irrespective of this section being in the Act.

Well, Mr. Speaker, I don't think it needs to be in the Act at all if the government will simply remove 23.1 and restrict this resolution to validation of the laws.

Mr. Speaker, they then go on: "23.9(1) Nothing in Sections 23.1 to 23.8 abrogates or derogates from any legal or customary right or privilege acquired or enjoyed in Manitoba either before or after the coming into force of this section with respect to any language that is not English or French."

Well, Mr. Speaker, really, does that accomplish anything? Is that something that really needs to be in the Constitution of this province? Sir, there has not been in my view any case made for the necessity of including that section in the Constitution of our province.

Mr. Speaker, further on: "(2) This section shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Manitobans." What does that mean? Why is that necessary? What move has been made? What threat has been made to infringe upon the multicultural heritage of Manitobans? How might that ever be

interpreted, Mr. Speaker, because we don't know what it means today. We don't know what it means and no one knows what interpretation some court might give it further down the road.

So, Mr. Speaker, the only conclusion that I can come to by as careful an examination as I can give this issue is that what really matters here is the validation section, and the government has gone a great distance towards limiting this resolution to the validation section, but they have not gone all the way and it will be a very small step for them, Sir, to go all the way. As long as they insist — (Interjection) — no, Mr. Speaker, no, it isn't and I'll demonstrate why if I can. Mr. Speaker, what is involved here is a lot of language that the government assures us really doesn't mean anything.

Section 23.1 is declaratory and it will — (Interjection) — well, when I read the statements of the present House Leader, Mr. Speaker, and unfortunately time is running out, I haven't time to go back and quote specifically what he said, I don't think, unless I can - oh yes, - he said right here, Mr. Speaker, in reference to 23.1: "also to ensure the recognition of English and French as the official languages of Manitoba will be construed in the future as a declaratory and symbolic statement of the intent of the original Section 23."

Well, Mr. Speaker, they continue to say that there really isn't any meaning here and when one looks at it, indeed you find that there is very little meaning. But the fact of the matter is that there has been such a public outcry against what this government has originally attempted to do that they are not going to be able to overcome that resistance until they back off everything except validation. So what we have here is, to a great extent, a lot of verbiage which they are asking us to agree to.

I say, Sir, that is dangerous. It is dangerous what they are proposing to put in place because it is phrased in such a way as it really isn't supposed to mean anything. But in my understanding, no court will ever look at that and say, well, really this doesn't mean anything. They cannot believe that the Legislature will have gone to the trouble of passing these amendments and not have some meaning intended, and that is dangerous, Mr. Speaker, that is dangerous for the Legislature to agree to that.

I'm suggesting to the members opposite that what they should do as a way out of this dilemma that we're in is that they should stick strictly to the validation section. We should pass that validation resolution through this Legislature and we should, at the same time, deal with the bill that deals with language services to indicate some modern real action being taken to give meaning to The Manitoba Act or the intent that flows from it. We should take that resolution to the Parliament of Canada and ask them to pass the validation sections. If they refuse to pass the validation sections, Mr. Speaker, then let the Bilodeau case proceed; and if the Bilodeau case would indicate that indeed we might be faced with legal chaos, Sir, then I suggest that every member in this Legislature go to Ottawa with the resolution passed by this Legislature, to validate the statutes and say to the Parliament of Canada, are you going to force legal chaos on the Province of Manitoba or are you going to pass this resolution that will validate the laws of our province?

Mr. Speaker, that is what should be done. That is the only way out of this dilemma. — (Interjection) —

Well, Mr. Speaker, I find the comment made by the Government House Leader and the Member for Inkster absolutely incredible when they say, pass the buck to Ottawa. Do they not realize how the Constitution of this province is formed, how this Constitution is amended? It involves this Legislature and it involves the Parliament of Canada.

Mr. Speaker, last night when I suggested that that's what the government should have done originally, as outlined in Mr. Gibson's recommendation and his legal opinion, the Premier said, the Parliament wouldn't have gone along with it.

Well, Parliament, Sir, is different from Serge Joyal. Now Serge Joyal might have come to Manitoba and wanted them to make a Section 16 as far as Manitoba is concerned and to make us the same — (Interjection) — well, the Government House Leader is frowning as though he doesn't understand. Look at the comments . . . Mr. Speaker.

**MR. SPEAKER:** Order please. The Honourable Member for Inkster made his remarks last night, I wonder if he would give the same courtesy to another member who wishes to make his remarks.

The Honourable Member for Turtle Mountain.

**MR. B. RANSOM:** Mr. Speaker, if the Government House Leader will look at the comments that the Attorney-General made when he spoke to the resolution last July, he referred to Serge Joyal wanting Manitoba to implement the same type of constitutional amendment as exists in New Brunswick, and that is in the remarks that the Attorney-General made at that time.

**MR. SPEAKER:** The Honourable Attorney-General on a point of order.

**HON. R. PENNER:** Yes. The member is not quoting from Hansard and, therefore, I forgive him his lapse. I referred to a statement made in his public speech by Mr. Joyal, and then said specifically, we refuse to go that route. We consistently went the Made-in-Manitoba route. Mr. Speaker, that was with respect to a very specific thing; that is, adopting Section 16 of The Constitution Act of 1982, and that we have not done.

**MR. SPEAKER:** I thank the honourable member for that explanation. I don't think it was a point of order.

The Honourable Member for Turtle Mountain.

**MR. B. RANSOM:** Mr. Speaker, I take that even though it wasn't a point of order, that the time will not be deducted from the time available to me. I was making the point, that is what Serge Joyal wanted. I didn't say that the Provincial Government wanted that.

I think that the Parliament surely has an obligation to see that legal chaos does not prevail in Manitoba or any other province, and that they cannot, they must not hold up the possibility of legal chaos. They must not blackmail any province into the extension of services, in this case French language services, at the threat of seeing legal chaos prevail in that province, and that is what is taking place, Sir. That is what is taking place. So my suggestion to the government is

to pass the validation section. This Legislature will have done what it is possible for it to do. We will also deal with the bill as to how services will be implemented, and we will ask Parliament to pass the same resolution to validate the laws of this province.

Now how can they refuse to do that? How can Parliament refuse to do that? I say if they do refuse to do it, Mr. Speaker, then let the Bilodeau case go, as it will, and if the ruling is not in favour, is not in the interests of the province, then the responsibility will be on Parliament to act immediately.

I suggest to you, Sir, that if every member of this Legislature travelled to Ottawa to tell the Parliament that our province is faced with legal chaos unless you pass this resolution to validate the laws of our province, I suggest that Parliament would have no choice but to act responsibly and to pass that.

Then, Sir, based upon the bill which is before us now, or some form of the bill that is before us now, then we would be able to demonstrate what the government and the Legislature is prepared to do to recognize the necessity of French language services - whatever form that might take, Sir - after the bill has been debated.

That is the course of action that I believe the government should follow and I hope, Sir, and I trust that in the interests of Manitobans and, indeed, in their own interest, that they will take that course of action.

**MR. DEPUTY SPEAKER, R. EYLER:** Are you ready for the question?

The Honourable Member for Charleswood.

**HON. S. LYON:** Mr. Speaker, I look forward to this rather briefer participation in the debate than has been customary for me in previous times. I look forward nonetheless to participating in it, and I expect, Mr. Speaker, that before this long winter is out, that I will have participated in this debate on a few other occasions because the debate is not going to end just because this government wants it to end. This debate will end when the Government of Manitoba does the honourable thing and withdraws from constitutional entrenchment 23.1, which is still in the proposal. That is when the debate will end, Mr. Speaker, and I am sure that my leader gave that undertaking and assurance the other day, and we stand by it.

Now, Mr. Speaker, I say to you, Sir, that it's a bit difficult to participate in this debate at this time because we are facing yet another version of this government's not firm and not unswerving position with respect to this resolution. I don't know which version, by number, we are facing at the present time. This government has gone through so many contortions, through so much sleight of hand, through so many acts of bravado; it has raised so many hopes and expectations among one particular group in Manitoba, namely the Manitobans of French language background; it has done so much to destroy the social cohesiveness of this province by its intemperate and ill-considered actions, that one literally cannot tell what the next veering action of this government is going to be.

But let us take for granted that the amendment that we are now facing is getting near the end of their lurchings on this matter; and as my colleague, the Member for Turtle Mountain, has said, as my leader

has said, this government has moved a great distance away from the original, ill-conceived proposal for full entrenchment of linguistic rights in Manitoba to the point where, as was said in the debate just a few minutes ago, it hasn't got so long a distance now to travel to undo the original wrong, that it first perpetrated in May of this year when it brought in its ill-considered proposal.

So I am going to spend a few minutes today, Mr. Speaker - and I am sure it won't be the only occasion on which I will have an opportunity to speak along with my colleagues - I am going to spend a few minutes today talking about the latest version of this incompetent government's meanderings into the constitutional and political field. I am going to give them the same advice that I gave them back in May of 1983, which was to withdraw all entrenchment, put this to the people and let the will of the people make the determination - advice which they scorned at their own cost at that time.

I am going to suggest again very simply, Mr. Speaker, that the government abandon 23.1, even as presently worded, and as my colleague has just said, carry on with the sections which deal with translation - I don't like the word "validation" because there is nothing to be validated - with translation and let the constitutional amendment then go forward to the Parliament of Canada, with the translation sections intact and that will be it for now.

Mr. Speaker, the proposal we are facing today is, as I have said, a far cry from that of last May. My observations at this point, as I have also indicated, are going to be somewhat open-ended because we do not know what we are next going to have to face. We know we're going to be participating - or we think we are going to be participating - in a debate on a bill that they have now concocted, after having extracted and de-entrenched a whole litany of matters from the constitutional proposal which, Mr. Speaker, should never have been in that proposal in the first place, and which will stand as a lasting testament to the people of Manitoba and to the people of Canada of the ineptitude of this particular grouping of individuals who are pleased to call themselves - or presume to call themselves - a government.

Mr. Speaker, I can only suggest that the truth of that statement is borne out by the fact that now having changed course on this matter constitutionally, insofar as the constitutional proposal is concerned, by about 170 degrees and it's almost that far, Mr. Speaker, that this government is still able to find support for its almost upside down proposal from the Franco-Manitoban Society, from Mr. Bilodeau, and others. Now isn't that strange, Mr. Speaker? Isn't that strange and doesn't that suggest something that hasn't been mentioned in debate so far, that this government, as was said in the early debate in May and June, gave away the farm in their negotiations, and now we're beginning to find, as these changes and perambulations of this government take place, and as they back off from one position to another - somebody has said they move from one sandbar to another in the ocean of political storm that they have caused in Manitoba - isn't it surprising, Mr. Speaker, that they are now able to find agreement from the Franco-Manitoban Society for this watered-down version of the proposal that they brought forward in May? Isn't that interesting and doesn't that suggest,

Mr. Speaker, the truth of the statement that they offered far too much, and that they didn't have to offer in the first place. And look at the damage they have done to the people of Manitoba as a result of this crass, poor, political bargaining that they undertook in this important constitutional field. Mr. Speaker, that's one observation that I commend to the consideration of members of the House at this time.

Another observation is this, Mr. Speaker. This government started out with a proposition which they said was carved in stone; it was supposed to be some kind of an icon to the left that they were conceiving and carving in Manitoba, not a comma was going to be changed. Remember those brave words of the Attorney-General before he was kicked out of any responsibility for this matter; not a comma was going to be changed.

Ah, Mr. Speaker, this was strong drink they offered wasn't it? Well now look at the watered wine we've got which they are proffering now to the Franco-Manitoban Society and to Mr. Bilodeau and that small interest group that they were catering to, to the complete exclusion of the rest of the people of Manitoba; and this small-interest group is now accepting this watered wine. It only goes to show, Mr. Speaker, how unfortunate it would have been if this opposition and other members of this Legislature, and if publicly-spirited citizens in this province, if all of those people had listened to the cries from the editorial pages and from honourable members opposite, and if all of us had succumbed to that initial euphoria that was trying to be created by the members opposite with respect to this great forward step that they were proposing; if all of us had succumbed to that, just think that this province today would be saddled with a constitutional proposal which would be capable, and was capable, and still would be capable if anyone were now foolish enough to bring it forward again, of causing harm on a generational basis to the social cohesiveness of this province. I think that observation has to be made, Mr. Speaker.

I was reading not too long ago the words that were spoken on May 20th, I think it was, 1983, when the Attorney-General first made mention of this agreement and I responded to it on behalf of the opposition, and I said to him at that time, and I said to the people of Manitoba at that time, that undoubtedly, because of the stand that we were taking, asking that this matter be referred to the public, pointing out some of the dangers of entrenchment, pointing out the danger of putting a constitutional weapon of this sort into the hands of a linguistic minority in Manitoba, could possibly cause a tyranny; pointing out these things and saying, Mr. Speaker, because we say these things we, in the opposition, are running the risk and, indeed, not only did we run the risk, the statement came true, that we would be called racist, that we would be called bigots, that we would be called anti-French. All of those things came true, Mr. Speaker.

The statements were made; the statements were untrue, but the statements were made nonetheless. And so, Mr. Speaker, if we had folded our tents back in May or June of this year and had let this government proceed with its ill-considered constitutional proposal, I ask you and I ask the people of Manitoba and the people of Canada to consider where we would be today, instead in the somewhat better position that we are, considering this much watered-down proposal.

Mr. Speaker, we're still not satisfied. This proposal has to be further cured but it has to be cured an awful lot less than was the case when we were started on this agonizing trail by this group of incompetents across the way who presume to call themselves a government.

Mr. Speaker, these are a few preliminary observations that I make as I embark upon this debate this morning. Coarse attempts by this government, coarse in the coarse sense of that words, c-o-a-r-s-e, to manipulate ethnic groups in Manitoba, to manipulate the Franco-Manitoban group in Manitoba, by use of the big lie, have failed. Mr. Speaker, I think that this debate - certainly in my experience - has proved to be a watershed in the history of our province and I think it's been a watershed in terms of demystifying, to some extent, the ability that government has today, using the taxpayer's dollar, to propagandize its own position. And we have seen many many examples of that across the way, not only in this program, Mr. Speaker, but in laughable programs, such as, the Jobs Fund, in their attempts to manipulate the truth in various other fields. My heavens, Mr. Speaker, it was only the other day that we heard one Minister try to say, or to take credit for the fact, that hydro rates in Manitoba had only gone up by 2.3 percent in the last five years, as though he was taking credit for it without acknowledging the fact that three or four of those years that he called into question were years in which the Conservative rate freeze was in effect. It's that kind of manipulation of the truth, that kind of sleight of hand that this government applies to every issue in this House and in its propaganda machine throughout the province.

This is a government, as has been described in another field, Mr. Speaker, of ballyhoo; it's a government of manipulation; it's a government without any conscience; it's a government with very little integrity. Mr. Speaker, in no issue have we seen this better manifested than in this issue in which they have attempted to cajole the people of Manitoba into helping them pay off a political favour to a particular group in Manitoba who happen, temporarily, to give support to them.

So I say it's a watershed, Mr. Speaker, because the people of Manitoba have finally learned that it's their tax money that's being used for these ballyhoo schemes.

The people of Manitoba were subjected to a torrent of advice, of propaganda from this government, from the Federal Government, from Mr. Joyal, from people of that sort. Hundreds of thousands of dollars have poured into this province in the last year in support of this cause, taxpayers' dollars in most instances. I'm told that the public accounts show a figure in excess of a million dollars, directly or indirectly, that have come into the Province of Manitoba in the last year with respect to this linguistic matter.

In the face of all of that, Mr. Speaker, the people of Manitoba have been able to see through the smoke and mirrors. They've been able to see through the manipulation, the trifling with the truth that has been going on opposite, the kind of revisionist history that my honourable friends have been trying to preach in this province, or getting some of their left-wing professors from universities to come in and bleat before the committee. One of them is printed in today's Free Press, continuing this kind of historical revisionism that the honourable members opposite have tried to inflict upon the people of Manitoba.

Well this kind of newspeak, this kind of disinformation, Mr. Speaker, just hasn't worked, and honourable members could say, well, just because all of our efforts to propagandize a bad position haven't worked, that doesn't mean that we have lost. Mr. Speaker, they have lost. They've lost political support in this province in a way that no other political party, perhaps in our history has lost and they're not going to get it back for a generation.

Mr. Speaker, the Minister of whatever, of Cultural Affairs or whatever, sitting across the way, temporarily enjoying the perks of that office, that Minister is going to find that when his party defeated our party by three points in 1981, that was a close-run thing; he's going to find when he reads the next election results that 10, 12 or 16 points behind the winner is what he's going to be facing. I can tell him that, Mr. Speaker, with some certainty and with some assurance because I know the politics of Manitoba, perhaps a little bit better than some of these people who drift in and drift out of it from time to time, some coming from here or God knows where and, showing themselves, by and large, to be not only ignorant of Manitoba's historical and political past but, even worse, contemptuous of Manitoba's historical and political past.

We saw an example of it just a few minutes ago in this House, Mr. Speaker, when the Minister of Workplace, Health and Safety, or whatever title they've temporarily attached to the Member for Radisson, said in the House, just a few minutes ago, Mr. Speaker, when the Member for Turtle Mountain was speaking and said, why didn't the government just proceed with the validation matter. The Minister from his back row seat said, why should we do that? My, what an example of loyalty to his province; what an utterance to come from such a great Canadian. Why should we do that? says he. These one-note Johnnies, Mr. Speaker, who from time to time wander in and out of public affairs in Manitoba have got to understand that they have a responsibility to the totality of the people of Manitoba, not just to one particular linguistic group.

So, Mr. Speaker, as I take part in this debate this morning these are some of the thoughts that cross my mind just at this moment, and I daresay that there will be many other thoughts that will have to be voiced.

Mr. Speaker, there are one or two other observations that I want to make at this time because I think that they are now well-entrenched in the public understanding in this province. One of them is this, Mr. Speaker. This government, which has proved to be so contemptuous of our background, historical, political and social in this province; this government which has moved from one sand bar to another, in trying to recover some political equilibrium; this government which is inept in practically everything it touches in Manitoba; this government that fires Ministers and thinks that is an excuse for public policy, else why is the Attorney-General not still in charge of this. Ah well, the press will tell us they've got a new man in charge. Well, the new man who is in charge, Mr. Speaker, isn't capable of making the great rallying calls that the Attorney-General used to make; at least he had the ability to do that. No more do we hear the kind of horatio at the bridge call from the Attorney-General to rally the besought troupes across the way. We don't hear that anymore, no. Instead, he's been replaced by the little

Minister of Municipal Affairs, a kind of garden variety bureaucrat, Mr. Speaker, who has given up delivery of bureaucracy and temporarily taken on the finery of a Minister's office with all of the perks thereto appertaining, called in as sort of a poor man's fireman to squelch out the flames of anger and disallusionment that his government has created in the Province of Manitoba.

Well, Mr. Speaker, this kind of a petty fixer is not really what the situation requires at this time. We need some statemanship on that side of the House. We need some leadership from that side of the House, Mr. Speaker.

**A MEMBER:** Who's your leader?

**HON. S. LYON:** I hear the NDP's chief contribution to the flag burning brigade trying to say something in the debate here today. He will have his opportunity later on, or perhaps we could send him a one-way ticket to El Salvador where he could really carry on with those interests which are foremost in his mind.

Mr. Speaker, but in view of the fact that the question of leadership has come up, I noticed the comments that were made by the Minister of Municipal Affairs to the effect that the Leader of the Opposition had assumed responsibility as being the spokesman for our party on this matter, and properly so. By contrast, why doesn't the Premier of Manitoba assume the responsibility for this matter in this House and show some leadership, instead of putting it into the hands of a petty fixer, Mr. Speaker, such as the Minister of Municipal Affairs.

The Premier, Mr. Speaker, is supposed to be the Leader; he's supposed to be the one who strikes the level of debate and gives leadership in this House, and what do we have to put up with - the Minister of Municipal Affairs, even a poor shadow of even the Attorney-General. Well, Mr. Speaker, my Leader doesn't have to make any apology for assuming his responsibilities. The hidden Leader across the way - and god knows who the Leader is across the way - is the one who should be leading off in this debate for the government on this matter which is of compelling importance to the people of Manitoba.

The Member for Selkirk is not cut from that kind of cloth. No, Mr. Speaker, he doesn't know too much about duties of leadership. There's none of the over the top lads with him. No, no, none of follow me lads, out of the trenches and follow me - none of that with the Member for Selkirk, no, no, no, none of that. One of the few biblical admonitions that I'm sure may have crossed his mind, and he misunderstood it when it did, was that the meek shall inherit the earth. Mr. Speaker, he hasn't come to realize yet that biblical admonition doesn't relieve him from his consitutional duty and responsibility in this House.

So, will the leader of the government, whoever he or she may be, please stand up and make the leadership speech on this matter sooner rather than later, so that we won't have to put up with the fixer utterings that we're hearing from the Minister of Municipal Affairs.,

Well, dodging, Mr. Speaker, sliding, sleight of hand, manipulation of the truth, all of the things that we've seen in this issue, which are the hallmark of this

government, by the way, in all party and all policy matters that they deal with aren't good enough. I say that we have hit a watershed in Manitoba because the people of Manitoba now have the number of this bunch across the way. They know just how bad they are. It's a tragedy, Mr. Speaker, that it took an issue as fundamental and as important as this issue for the people of Manitoba to come to know just how bad a government we have at this time.

We have a Minister who stands in his place the other day, when a speech was being made on this topic, and says, well propose an amendment, as though, Mr. Speaker, we were talking about some regulation that the Cabinet could hustle down to the Cabinet room and pass tomorrow. Mr. Speaker, we're dealing with the Constitution of Canada. This group of contemptible people across the way, Mr. Speaker, incompetent in everything they touch, would have us deal with this as though it's a loose scrap of paper; make an amendment, we'll consider it. That's not the way you forge countries; that's not the way you maintain unity; that's not the way you have a good Constitution. If we were, as I repeat myself, Mr. Speaker, to have given away to their first ill-considered proposal imagine the legacy that this province would have been left with last May, June, or July.

No, Mr. Speaker, leaders are meant to give leadership and we're still waiting in vain for that leadership to be given by this government and by its putative leader, even though everyone else appears to speak on his behalf.

I issue a call to the Member for Selkirk, who otherwise is known as the Premier, to come out of hiding on this issue, come out of hiding, show his face, show his mettle, show his integrity if he has any, stand up and say, we were wrong and we owe a vote of thanks. Here's the speech he should be making, Mr. Speaker. We were wrong, oh how wrong we were, and we owe thanks, not just to the opposition, not just to the Member for Elmwood, not just to the Member for Brandon West, we owe thanks to all of those other public-spirited citizens in Manitoba who took it upon themselves to point out to us carefully how wrong we were and we acknowledge that we were wrong. That's the speech that he should be making, but it's a speech, Mr. Speaker, that we will never hear from that side of the House because they lack the intestinal fortitude, they lack the integrity, they lack the basic honesty to make that kind of a speech.

So, Mr. Speaker, history is going to record the damage that this group of people have done to our province. Every dark cloud has a silver lining and, as I have pointed out before, I think that silver lining is that there is going to be, from this point on, more integrity in party politics than has been the case before. Never again will a group of people such as this group, under the tattered banner of socialism, or whatever banner for that matter, be able to mislead the people of Manitoba in the way that they have done collectively, aided and abetted may I say very often and very ably by the media who, with their usual penchant for things that are left and trendy, can't resist getting on the bandwagon of the left from time to time. I think the press, Mr. Speaker, at this stage - and I refer to it generically, not individually - but those members of the press who have been calling the opposition here racist,

bigots and so on, those members of the press here and abroad who really don't understand this issue should take pause to consider just how far this government has retreated from its original proposition, and just how acceptable this current product of their delirium has come to be acceptable, all of a sudden, to the Franco-Manitoban Society, Mr. Bilodeau, all of these people who said they had to have every jot and tittle and comma of what was in the first proposal. That deserves some consideration.

History is also going to record, Mr. Speaker, that not only has this retreat, which compared to Napoleon's backward move from Moscow makes this Legislature look something like a walk around the block; history is going to record, Mr. Speaker, that they still have some way to go by abandoning any amendment to Section 23; history is also going to show, Mr. Speaker, that they should have the courage to do that and do it soon; history is also going to show, Mr. Speaker, even worse, that those steps that were being taken by successive governments, up to and including the first year of the Pawley Government, that were directed toward some non-constitutional improvement in French language services in Manitoba; history is going to show that cause has been severely damaged by these people across the way in their blind attempts to tinker with the Constitution, to tinker with the political, the social history of this province.

That, Mr. Speaker, is a tragedy. No one on this side of the House, no one in Canada can take any credit out of the fact that this government has created an environment in Manitoba and, indeed, I think in the rest of Canada, where it is going to be more difficult for legitimate, moderate, reasonable steps to be taken with respect to French language service improvement in this country. They're going to do it. They've done this, Mr. Speaker, because of their blind adherence to a small interest group. They let the zealots, they let the radicals start to dictate government policy from one little interest group, and they've got one of them sitting in this House - the Member for Radisson. They let those people start making public policy for a million people in Manitoba and you can't do it.

As Georges Forest said, Mr. Speaker, when he came before the committee: the actions of this government have probably set back the cause of French language services in Manitoba by 50 years. Sterling Lyon didn't say that, the Conservative Opposition didn't say it, Russell Doern didn't say it, the Grassroots group didn't say it. George Forest, one of the chief activists for French language services in Manitoba said it, that they have probably set back the cause of understanding for French language services by 50 years in this province.

That is the indictment that has to be laid against this government, which now in its death throes, is coming to its senses, that's the indictment that has to be laid against this government primarily, the damage that they have done to the social cohesiveness of this province, to the cause which was being well served by them, and by previous governments, of gradually introducing more French language services as a matter of policy which were then acceptable to the people of Manitoba.

I tell you, Mr. Speaker, that what was acceptable to the people of Manitoba in 1982 in this matter, before this initiative taken by this group across the way, the NDP, what was acceptable in this province in 1982 is

regrettably and unfortunately probably no longer acceptable because of the way they have mishandled this issue. That is the other tragedy, that they have done so much damage to the social cohesiveness and the understanding of this province, that the people of Manitoba are going to have to bear that scar for a good long time.

I want my friends and others in the Franco-Canadian community to pay some attention to what I have said today because I am repeating what I have heard from them, from some of them - oh not all of them by any means - but a few of them have said to me, we know the damage that the NDP have done to the Franco-Manitoban cause in this province and we won't forget it either.

So, Mr. Speaker, here we are at another intermediate stage in an historic debate and there is going to be much more said, different stages of this debate, because this government's got to make one more step, at least one more. It's got to take out 23.1, and it will be a long cold winter as we sit here until they do, but sit here we will - sit here we will, Mr. Speaker, - and make this government do what is right and honourable on behalf of the people of Manitoba.

They may say, Mr. Speaker, as the Attorney-General did in his false sense of bravado immediately after the plebiscites last October, remember what he said? We don't pay any attention to those, we're not going to pay any attention to the plebiscites. The people may have spoken but that doesn't change our view. Look what we're faced with today. Look at the watered wine we're faced with today, and it's better, Mr. Speaker, than the strong drink they offered first.

So I say they've got to change their view again, and change their view they will. If they still think, like the Attorney-General, that they can be contemptuous of public opinion in Manitoba, I tell them that we, in the opposition, won't let them be contemptuous. We won't let them be contemptuous any more than we let them get away with the first trick they tried to play, the first finesse they tried on this matter back in May and June.

I'm not asking, Mr. Speaker, I'm not asking at all, that we hear from the government any mea culpa; any we are wrong because they don't have the integrity to do that. I merely ask for the government, now that they're on the course, now that they've backtracked as far as they have, I ask them to take the final step and to take all sign of entrenchment with respect to 23.1 out of this proposal, leave in the translation matters, which are all that should have been contemplated in the first place, if anything was contemplated at all.

My final observation that I'll make very quickly, Mr. Speaker, is this, and it's an observation that I don't think too many people have paid too much attention to as yet. I make it not from the standpoint of having had any conversations with the government's lawyers. I make it just as a witness to this drama that has been proceeding in Manitoba over the last nine months. I make it as a lawyer. I make it as a person who took a keen interest recently in constitutional cases that were being fought with respect through the Trudeau initiative, where the Government of Canada, the Prime Minister of Canada, had to be stopped by the Supreme Court from trampling on federalism in this country, and stopped he was. I make this observation, Mr. Speaker,

because there are those in the press and across the way who tend to make me come to the simplistic position that the opposition is crying for the Bilodeau case to go to court.

I say this, Mr. Speaker, that this government has done so much damage on its own brief on the Bilodeau matter, that the chances of the government succeeding, which were overwhelming before they stuck their finger into the pot, are now much less. — (Interjection) — Oh yes. Yes, they are, Mr. Speaker, and I'll tell you why, because the judges of the Supreme Court are human beings. They've been subjected to all of the publicity from Ottawa and from Toronto and across the country. They've heard all of the propaganda paid for by Mr. Joyal. I'm not casting any aspersions on them at all, I merely say, they are human beings. They are human beings, Mr. Speaker.

I say that this government has done great damage to the almost impregnable case that it had at the trial level and at the Court of Appeal level on Bilodeau. All you have to do is read the Court of Appeal judgement to see what a legal yawn, if I may use that term, this case was until this government started to tinker with it.

So that is a danger and I don't advocate that anybody attack the Constitution of the province. I say that when the Constitution is attacked, the one thing the government can't do is try to move in and settle it like a civil case, like this government foolishly did.

Somebody said the other day, is Mr. Trudeau going to move in now with the anti-Cruise people and say, well, I'd like you to settle your case before the Supreme Court and if you do, here's the defence policy that Canada will follow? Isn't that a good analogy to what this government tried to do?

They said to Mr. Bilodeau, please don't take your case to the Supreme Court and here's what we'll give on an unrelated matter in French services in Manitoba. Isn't that an interesting analogy, Mr. Speaker? It shows the foolhardiness of naive governments trying to mix into affairs that they know little or nothing about, naive governments who either misunderstand or are contemptuous of, the history of their own province which they presume to give governments to for a brief period of time.

My final plea, Mr. Speaker, is for some brief spark of acknowledgment and statesmanship from that other side of the House. Merely to say, yes, we were wrong, we are going to move around the full 180 degrees on this matter. We are going to abandon entrenchment of the statement that English and French are the official languages of Manitoba, which, Mr. Speaker, unless coupled with the statement, according to Section 23, is not historically accurate. English and French are the official languages of Manitoba for the purposes of Section 23 - period; they always have been. The Attorney-General of Manitoba said so in May of 1983. They have been since the Forest case in 1979.

So, Mr. Speaker, I ask the government to show a bit of leadership; I ask the Premier to come out from hiding, stand up in this House like a man and make a statement and acknowledge the mistakes that have been made and say forthrightly to the people of Manitoba, "Here now is where we're going to lead you." But he won't do that, Mr. Speaker, because that's not in his makeup. He won't do it, Mr. Speaker, because the people of

Manitoba no longer believe this government, their credibility is gone; and he won't do it, Mr. Speaker, because in the dwindling years and months of his administration he is going to carry through with the stereotype that has characterized this government from Day One. It's a government of ballyhoo; it's a government of manipulation; it's a government with no credibility. It's a government, in short, Mr. Speaker, that should go to the people and allow itself to be replaced immediately.

**MR. SPEAKER, Hon. D. Walding:** The Honourable Minister of Health.

**HON. L. DESJARDINS:** Thank you, Mr. Speaker. I certainly had no intention of getting involved in this debate this early anyway. I think that it's obvious that I've been taking a low profile in this debate, in this whole question of French rights, but there's a few speeches that have been given lately that pretty well compel me to at least try to respond and to put certain things on the record.

I intended no doubt to try to answer the last speaker which, again, chose to attack everybody and threaten everybody and tell us how long he's going to keep us here and to smear anybody. I don't know if that would solve anything; it is more pitiful, and it is with sadness that I listened to the speech.

On another occasion I might have accepted it, and I know that everybody doesn't get emotional on the same thing or feel that every subject, every item is as important to them, and this happens to be one of the reasons why I entered politics 25 years ago, to fight for these kind of rights and things were progressing quite well until these last few years.

We have somebody that talks about human beings, but he forgets a certain group. I mean the human beings are the ones that he marks with a cross, I guess, on the forehead and says you're a human being but you're not. I guess that's his understanding. He talked about those kinds of things in the speech, everything was insults, he started insulting the House Leader. What is gained by that? Is that going to help unite our country? Is that going to help unite our province? I doubt it very much.

Mr. Speaker, it's no doubt a swan song of somebody that couldn't make it, that had his chance and blew it, somebody that, for a number of years had been the defender of democracy and parliamentary procedure and so on, who now these last few years has made a mockery of the House. But there is another speech, and one speech only, that I heard, that was, I thought a very low key speech, a very cool speech and a very reasonable - and I repeat - I think it was a very reasonable speech and I'm talking of the speech made by the Member for Turtle Mountain last night and tonight.

I think that the honourable member really took this thing to heart and I am convinced of the sincerity. I think he has made an effort to bring a solution to this. It doesn't mean that we can agree with everything that was said or anything, but I can tell you this - and I'm speaking for myself - that last night, after listening to him, I started having some doubts. I went back home thinking, hey, this is not a bad option; this is something

that I'd want to re-read in Hansard and see what's going to happen, although I was disappointed in some of the things that he said today and that changed our minds.

I happen to be of French origin. I don't think that I'm any better or worse Canadian or Manitoban than anyone here. I defended my country in the Navy. I did the little things that I think I had to do. I've never been in jail except for a short time in Fort William and that's another story.

**A MEMBER:** Tell us about it, Larry.

**HON. L. DESJARDINS:** Some other day I will. Mr. Speaker, it is with sadness, as I said, the previous time that I spoke, it is with sadness that I stand here today and look at all the backward steps that we've been taking.

Remember in the 1960's and so on and how many times did we have these debates? We had these debates before the quiet revolution when the question of private schools and language were pretty well together because they had not divided the issue at this time. I remember what we went through in the debate with some of the members here on the question of French rights and French as a subject to start with, when French was only taught from Grade 7, I think, on as a subject when I first entered this House, and then it became a subject later on for half-time or 50 percent. In the Roblin years, it became a language of instruction and finally Bill 113 made it a possibility.

Every inch of the way we had to fight and there was a lot of abuse like we are getting today. We're the forgotten people in this, we're debating everything but we're the forgotten people; we count for nothing. Nobody is asking us what we want or what we think we deserve.

Then there was the question of the schools, the same thing, and I saw what happened in the political thing where some people who for years had been talking about defending schools, but when they saw a chance of maybe getting rid of a popular leader to replace him by one that they felt they could beat, well then, all of a sudden, on some pretense, the vote was all against it; it would be settled now today, this question, instead of having to fight for that again. Therefore, I belong to two minorities and I've had to struggle in this House to that and I'm getting a little tired and I'm getting sad. As I said before, whenever we talked about different things it was always political suicide, but when a little bit of leadership, when the two parties tried to get together - not these kind of speeches that we've heard today - when these things were brought up and I would ask in the House for a recorded vote, lo and behold, it was a unanimous vote; the things that would defeat any government, that we were told people didn't want, that we were trying to shove down their throats - pass, and lo and behold, sure a few people ducked the vote but look at the record, look at 113, look at the Roblin bill. Look at those bills and you'll see that it was unanimous. All of a sudden it is time, it is time.

I want to explain - and I say this very sincerely - I was disturbed yesterday and I had to really look at the situation because I liked what was said by the Member for Turtle Mountain. I was anxious and eager to hear

the rest of his speech. The rest of his speech was a good speech and I think he was sincere, but I'll tell you the words that now, all of a sudden, make me think no, because he said yesterday, go ahead and bring a resolution validating all of the legislation that you have in this House so there won't be any catastrophe. He says, let's sit down then and bring in proper legislation for the French languages and protect the French people. Then today he said, well, that is dangerous because, lo and behold - and this is what I am fed up with, and I am addressing that to some of the members from my side because we have been bringing that, all of us practically, to apologize to bring this in, and the aim was just to reinstate what was happening in 1890.

That is the thing that I cannot accept from people that are claiming that they are fair, claiming that they want to do things right. Can you think of anything in 1980 that this group would be stopped, no advancement, everybody is progressing, you are inventing the radio, the airplane and everything, and to expect that these people would not have progressed, but saying, hey, this is what we did, we took your rights away from you in 1890. All right, that was wrong, so we'll give you back what you had.

In other words, if this was the court of human fairness, do you think you would be sentenced to repay for all the wrong, you would have to pay for everything that has been lost in the 1980s? At the time there was about an even division of people, and I think we should be proud of what we have done. We never tried to destroy this country. I think we have many of the pioneers that came to Manitoba, probably the first ones that came were French-speaking Canadians, but Canadians and Manitobans who loved their country and their province.

We talked an awful lot about health care. Can we repay the debt to the Grey Nuns who started the first hospital, a little cabin with two beds in it? No, we only owe them, put them back where they were in 1890. That is the kind of nonsense we hear; look at the request that we are asking. You know, this fear, this fire that's burning and fuelled by people like this member here, these are the things that are fuelled, this hate between the people of Manitoba who normally can get along together. Why? Because they expected their rights begin.

So what is it that we want? What do we want? The French people are saying all right, enshrine it in the constitution . . .

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please. Order please.  
The Honourable Minister of Health.

**HON. L. DESJARDINS:** Mr. Speaker, who took those rights away from the French-speaking Manitobans? It was the members of the House. Why is it today that some of those rights have been brought back, have been reinstated? Is it the action of the members of the House? No, it is the court. Why? Because it was enshrined in The British North American Act. What are we saying now? We want that same protection. Can you blame us, Sir? Our rights were taken away by acts of this Legislature, and they were given to us only for one reason, because they were enshrined in that act,

and we want the same protection, nothing more, nothing less. We want to go with the change also, we don't want something where they'll say we will give them what they had in 1890 and then to hell with them, which becomes a negative thing. We would hope that there will be a change of climate like I have seen in these 25 years here, where things that were at one time considered political suicide became something that was shared and accepted by all sides of the House and that put our people together.

Why is it can't we, in the name of fairness, that we can not have these things? Are we that strong, are we that dangerous that 5 percent or 8 percent are going to take over Manitoba? Is that what we are afraid of? Is that what we are going to listen to, the rednecks tell us that we want to take over Manitoba, that we are going to force it to be a bilingual country? None of you are that stupid to believe that. Come on, smarten up a bit.

Five percent of the people, and you're telling us the Société franco-manitobaine doesn't represent anybody, and they are going to march over and take over Manitoba. How ridiculous. Doesn't that sound asinine when you think about it for a minute? You know, are they going to force people to speak French? What they want to do, they want to get the service in their language, which was committed and promised 100 years ago, this country and this province that we helped to found and settle, and so on, as good Manitobans as well as anybody else.

All this divisiveness all of a sudden. You know, nobody talks about the French-Canadian, it is just accept in this vein we are going to take over Manitoba. It is the same thing, this kind of thing, we are in a society that prides itself. What do you hear another shocking thing? Two or three members spent all their speech reading the results of the referendum. What the hell do I care about the results of a referendum.

I was sent here, not to count, to take my shoes off and count and say there is more on this side so here it is. I was sent here to do what I think is right and I'd sooner lose any bloody election; I would sooner lose every bloody election if I could lose it in honour and with my head up than follow like a bunch of sheep. Any difficult thing in society, any worthwhile things that I've had to fight for wasn't handed on a plate that everybody agreed.

As I said before, would we have slavery today if we waited for a referendum? Can you see the people say, no, we want to abolish slavery? It took a few people with guts who probably paid for it by committing political suicide, but today we are free people because of those people who had the guts to do what they think was right against odds, against people telling them what to do.

It doesn't seem that I am asking for very much, I am asking for my rights. I am asking for certain rights to be able to address, when there is an important enough . . . not for one person. I am realistic. Now we have heard different things, we have heard that the former Leader of the Opposition stand in the House here and said that he was going to bring in, that he believed that French as a subject should be compulsory in every school in Manitoba. That was awful, that was forcing French down the throats of Manitobans. Now they say that we are watering things. Yes, we have been

- too much, as far as I am concerned - but to arrive at something to stop this fight and this divisiveness, but in the minds of some of the people, you've got us on the run politically, you're going to win. Well, you're not very proud of yourself if that's the way you want to win, if you haven't got the guts to win properly. If you've got to go on something like that, if you're going to do like your former leader, if you're going to stand in this House and say, I'll be making more speeches and hell can freeze over, it'll be a cold winter and all that before we finish. In other words, he's going to try to prevent the work of the House, of the duly elected government to act on the mandate that they have.

**A MEMBER:** That's leadership.

**HON. L. DESJARDINS:** I hear from the backseat that we have no mandate. We have no mandate because we're supposed to go on everything we do, a referendum. Is that what you believe democracy is? Is that why we have elections, for referendums? That's what we're supposed to do, and follow the wind. Is that what you think is a mandate? A mandate is to correct any injustice and to do right for the people of Manitoba. That's what it's all about.

We talked about leadership. Leadership is not running behind the crowd with a flag. Leadership is going in the right direction, even if you're alone; that's what leadership is.

So what is so bad? We're told that it's watered down, that it's bad. But you think you're going to get us on the run and embarrass us and make us back up, and that would make you very proud. Then you will kick yourself like you're doing on aid to private schools now, because you had a chance to settle this and you didn't. You accept the responsibility of what's going on now. It would be all over now if you hadn't injected politics into this and you lost the only one that had the guts to stand up, and I'm talking about Gabe Girard because he was shocked by the action.

Oh, you can smile, you can laugh, it's fun, you've got the majority on your side, you must feel very comfortable. Well, I feel sorry for you. I don't know what the hell you're doing here. Why don't you send your vote. Why don't you say, have a referendum and mark me on the right side, it would be a lot easier, you wouldn't have to make a decision and stand up and fight for rights that you think are rights.

Mr. Speaker, what are we asking? To enshrine, to say out there that it is. We have watered it down awfully, as far as I'm concerned, but at least there is still the same thing that was there before. We don't trust the Provincial Government, and, as I said, I was going along with the member until he said, well, let's legislate that, then we'll bring the proper legislation. I believed in that until he said today, this would be awful, you know, we're suggesting that they get more than they had in 1892. The former leader said that it is regretful that these people now have expectancy and they will not accept what they would have accepted in 1892. Have you heard anything so ridiculous, so unfair, in all your life? When we want people to go up, but we're saying to this group, get back to 1890, don't bother us now. Get back to 1890 before the car, before the plane, before the radio, no communication, get back in your

little town and we'll give you those same rights, rights that weren't mentioned.

Mr. Speaker, I don't know if it's worth trying to explain what you feel inside as an individual and try to tell them that, you know, just think for one second and you'll know it's impossible that we're not going to take over the province. We haven't got an army, we're not training anybody in Cuba to take over the province. Tell Doern that he's safe. Tell him not to worry, and the rest of you, but have a little bit of decency and try to do what is right once in a while and try to re-establish the rights. That big smile on your face, it's funny, well, it's pathetic to look at you in things like this. — (Interjection) — Yes, well, I'm not going to use that because I'm not going to put pressure, there are three votes that you're going to lose, so be it. Let your conscience be your guide, that's all I'm interested in.

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

Are you ready for the question? The Honourable Member for River Heights.

**MR. W. STEEN:** Thank you, Mr. Speaker. My friend to my left says that this is going to be a tough act to follow, and perhaps he thinks that his Health Minister was an act. One thing which was good to hear, Mr. Speaker, was that members opposite did say that the Member for Turtle Mountain and the Member for Charleswood did point out some areas to them that they might take under advisement when they're looking at the amendments. I'm glad to hear that, but then these two eloquent speakers are followed by the Minister of Health who gets up and lectures us and tells us what bad boys or what bad girls we are. He goes on to talk about his 25 years in this Chamber and how he has fought for democracy and so on.

The unfortunate part is that he doesn't mention that the government of 1890 was a Liberal Government that made the change in 1870, and he doesn't go on to say, when he comments about the schools question, he doesn't give former Premier Roblin the credit for introducing shared services and for the Lyon government for going on beyond that and introducing financial assistance to shared schools. He makes it sound as if the Conservatives have never done anything for those of French background or those of the Roman Catholic faith or those of the Anglican Church that have their own schools, the Mennonite schools and so on. We have done nothing, we have always been on the wrong side.

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

The Honourable Minister of Health on a point of order.

**HON. L. DESJARDINS:** Yes, on a point of order. Mr. Speaker, I know that people are entitled to their opinion in speech, but not when they say exactly the opposite. When the honourable member is saying that I never give credit, I did exactly the opposite. I mentioned Roblin and I mentioned the Roblin legislation and I gave him full credit, Mr. Speaker.

**MR. SPEAKER:** I thank the honourable member for that explanation.

The Honourable Member for River Heights.

**MR. W. STEEN:** I would say again, Mr. Speaker, that it was members of the Conservative Party that made many many changes that have assisted both the people of French background and the people who want to send their youngsters to independent schools. We have made as many changes, if not many more changes, than the NDP Governments of the past. I can recall . . .

**MR. SPEAKER:** Order please. I am waiting to hear the Honourable Member for River Heights. If other members wish to interrupt him or engage in some other debate, perhaps they would do so outside.

The Honourable Member for River Heights.

**MR. W. STEEN:** Mr. Speaker, I can recall when the former Premier Schreyer wanted to make some changes for the independent private schools, and he went so far, Sir, as to even want to introduce a private member's bill, the Lieutenant-Governor of the day, Jack McKeag, had to caution him on the fact that such a bill would cause spending on the part of the government, and that it could not be presented to the Legislature in the way of a private member's bill, and that it was his government that had the difficulties in wrestling with the problem of shared services and aid to private schools.

Let's face it, Mr. Speaker, private schools originated in the Roman Catholic church in the Province of Manitoba. Today, perhaps more than half of the youngsters that are attending private schools are not from the Catholic faith, and they may be from other faiths, but it's been the Conservative Government in the past that has come out and assisted financially such schools as the Minister of Health has made reference to this morning.

He made reference to the Grey Nuns and the great contribution they have made in the care of health in this province. I would think that all 57 members of this Chamber would applaud such a statement, and at no time have I ever seen a Conservative Government hinder the progress of a Catholic hospital or the Grey Nuns hospital in any way, shape or form, or health care in general. It's kind of a universal thing and crosses political boundaries.

I would say, Sir, that many members in this Chamber have made reference to the fact that in 1890 a government in the Province of Manitoba took some rights away from the French speaking people. Well, in 1980, the Lyon Government gave back and restored those rights and services to the people. The thing that most members on this side have been fighting is the entrenchment of these rights. Why should we turn over what degree of services should be shared with the French community to the courts? Why shouldn't we, as elected people in this Legislature, supply that degree of service to our citizens? Why should we force the ag rep in the Village of St. Pierre that he must be French-speaking even though he may not be as competent or as good in his field as perhaps someone whose first language is English? Why don't we use common sense when we put persons into communities like Ste. Rose or St. Pierre or St. Malo so that we do have people

in the government offices there that do speak French, and that in a community such as Steinbach that we would have somebody in government offices that can speak German? Why don't we use common sense and why do we have to legislate that such services must be black and white?

I would say, Mr. Speaker, that with the Bill 2 in 1980, that all of these services could have been provided. Translation could be provided for those that wish to appear in courts and appear before legislative committees. I recall chairing the committee on Law Reform when Georges Forest appeared before the committee and he asked if he could be heard in his first language, French. Transmittal equipment was brought in the following day at a fairly substantial cost and we heard from Mr. Forest and we heard from a second presenter, who at that time made their presentations in French, and we had instant translation for members of the committee.

At the time, as chairman, I asked the persons in the audience if there were any others since the equipment was there, and this was prior to noon hour on that given day, if there were any others that would wish to use the equipment that's already been paid for and brought in. You know, the only person that wanted to speak in French was the honourable member now who represents Inkster. He was going to tell us and show us that he had been to school in the Maritimes and learned some French, and he was going to take advantage of the services. He walked ahead of about 47 persons who had their names on the list and gave about five minutes of his presentation in French and then immediately swung into English which he was more at home with. That was the extent of the French services for that particular given day, but it was provided; it was made available.

I say, Sir, that the French services and French language services that were provided by the Lyon administration in 1980 is certainly adequate for a population in Manitoba that only comprises of some 60,000 or 70,000 persons that say that French is their first language. Here, we are being asked by a population of 6 or 7 percent that we must give them equal billing with English, and they are ignoring the fact that the Germans and the Ukrainians are at least double if not triple in numbers as to what they are. Yet those services are not being offered.

Perhaps, Mr. Speaker, when this Legislature reconvenes in 20 or 25 years from now, Manitoba will be a province of four languages. Maybe at that time Ukrainian . . .

**MR. SPEAKER:** Order please.

**MR. W. STEEN:** . . . and German will get equal billing with French.

Over the past couple of weeks, Mr. Speaker, it's unbelievable the number of persons from within my constituency who have called me or have written me and said do we have to have this French business entrenched into the Act. Why can't we go along with the services that are being made available? The school system in the last 20 years with French immersion has grown rapidly. The Ukrainian immersion and the German immersion is also on the incline. People are saying why

do we have to entrench it into the Constitution; why can't we have the services made available to Manitobans by government policy rather than by an action which is agreed upon by the Federal Government and which will be placed in force and be governed by the courts of the land?

When you speak of the courts of the land, Sir, it's obvious that in the last 47 years the Liberals have been in power for much of that period - I think all of about six years - and what we are going to do is the courts have a person from Quebec usually appointed versus one from English speaking Canada. So 50 percent of the persons in the court system of Canada, their first language is French. So, naturally, if the French language services are entrenched and the courts are going to make the decisions, and 50 percent of the persons sitting on those courts are from the Province of Quebec, French is going to be given equal or even greater billing in the Province of Manitoba than English is, in my opinion.

The great fear that a lot of Manitobans have is that their children who may be finishing high school today are going to be forced in future years to be bilingual in order to hold down senior or middle management positions. It was pointed out to me the other day that there's a fear in the Transcona Shops, the CNR Shops in Transcona, that if you aren't bilingual, that your chances of receiving senior appointments in the future are almost wiped out. This was pointed out to me last summer, Mr. Speaker, when I was in Minneapolis and I called the Canadian offices down there and the phone in Minneapolis answered in French first and English second. I doubt if there is 1 percent of the people in the metropolitan area of Minneapolis-St. Paul that can speak French, let alone understand the thing.

I say to people I can't understand why government offices outside of the Province of Quebec have to answer the phone in French first and English second. It's always been something that's bothered me; but as my colleague, the Member for Minnedosa, says, "That's Pierre Trudeau's master plan, to make French first all across Canada and English second," and if I am considered by members opposite to be a bigot if I take that approach, then I am prepared to be a bigot and I have no qualms about being labelled a bigot.

In the constituency of River Heights it's a great concern among the people that the French language business is going far too far. I also ask the Minister of Health, when he talks about French services, what he thinks of his former leader, Doug Campbell, or another leader that he ran in an election under before he switched political allegiances, that being Bobby Bend.

Bobby Bend said the other day, and I quote him, that in 1969 the people of Manitoba retired him from public life, at that time when he was not elected to this Chamber, and he said that it was his opinion, from that day onward, that he should stay retired and stay out of the political arena; but this cause is too much for him to remain silent and he's got to take up the fight.

The Member for St. Boniface, the Minister of Health, says, "I don't care what polls say." He claims he's been here for 25 years; he's obviously a survivor. He's been a member of this House for approximately 50 percent of his 25 years as a member of the Liberal Party and in the last half as a member of the NDP Party, so he's obviously got some ability to be a survivor.

I would think that if you're a survivor in politics that you would have a look at times at the polls and see what the people on the street are talking about; and asking the people on the street, what do you think of certain issues? He makes comment about the fact that certain members on this side of the House have been referring back to last fall's language plebiscite and so on. I think that the figures speak for themselves.

The Member for Sturgeon Creek said last evening that 78 percent of the people don't want it. Mr. Speaker, I say it speaks for itself. I would think that the city municipal constituency of Glenlawn would be awfully close to your constituency, and in the constituency of Glenlawn, when you have 5,665 people voting yes and 1,795 people voting no, meaning it is about a three-to-one ratio, that, Mr. Speaker, certainly you must take some time to think about these figures that took place only a few months ago during the recent municipal elections.

My friend to the left here - I would think either Miles MacDonnell or Springfield Heights would be two constituencies at the municipal level that would be very close to his constituency and the figures are the same; they speak for themselves - 6,821 in the Henderson Ward to 1,264; Springfield Heights - 6,135 to 1,251. It's got to say something.

The Minister of Labour and Urban Affairs - the Jefferson Ward must be very close to her constituency or have similar boundaries - and the yes vote there was 6,648 to 1,848. My own area, Tuxedo Heights, 5,740 to 2,106 - not as severe as it is in some of the NDP areas, not so.

In my leader's area of Crescent Heights - 6,106 voting yes and 1,846 voting on the no - also not quite as severe, Mr. Speaker, as over in the Glenlawn area. So I think, Mr. Speaker, you and the members on the government side have got to listen to what the people on the streets are saying.

Five and six calls a day coming into the office here for me from constituents of River Heights saying that they don't want French language entrenched; it's coming through clear. I must say, Mr. Speaker, I have yet to have a call since this Legislature has been reconvened, or a letter from people, saying that they are in favour of the actions of the government. So I say, Sir, that the people are out there, the Grassroots group are growing in numbers; the people are opposing this, yes. Some from opposite yell back and forth and they say what about this person within the Conservative Party or that person, and we come back and we counter by saying, well, there are people who used to be members of your party before they were thrown out or suspended that are on this issue the way we are.

I refer to people like Bill Hutton, who is a former president of the party, whose health wouldn't likely permit him to run for office now, and yet he musters up enough courage and strength to come down and listen to the hearings, make representation to the hearings, and tries to warn his former colleagues that you are going too far.

You get people like Herbie Schultz, but of course they think Herbie Schultz is a village idiot perhaps and so he gets suspended from the party; and numbers of other people from the NDP Party.

I say, Mr. Speaker, that the Lyon government set up the French language section . . .

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please. Order please.  
The Honourable Member for River Heights.

**MR. W. STEEN:** Mr. Speaker, I say that the French language services that were set up in 1980 are sufficient for Manitobans, and that the multi-cultural movement in Manitoba in the last 15 years has gone a long way. The Minister of Cultural Affairs is certainly well aware of this because I know that he plays an important role in attending many functions during the summer festival called Folklorama, and he has seen how Winnipeg has grown as a united community, and Manitoba, because of such events as Folklorama. By having all these various ethnic groups put their best foot forward for a 10-day period each summer and demonstrate to other ethnic groups just what their history is, I think is a move in the right direction.

I was pleased, back in 1970, to be a member of the City Council which voted monies to start Folklorama, and I say, Mr. Speaker, that we don't have to single out the French group to have special privileges. The services can be put into place by government by a sheer moving of an Order-in-Council, and we don't have to go and have the Supreme Court rule on the entrenchment and to tell us what services might have to be provided in the future.

Much has been said by colleagues of mine regarding the court cases that have been before - the Forest case and then the Bilodeau case - and much has been said by members on this side about Dale Gibson's legal opinion and Kerr Twaddle's legal opinion; and I say, Sir, that Dale Gibson, on May 10 of 1982, stated that the probability of the Manitoba statutes being ruled invalid is highly unlikely, the Bilodeau case proceeds to final judgment, the validity of the pre-1979 statutes is likely to be upheld, but there is a significant risk that the ruling could be contrary.

I say, Sir, hopefully, that if the Bilodeau case had gone to court and had not been stopped temporarily by members opposite, that I don't think any court in its right frame of mind would have ever forced the government of this province to go and place all its statutes in both languages. They may have said that we would have to put the commonly used statutes in both languages, such as The Highway Traffic Act and others, but surely they wouldn't go back and take statutes and private members' bills that have been passed over the last 100 years and ask the government to translate them into French?

**A MEMBER:** Great legal chaos.

**MR. W. STEEN:** I would think that if a court did that, that they would be acting in a very irresponsible way; they would be costing the taxpayers of Canada and the Province of Manitoba literally hundreds of thousands of dollars of expenses that wouldn't be necessary.

I think, Sir, that the present government's desire to push this is, as the Member for St. Boniface and the Minister said, what we're really doing is un-uniting a province. I think it's their stand that is un-uniting this province and that the shared services that were offered in the past and the services that came into effect,

translation services in 1980, in my opinion, Sir, and the opinion of the vast majority of the constituents of River Heights are sufficient for this province and that we don't have to go beyond that.

Mr. Speaker, the Minister of Health in his remarks this morning made reference to the Member for Turtle Mountain and the Member for Charleswood and their contributions and I know that members opposite listened last evening to the Member for Turtle Mountain for approximately 15 minutes. It was the quietest time that this House has enjoyed for a long time.

The new Government House Leader that has been fulfilling his role as Government House Leader and jumping up and down like a Jack out of a Box, trying to give us his rulings as to how things should operate in this House, sat there last night, Mr. Speaker, for 15 minutes and he listened to the Member for Turtle Mountain. This morning again he listened and some other members of his side listened and, Sir, I have never, in the 11 years that I have been a member of this Chamber, I have never heard such courtesy offered to Sterling Lyon as was offered this morning.

The members opposite have sat there today — (Interjection) —

**A MEMBER:** You're stretching it - you haven't been here 11 years.

**MR. W. STEEN:** Well, whatever it is. The courtesy being offered by the . . . Well, it should be nine years, I guess, '75-84 I guess was nine years and if you count '75 and you count '84, it will be 10; so we'll saw off at somewhere between nine and eleven and ten and so on. Perhaps seeing so much of the Honourable Member for Springfield has made me think that I've been here longer than I actually have been but now that he's in his new role, I have never, Sir, seen members opposite give the courtesy that they gave the Member for Charleswood this morning. They didn't heckle him, they listened; this has never happened before.

Obviously they thought that something constructive was being said, Mr. Speaker, and that it was their desire to listen to the past two speakers from the Conservative side of the House. They were listening to some constructive criticism of their resolution and the stand that has been taken by the people on this side.

So, Mr. Speaker, I would say that the observation and the obvious interest that has been taken by the people on the opposite side of the House only prompts me to move at this time a subamendment, seconded, Mr. Speaker, by my colleague, the Honourable Member for Roblin-Russell and the subamendment is as follows: —(Interjection) —

**MR. SPEAKER:** Order please. The Honourable Member for River Heights.

**MR. W. STEEN:** Mr. Speaker, I would hope that the Government House Leader would show and give me the courtesy to at least read into the record the subamendment and it is as follows, Sir:

THAT the amendment be amended

- (a) by striking out all of clause (a) thereof and substituting the following clauses:
  - (a) by striking out the proposed Section 23.1 of The Manitoba Act, 1870 as set out in Section 1 of the proclamation;

- (a.1) by striking out the words "official languages" where they appear in the proposed subsections 23.3(1), 23.4(1) and 23.4(2) of The Manitoba Act as set out in the proclamation and substituting therefor in each case, the words "the English and French languages";

- (a.2) by striking out the words "one official language" where they appear in the proposed subsection 23.3(2) of The Manitoba Act and twice in the proposed section 23.6 of The Manitoba Act, as set out in the proclamation and substituting therefor, in each case, the words "the English language or only the French language";

- (a.3) by renumbering the proposed sections 23.2, 23.3, and 23.4 of The Manitoba Act as set out in the proclamation and as amended, as 23.1, 23.2, and;

- (b) by striking out the words "official languages" where they appear in the proposed subsections 23.5(1) and (2) of The Manitoba Act as set out in clause (b) of the amendment and substituting therefor in each case, the words "the English and French languages" and by renumbering the proposed Section 23.5 of The Manitoba Act as set out in clause (b) of the amendment as Section 23.4;

- (c) by adding to the amendment, after clause (b) thereof, the following clause:

- (b.1) by renumbering the proposed Section 23.6 of The Manitoba Act as set out in the proclamation as Section 23.5;

- (d) by renumbering the proposed Sections 23.7 and 23.8 of The Manitoba Act as set out in clause (c) of the amendment as Sections 23.6 and 23.7 respectively; and

- (e) by changing the references to the proposed sections and subsections of The Manitoba Act in the proposed provisions of The Manitoba Act as set out in the proclamation and in the amendment to reflect the deletion of the initially proposed Section 23.1 of The Manitoba Act and the renumbering of the other proposed provisions as set out above.

Moved by myself and seconded by the Member for Roblin-Russell.

**MR. SPEAKER:** Order please. Since the subamendment is somewhat complex and needs to be looked at to see if it is properly in order, I would like to take it under advisement and report back to the House.

The Honourable Government House Leader.

**HON. A. ANSTETT:** Mr. Speaker, I was going to suggest, as you have just advised the House, because of the complexity of it and I think in view of the hour, an opportunity to review it, and perhaps you would be willing to leave the debate on the amendment, as it stands, open rather than adjourned.

I would, Mr. Speaker, suggest one other point with regard to the moving of the amendment. I'd make no issue of it other than to suggest that a member who has not yet spoken on the amendment should have been the seconder rather than the Member for Roblin-Russell.

**HON. S. LYON:** It's a triviality.

**HON. A. ANSTETT:** Mr. Speaker, I agree with the Member for Charleswood - it is a triviality - but unlike him, I wish to observe the rules of this House and the precedents. Mr. Speaker, there are half a dozen members on the other side who have not yet spoken on the amendment, any one of them could second the subamendment and the amendment would be perfectly in order. I raise that as a minor concern, but the moving of the subamendment would be perfectly in order. I raise that, Sir, strictly so that we adhere to our rules. With regard to the admissibility of the amendment, Sir, I concur completely in your suggestion that debate be left open and that the admissibility of it be addressed at our next sitting.

**MR. SPEAKER:** The Honourable Opposition House Leader.

**MR. H. ENNS:** Mr. Speaker, just some further advice prior to your taking this under advisement, and I would like to be satisfied at the outset that the subamendment was moved in a manner acceptable to you. I do believe we went through this last July, or August, upon which you, Sir, have ruled the acceptability of a long-standing practice in this House, and practice and precedent are, in this instance, as important as any specific rule. I think if you check the records of the Journals of this House during the latter part of the drawn-out session of last summer you, Sir, will find that was the case. I'd like some acknowledgment that the subamendment was properly or acceptably moved.

My only other comment to you, Mr. Speaker, and further advice is that it is my hope, Sir, that in view of the fact that the motion before us is presented to us in omnibus fashion that a subamendment to delete one section of that total motion does, of course, not negate the entire motion before us, which would be contrary to our rules. It obviously changes the motion before us and it changes it, as the House Leader has acknowledged, in a complex way with a number of implications in other sections because of the deletion section that we are moving. But, I think, it is my observation, and I would hope you take that under advisement that the subamendment is perfectly in order.

**MR. SPEAKER:** I will, in fact, take it under advisement as I have advised the members. I think it has been generally the practice in the House not to be too fussy about the moving of amendments or subamendments providing it doesn't result in the member speaking twice on the matter.

The Honourable Government House Leader.

**HON. A. ANSTETT:** Yes, Mr. Speaker, would you call second reading on Bill 115, please.

**SECOND READING - GOVERNMENT BILLS  
BILL NO. 115 - AN ACT RESPECTING THE  
OPERATION  
OF SECTION 23 OF THE MANITOBA ACT**

**MR. SPEAKER:** On the proposed motion of the Honourable Government House Leader, Bill No. 115. The Honourable Member for Niakwa has 40 minutes.

**MR. A. KOVNATS:** Stand, Mr. Speaker.

**MR. SPEAKER:** Stand.  
The Honourable Government House Leader.

**HON. A. ANSTETT:** Mr. Speaker, I move, seconded by the Minister of Health, that the House do now adjourn.

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