



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

DEBATES
and
PROCEEDINGS
(HANSARD)

36 Elizabeth II

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Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Third Legislature

Members, Constituencies and Political Affiliation

NAME	CONSTITUENCY	PARTY
ASHTON, Steve	Thompson	NDP
BAKER, Clarence	Lac du Bonnet	NDP
BIRT, Charles T.	Fort Garry	PC
BLAKE, David R. (Dave)	Minnedosa	PC
BROWN, Arnold	Rhineland	PC
BUCKLASCHUK, Hon. John M.	Gimli	NDP
CARSTAIRS, Sharon	River Heights	LIBERAL
CONNERY, Edward J.	Portage la Prairie	PC
COWAN, Hon. Jay	Churchill	NDP
CUMMINGS, J. Glen	Ste. Rose	PC
DERKACH, Len	Roblin-Russell	PC
DESJARDINS, Hon. Laurent L.	St. Boniface	NDP
DOER, Hon. Gary	Concordia	NDP
DOLIN, Marty	Kildonan	NDP
DOWNEY, James E.	Arthur	PC
DRIEDGER, Albert	Emerson	PC
DUCHARME, Gerry	Riel	PC
ENNS, Harry J.	Lakeside	PC
ERNST, Jim	Charleswood	PC
EVANS, Hon. Leonard S.	Brandon East	NDP
FILMON, Gary	Tuxedo	PC
FINDLAY, Glen M.	Virdeon	PC
HAMMOND, Gerrie	Kirkfield Park	PC
HARAPIAK, Hon. Harry M.	The Pas	NDP
HARAPIAK, Hon. Leonard E.	Swan River	NDP
HARPER, Hon. Elijah	Rupertsland	NDP
HEMPHILL, Hon. Maureen	Logan	NDP
JOHNSTON, J. Frank	Sturgeon Creek	PC
KOSTYRA, Hon. Eugene	Seven Oaks	NDP
KOVNATS, Abe	Niakwa	PC
LECUYER, Hon. Gérard	Radisson	NDP
MACKLING, Q.C., Hon. Al	St. James	NDP
MALOWAY, Jim	Elmwood	NDP
MANNES, Clayton	Morris	PC
McCRAE, James C.	Brandon West	PC
MERCIER, Q.C., G.M.J. (Gerry)	St. Norbert	PC
MITCHELSON, Bonnie	River East	PC
NORDMAN, Rurik (Ric)	Assiniboia	PC
OLESON, Charlotte L.	Gladstone	PC
ORCHARD, Donald W.	Pembina	PC
PANKRATZ, Helmut	La Verendrye	PC
PARASIUK, Hon. Wilson	Transcona	NDP
PAWLEY, Q.C., Hon. Howard R.	Selkirk	NDP
PENNER, Q.C., Hon. Roland	Fort Rouge	NDP
PHILLIPS, Hon. Myrna A.	Wolseley	NDP
PLOHMAN, Hon. John	Dauphin	NDP
ROCAN, C. Denis	Turtle Mountain	PC
ROCH, Gilles (Gil)	Springfield	PC
SANTOS, Conrad	Burrows	NDP
SCHROEDER, Q.C., Hon. Victor	Rossmere	NDP
SCOTT, Don	Inkster	NDP
SMITH, Harvey	Ellice	NDP
SMITH, Hon. Muriel	Osborne	NDP
STORIE, Hon. Jerry T.	Flin Flon	NDP
URUSKI, Hon. Bill	Interlake	NDP
WALDING, D. James	St. Vital	NDP
WASYLYCIA-LEIS, Hon. Judy	St. Johns	NDP

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, 16 July, 1987.

Time — 1:30 p.m.

OPENING PRAYER by Madam Speaker.

MADAM SPEAKER, Hon. M. Phillips: Presenting Petitions . . . Reading and Receiving Petitions . . .

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

MADAM SPEAKER: The Honourable Member for Kildonan.

MR. M. DOLIN: Madam Speaker, I beg to present the Fourth Report of the Standing Committee on Municipal Affairs.

MR. CLERK, W. Remnant: Your committee met on Wednesday, July 14, 1987, in Room 255 of the Legislative Building to consider bills referred.

Your committee heard representations on bills as follows:

Bill No. 25 - The Discriminatory Business Practices Act; Lois sur les pratiques de commerce discriminatoires

Mr. David Matas - Manitoba Association for Rights and Liberties

Mr. Lyle Smordin - League for Human Rights of B'nai B'rith

Bill No. 28 - The High-Level Radioactive Waste Act; Loi sur les déchets radioactifs de haute activité

Mr. George Ylonen - Private Citizen

Mr. Walter Robbins - Concerned Citizens of Manitoba

Dr. William Hancox - Atomic Energy of Canada Ltd.

Bill No. 65 - The Surface Rights Act; Loi sur les droits de surface

Mr. Rene McNeill - Manitoba Surface Rights Association

Mr. Phillip Frances - Private Citizen

Mr. Adam Turbak - Private Citizen

Mr. Rick Brown - Chevron Canada Resources Ltd.

Mr. Bob Douglas - Keystone Agricultural Producers Inc.

Mr. Robert Puchniak - Tundra Oil and Gas

Bill No. 68 - An Act to Govern the Supply of Natural Gas in Manitoba and to amend The Public Utilities Board Act; Loi régissant l'approvisionnement en gaz naturel du Manitoba et modifiant la Loi sur la Régie des services publics

Mr. Robert Young - TransCanada Pipelines

Mr. Craig Frow - Western Gas Marketing Ltd.

Mr. Wilf Hudson - Manitoba Federation of Labour

Written Submission:

Bill No. 25 - The Discriminatory Business Practices Act; Loi sur les pratiques de commerce discriminatoires

Mr. Israel A. Ludwig - Winnipeg Jewish Community Council Inc.

Your committee has considered:

Bill No. 25 - The Discriminatory Business Practices Act; Loi sur les pratiques de commerce discriminatoires

Bill No. 28 - The High-Level Radioactive Waste Act; Loi sur les déchets radioactifs de haute activité

Bill No. 58 - An Act respecting the Accountability of Crown Corporations and to amend other Acts in consequence thereof; Loi concernant l'obligation reditionnelle des corporations de la Couronne et modifiant certaines Lois

Bill No. 65 - The Surface Rights Act; Loi sur les droits de surface

Bill No. 66 - An Act to amend The Electoral Divisions Act (2); Loi modifiant la Loi sur les circonscriptions électorales (2)

Bill No. 68 - An Act to Govern the Supply of Natural Gas in Manitoba and to amend The Public Utilities Board Act; Loi régissant l'approvisionnement en gaz naturel du Manitoba et modifiant la Loi sur la Régie des services publics

Bill No. 73 - An Act to continue Brandon University Foundation; Loi prorogeant la Fondation de l'Université de Brandon

And has agreed to report the same with certain amendments.

All of which is respectfully submitted.

MR. M. DOLIN: I move, seconded by the Member for Inkster, that the report of the committee be received.

MOTION presented and carried.

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

MADAM SPEAKER: The Honourable Minister of Employment Services and Economic Security.

HON. L. EVANS: Madam Speaker, I would like to table the Annual Report of the Workplace Innovation Centre for the fiscal year ended March 31, 1987.

MADAM SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Yes, Madam Speaker.

I beg leave to table the Report of the Royal Canadian Mounted Police on the investigation into a number of allegations dealing with MTX, Telecom Services, Saudi Arabian Datacom Limited, Al Bassam Datacom Division, and simply advise the House that I received this at 11:50 this morning, and would be pleased to answer any questions that might be directed with respect to the report, touching on the legal issues.

MADAM SPEAKER: Notices of Motion . . .
Introduction of Bills . . .

ORAL QUESTIONS

Inter-City Gas - savings to Manitoba consumers

MADAM SPEAKER: The Honourable Leader of the Opposition.

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

The Premier has consistently stated that the government takeover of ICG will save the consumers of Manitoba \$50 million. Evidence was presented at committee last evening that indicated \$32 million of savings would accrue to the consumers of Manitoba as of November 1, 1987, regardless of who owned the natural gas utility in Manitoba.

Has the Premier been informed of this?

MADAM SPEAKER: The Honourable Minister of Energy and Mines.

HON. W. PARASIUK: Madam Speaker, I think I'll take that question. I think that material was put forward by TransCanada Pipelines at some time around 1:30 in the morning.

That information does not correspond to what was presented to the Public Utilities Board by ICG; that does not correspond to any proposals that were put forward to ICG. The date that they indicate that they would make that offer - which has not been formally made - was certainly not October 31, 1987.

I wonder if the Leader of the Opposition, who was not at that meeting, was informed of that, Madam Speaker.

MR. G. FILMON: Madam Speaker, I wonder further if the Premier has been told that both last night's presentation by Western Gas Marketing and TCPL, and the Executive Summary of the Report of the Public Utilities Board with respect to natural gas pricing in Manitoba, both confirmed the same blended price as a result of taking into account the discounts that were referred to last night, that would result in the \$32 million saving.

In fact, that same price is confirmed by the Public Utilities Board Report. Has the Premier been informed of that?

HON. W. PARASIUK: Madam Speaker, we had evidence yesterday which clearly indicated that TransCanada Pipelines, for example, was treating the motive fuel tax - which was levied by the government in its Budget of

two years ago, which is constitutional, legal - in a different way than they had treated sales tax previously levied by this government - sales tax on motive fuel levied by the Government of Saskatchewan - in that those taxes are levied against all consumers of Canada, which adds a price of 1 cent per 1,000 cubic feet to the cost to consumers.

Instead of doing that with respect to the motive fuel tax, they allocated all of that against Manitoba consumers, which was a radical departure from past policy. They used that type of number-crunching to come up with the differences that they, in fact, put forward yesterday.

What was not indicated in the presentation that they made is that the discounts applied to the large industrial or institutional users, and residential families were still going to be charged \$3 per 1,000 cubic feet, which is what they have been charged; and the indications from TCPL's president, when I met with him, were that they did not envisage a lowering of that price in the future, Madam Speaker.

So I found a contradiction between what we were told by staff yesterday and what the president of the Western Gas Marketing Board actually told me, Madam Speaker.

Motive fuel tax - savings to consumers if removed

MR. G. FILMON: Madam Speaker, has the Premier been informed that, in fact, the removal of the motive fuel tax on natural gas in Manitoba would result in a further saving of \$12 million to the consumers of Manitoba - a tax that does not apply to natural gas in other provinces? Has he been informed that that removal would result in a \$12 million saving to the consumers of Manitoba?

HON. W. PARASIUK: The motive fuel tax is a tax that is similar to the sales tax that had been applied by the Manitoba Government previously; is similar to the sales tax that is applied presently by the Saskatchewan Government; is similar in category to the diesel fuel tax on locomotives that is levied by Manitoba and Saskatchewan - and I don't see CPR charging a special rate to Manitoba or Saskatchewan farmers because of that tax on motive fuel.

What we find, Madam Speaker, is the Leader of the Opposition, who is not present at that meeting, getting up and trying to put forward arguments for TransCanada Pipelines when, in fact, their pricing regime has led to a situation where Manitobans are grossly overcharged for natural gas.

And I ask the rhetorical question: Which side are the Conservatives on, on this issue?

MR. G. FILMON: Madam Speaker, I'm on the side of the consumers of Manitoba. No question about it.

Madam Speaker, my question to the Premier - this is a policy question - in view of the fact that evidence at the committee last night indicated the savings of \$32 million on available discounts to the people of Manitoba, available as of November 1, regardless of who owns the gas distribution facility, and a further saving of \$12 million for the removal of the motive fuel

tax that would indicate that the remainder of the \$50 million that the Premier says he will save is less than \$10 million, is he telling the ratepayers of Manitoba that they should risk a \$175 million investment on the prospect or the possibility of a potential saving of less than \$10 million to have them operate the gas distribution facility in Manitoba?

Is that what he's telling Manitobans?

HON. W. PARASIUK: Madam Speaker, I'm quite surprised at the Leader of the Opposition, Madam Speaker.

The price that residential families would have to pay under the TransCanada Pipelines system if, in fact, there was not a motive fuel tax, is \$2.79 per thousand cubic feet. The discounts apply to the large industrial users, Madam Speaker - \$2.79; with the motive fuel tax - \$3.00. And what we have are people elsewhere, large industrial users, some other users in Ontario, users to the south of us, the United States, paying in the order of \$1.68, \$1.78 Canadian per thousand cubic feet.

Why does the Leader of the Conservative Party argue that somehow residential families or small business in Manitoba should be second-class citizens and should not get the same type of gas price as other people, Madam Speaker? Why isn't he backing them instead of the large industrial users and the big monopoly, TransCanada Pipelines?

Natural gas - Manitoba consumers offered same price as Mini-gasco

MADAM SPEAKER: The Honourable Member for Lakeside.

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

Madam Speaker, a question to the Minister of Energy and Mines.

Madam Speaker, certainly among the statements made by the Minister, by the First Minister, that has concerned me and indeed, I'm sure, many other Manitobans, was the oft repeated statement that American consumers would be allowed or would be put in a position to enjoy lower gas prices for our Canadian gas than is made available to our consumers here in Manitoba.

Madam Speaker, at that same committee meeting last night, evidence was presented that Manitoba was indeed offered precisely the same contract that we are talking about that was offered to the Mini-gasco Corporation in the States.

Can the Minister confirm that?

MADAM SPEAKER: The Honourable Minister of Energy and Mines.

HON. W. PARASIUK: Madam Speaker, I can, in fact, confirm that the vice-president for TransCanada Pipelines, or Western Gas Marketing, indicated that that had been offered to ICG. In our discussions, we found that no one raised that.

Secondly, when I met with the president of Western Gas Marketing, they clearly informed me that it was not their intention to lower the price from the present package, and they were quite clear in saying that, and

as the presenter has indicated, they would be confirming that with their boss and they would be providing the information that the president of Western Gas Marketing promised to provide me two months ago; namely, that the Americans were paying more for natural gas than Manitobans, when the evidence that we have indicates that that is not the case.

Yesterday, when the person made his presentation, he indicated, on the one hand, that the gas price in Manitoba was significantly higher; and then, under questioning, he said it was probably the same; and then he said, well, I'm not sure, it could be a difference because of future considerations. Madam Speaker, because that was the committee where people are required to present truthful information, and I would hope that the same standards apply for people presenting from major corporations as apply to people who present from Crown corporations, that when people are there they do, in fact, present the facts and the truths.

I will await the material that they have promised to send us, Madam Speaker, because we have the information from the producers that were asked by Western Gas Marketing to sign those contracts, which indicates that it's much less than that. It is those differences, in terms of what TCPL says it offers, and what actually is the case, that has been one of the reasons why we find ourselves in a situation where Manitobans, over the last year, have been paying significantly higher for natural gas than they should have been paying if one took into account the market prices that existed in Canada for natural gas, especially for residential families.

Natural gas - tabling of analysis re prices

MR. H. ENNS: Madam Speaker, I don't really wish to engage the Minister in a lengthy debate about who has some of the information or who hasn't got some information. Madam Speaker, we are being asked - and I'm going to have to ask my constituents - to come up with an awful lot of money to acquire a gas company. Surely, we can treat this in a little more mature fashion.

I would ask the Honourable Minister: Will he table the analysis that his department made of the Mini-gasco contract that was signed by TransCanada Pipelines, or their marketing agency, with the American corporation, so that we don't have this dispute going on here in this House?

I can't dispute the Minister's facts, but you have the information, you've done the analysis. Table the analysis and take away this argument.

HON. W. PARASIUK: Madam Speaker, if there is any problem in terms of providing information with respect to gas contracts in the United States, it is a problem that has been created by the Conservative Government of Canada, the Conservative Government of Alberta, the Conservative Government of Saskatchewan and the Social Credit Government of British Columbia that have said that the prices of contracts to the United States will be kept confidential, that the material will not be made public.

That is not the way in which electricity pricing works in this country. All of what we have put forward with

electricity pricing has been made public. But those prices, according to the Accord that was signed by three producing provinces, conceivably the Federal Government, on behalf of the consuming provinces, provides for secrecy and commercial confidentiality, which is one of the reasons why I did not get into the specifics, but asked for the confirmation of that from Western Gas Marketing. I was being very careful, Madam Speaker, because we are interested, on this side, in ensuring that we do get cheaper gas for Manitobans. We aren't going to break anyone's rules along the way and we will ensure that we move toward getting that cheaper price, despite efforts by people on the other side to undermine that.

MR. H. ENNS: All too often we've experienced, throughout this Session, when crowded, blame the Federal Government. Now we've added Mr. Vander Zalm in British Columbia, and Alberta and a few others, but that's again beside the point. It is Manitobans who are going to have to come up with the \$100 million to \$200 million to buy a gas company, assuring that we have it demonstrated to us that it is a viable economical venture, one that will do what the proponents say it will do - save us many millions of dollars.

MADAM SPEAKER: Does the honourable member have a question?

MR. H. ENNS: I asked two things of the Minister, Madam Speaker.

Table us the analysis that his department did on the Mini-gasco contract. Madam Speaker, he just gave me a lengthy answer but dodged the question; dodged the question as he always does.

Secondly, Madam Speaker, I was there last night when the representatives of TransCanada Pipelines gave a commitment to the Minister and to the committee that they would table and they would bring forth the confidential information that the Minister referred to, and I am quite prepared to have it treated that way, but at some point in time, surely those of us who have to make the decision ought to see that information.

And I would seriously ask this Minister to withhold any further action on the bill that was passed at three o'clock last night until such time that that information is put before some public inquiry.

HON. W. PARASIUK: Madam Speaker, I received a commitment from the president of Western Gas Marketing Board some time about May 18 that I would be providing that information. It has not been provided yet.

The rules of deregulation were established by the Federal Government and the producing province. We have asked consistently whether Manitoba would be on the monitoring committee to review the prices that are being charged in the United States for Canadian gas, and Manitoba has consistently been refused that opportunity by their Conservative colleagues, Madam Speaker.

We have indicated that those prices should be made public, and they have indicated that they can't be, for reasons of commercial confidentiality. And, Madam Speaker, it is rather interesting that the Conservatives

aren't saying that that should be made open, that there should be an open pricing policy, but rather they are asking a New Democratic Party Government to abrogate that particular agreement that has been established by Conservatives, and it's the agreement that they should find fault with. We will operate within the Accord.

And I would imagine what they would have said if Pierre Trudeau had established a system where prices would be secret, where there would be commercially confidential information where people could not release it. They would be braying, Madam Speaker, but right now they are trying to say that somehow we are the ones, when we have made it very clear, over and over again, that those should, in fact, be made public.

Inter-City Gas - government obligated to honour contracts

MADAM SPEAKER: The Honourable Member for Pembina.

MR. D. ORCHARD: Madam Speaker, my question is for the Minister of Energy and Mines.

Currently, we're being led to believe that the Minister is in negotiations to purchase ICG and establish a new Crown corporation. The alleged savings of \$50 million were greatly discrepant. We may be doing this for as little as \$6 million now.

Madam Speaker, can I ask the Minister if, in the purchase of ICG, will the new Crown corporation and the government of Manitoba and the people of Manitoba, for that matter, be bound to honour the long-term supply contracts that ICG have signed as a company?

MADAM SPEAKER: The Honourable Minister of Energy and Mines.

HON. W. PARASIUK: Madam Speaker, the legal opinions that we have from across the country indicate that those contracts expire as of October 31, 1987. What we have done is pursued contracts which precede November 1, 1987. Madam Speaker, we, in fact, have had TransCanada Pipelines come forward, as they have come forward in the past, with contrary legal opinion.

We are confident of our legal position, Madam Speaker, because what we have is a situation where TransCanada Pipelines is not offering market-oriented prices to Manitobans, but is rather using its monopoly position, which was established by Federal Government assistance some 30 years ago, whereby they are the transmitter of natural gas, plus probably the largest marketer and owner of natural gas, to extract what we think are exorbitant prices from the people of Manitoba.

The actions that we are taking, as a whole, as part of an integrated policy, will indeed provide major reductions; and I find it rather strange that we have the Conservatives saying that we'll have few reductions, and we have the Alberta Minister saying that Manitoba's actions . . .

MADAM SPEAKER: Order please.

The Honourable Member for Pembina.

MR. D. ORCHARD: Madam Speaker, of course, you'll indicate to me that I can't enter into debate with the Minister during question period, but debate is certainly deserved because there are other legal opinions on the validity of a long-term contract with ICG. But I won't belabour that point.

But given that this Minister seems to indicate there is no contract as of October 31, 1987, that would tend to confirm what we were told last night, that Manitobans will save \$32 million, regardless of who owns ICG, as of October 31, 1987. The \$50 million savings don't exist.

MADAM SPEAKER: Does the honourable member have a question?

Inter-City Gas - risk not worth savings

MR. D. ORCHARD: Madam Speaker, a very simple question to the Premier, and surely this Premier who leads this government can answer this simple question.

Is the First Minister willing to risk \$180 million of Manitoba money while he's closing hospital beds throughout this province for as little as \$6 million of savings to the consumers of Manitoba, when his Minister has confirmed contracts don't exist, savings will automatically incur, regardless of ownership of ICG this fall?

Is the Premier willing to risk \$180 million and close hospital beds for as little as \$6 million?

MADAM SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Madam Speaker, it would be helpful in this Chamber if honourable members, when they do present questions - and often we do get very constructive questions - but attempt to ensure that they succeed in getting their facts straight when they ask those questions.

The reference to hospital beds, the reference to other items on the part of the Member for Pembina is again the kind of gamemanship that we see from time to time across the way.

Madam Speaker, if we fail to demonstrate the strength and conviction to proceed on behalf of Manitoba consumers, if we assume an indifferent attitude or a timid attitude or an attitude that is submissive to the powerful interests that may oppose this legislation, then, Madam Speaker, there is no way that we can realize savings for ordinary consumers in the Province of Manitoba.

Immigration - federal funding re Meech Lake Accord

MADAM SPEAKER: The Honourable Member for River Heights.

MRS. S. CARSTAIRS: Thank you, Madam Speaker. My question is to the Premier.

In the Meech Lake Constitutional Accord, an immigration commitment was given to the Province of Quebec. Specifically, the Accord preamble states that Quebec will get 28 percent of all immigrants to this country and a possibility of an additional 5 percent.

I would ask the Premier if this implies also a commitment for similar proportions of federal funding to the province for other purposes such as job creation, economic growth or social services; and would this limit Manitoba to 3.85 percent of both immigration and potential funding?

MADAM SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Madam Speaker, the question is a good one.

Certainly, insofar as committing the province to a particular percentage of job funding or any other Federal Government initiative, no, there's nothing of course in the Meech Lake Accord that commits the funding at the federal level to a particular percentage level, including the Province of Manitoba.

That is a matter that must be dealt with in the political forum, as indeed it will be, come the next election, because of the way that many provinces, including provinces in the West, in Atlantic Canada, have been dealt with.

Insofar as the immigration question, the member raises a question that I believe requires a serious response and I will take that question as notice, and if I'm unable to get back to the honourable member with an answer prior to the conclusion of the Session, I will correspond with her.

Charter of Rights - supreme law

MRS. S. CARSTAIRS: Madam Speaker, a supplementary question to the First Minister.

Has the Minister received any reassurances by way of letter or public statement from either the Prime Minister or the other nine Premiers since the Langevin meeting, that the Charter of Rights remains the supreme law of the land in light of the Accord's provisions, or has the derogation clause in section 16 of the Accord weakened the Charter as the fundamental law of Canada?

MADAM SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Madam Speaker, that matter was very carefully canvassed throughout the course of the meetings in the Langevin block and was addressed by a number of constitutional experts, and the very specific wording of the non-derogation clause at the end of the agreement is worded in such a way that it is clear that the Charter, in fact, is still, together with the Constitution as a whole, the supreme law of the land.

Constitutional Amendment - public hearings

MRS. S. CARSTAIRS: A final supplementary to the Premier, please, Madam Speaker.

The date of the federal hearings of the Accord have been set. They will take place only in the City of Ottawa and they will take place only in the months of July and August.

Can the Premier tell us when we can expect hearings which will take place throughout Manitoba on the provisions of the Accord?

HON. H. PAWLEY: Madam Speaker, let me just add my voice to the disappointment that the hearings are restricted to Ottawa, that they're restricted to the month of August, and I gather there's some prescreening, which has never taken place, by the way, in this Legislative Assembly, insofar as permitting certain people to make presentations.

I have never seen that occur, certainly at our level, on the part of this government, limiting the number of presentations by way of prescreening.

Madam Speaker, insofar as the second question posed by the Member for River Heights, that is a matter that I believe we must have further discussions involving the Member for River Heights, the Leader of the Opposition and myself as to the exact timing of those hearings at the provincial level.

Inter-City Gas - savings to Manitoba consumers

MADAM SPEAKER: The Honourable Member for Roblin-Russell.

MR. L. DERKACH: Thank you, Madam Speaker.

My question is to the Minister responsible for Crown Investments, the Minister who is responsible for all Crown corporations, for their accountability and for the formation of new Crown corporations, as well.

Last night, Madam Speaker, we heard evidence from presenters at committee hearings on the natural gas bill that showed some marked evidence that was different from what has been presented in this House by the Minister of Energy and Mines.

My question to the Minister who is responsible for Crown Investments is this: Has he had sufficient evidence from the Department of Energy and Mines which clearly shows that Manitobans will experience marked savings and benefits from the takeover of Inter-City Gas?

MADAM SPEAKER: The Honourable Minister of Energy and Mines.

HON. W. PARASIUUK: Madam Speaker, the interesting thing about the Conservatives is they failed to realize over the last month or so that what we have is an integrated policy of long-term contracts, at good prices, at the pursuit of gas purchases, of gas reserves, which would be available at very good prices, which would enable us to have security of supply into the long-term future; that we are looking at fair distribution costs, and we are also looking at examining the feasibility of extending natural gas access to many more Manitoba communities and many more Manitobans.

It is that package, Madam Speaker, that we have put forward, whereby we indicate that residential families, who are presently being charged \$3 per thousand cubic feet, could find themselves in a situation where they are being charged less than \$2 on a wholesale basis for natural gas.

And, Madam Speaker, to have the Conservatives on the other side come along and say, oh, well, people are promising things for the future which they never delivered in, the past is to make them apologists, sadly make them apologists . . .

MADAM SPEAKER: Order please. Order.

The Honourable Member for Roblin-Russell . . .

MR. L. DERKACH: Madam Speaker, it is deplorable to see the fashion in which this Minister and this government conducts itself.

MADAM SPEAKER: . . . with a question.

Inter-City Gas - legal position of province re long-term contracts

MR. L. DERKACH: My question, Madam Speaker, was to the Minister of Crown Investments who has repeatedly stood up in this House and said that he will make sure that Crown corporations are accountable to this Assembly and to the people of this province.

My question to the Minister of Crown Investments now is whether he has investigated Manitoba's legal position with regard to the long-term contracts that we are now in with Inter-City Gas?

HON. W. PARASIUUK: As Minister responsible for that area, I will be answering that question.

We have, in fact, had the legal opinion done, Madam Speaker. They indicate that the contract position expires as of October 31, 1987 and, Madam Speaker, we will be involved possibly in a court case. Our legal opinions will, in fact, be kept for a possible court case, but I can assure the member that they exist.

I'm surprised that people on the Opposition side somehow would be so concerned about protecting TransCanada Pipelines' position and turning their backs on the fact that the Public Utilities Board did rule that natural gas prices in Manitoba were excessive and discriminatory, Madam Speaker, and said that the market range of natural gas was probably in the order of \$1.99. Where were they when that was being done, Madam Speaker?

Minister of Community Services - request for resignation

MADAM SPEAKER: The Honourable Member for Rhineland.

MR. A. BROWN: Thank you, Madam Speaker. My question is to the First Minister.

Yesterday we received the report on the infant death of Baby Desiree. We have now had many reports, all of them highly critical and condemning of the Department of Community Services. Condemnation for lack of training, lack of communication between agencies and lack of direction by the present Minister. Because of this, a number of infant deaths have occurred, six in the last year.

This Minister has had four years to organize this department and instead of improvements, we see further deterioration of this department on a daily basis.

When will the First Minister replace the present Minister?

MADAM SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Madam Speaker, I've never before heard it suggested that a Minister be replaced or anyone

else be replaced who is attempting to identify and to deal with problems in a constructive way, in a way that was not done for the century prior to four years ago. Madam Speaker, rather than ask for this Minister's resignation, honourable members should be saying, thank goodness there is a Minister who, finally, after decades and decades, is attempting to deal with a long-time problem in the Province of Manitoba.

She should be commended and not condemned.

MR. A. BROWN: My question is to the First Minister again.

How many more needless deaths will have to occur? How many more children will have to suffer placements in unacceptable foster homes? How many more children will have to be placed in institutions where sexual abuse has occurred before this Minister will be removed from office?

HON. H. PAWLEY: Madam Speaker, there will be more identification, there will be more attempt to analyse the cause of those deaths as a result of this Minister in order to ensure the minimization of such deaths in the future. Madam Speaker, such effort should have been undertaken years ago and at least this Minister is making significant strides in tackling a problem that has been long overdue.

Madam Speaker, if you do nothing, if you stand still, no one is going to criticize. This Minister has been prepared to move forward and to make changes, to identify, to analyze and to minimize as a result of her efforts.

Madam Speaker, again, I say to the member; surely, he's not suggesting that someone be condemned because they are trying to make improvements that should have been made decades ago in this province.

Child and Family Services - improvement in standard of service

MR. A. BROWN: My question is to the same Minister - the First Minister.

The present Minister of Community Services destroyed a system which was operating much better than the present system. She has now had four years in which to correct the mistakes that have been made.

If the First Minister will not replace the Minister of Community Services, will the Minister personally intervene and make certain that unacceptable practices cease and proper training and proper directives to workers, proper coordination between agencies, will be implemented so that more needless tragedies can be avoided?

HON. H. PAWLEY: Madam Speaker, certainly the suggestions by the Member for Rhineland are constructive, but I need say little to him except that he's somewhat overdue in his request, because this Minister has been attempting to do that, and has been successfully, in an effort to improve what has been a bad situation for decades and decades - in fact, since the beginning of the history of this province.

Madam Speaker, it is already being done.

Universities - details of funding

MADAM SPEAKER: The Honourable Minister of Education.

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

I'm rising to respond to a question that was raised by the Member for Fort Garry some weeks ago with respect to when I would be informing the universities of the additional support that they might expect as a result of requests from the universities.

I am pleased to advise the Member for Fort Garry that I have just written to the universities indicating that the government will be providing an additional \$1.2 million in operating support this year, in recognition of the fact that there are increased operating costs.

Madam Speaker, this additional \$1.2 million brings to a total \$8.7 million that's been provided to universities in operating grants this year - a total of 5.3 percent increase year over year.

I know the Member for Fort Garry has been interested in when that additional support would be forthcoming. It is on its way.

Alcoholism Foundation of Manitoba - Western Region admin. office closed

MADAM SPEAKER: The Honourable Member for Arthur.

MR. J. DOWNEY: Madam Speaker, I have a question for the Minister of Health.

I am in receipt of a letter sent to the Board of Governors of the Alcoholism Foundation of Manitoba in which they indicate to the Board of Governors - and this is from the western regional director of that association - indicating that the government forced the decision upon the Board of Governors of the Alcoholism Foundation of Manitoba to close the administrative office in Brandon. Is that correct?

MADAM SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: Madam Speaker, the government did not force any decision. As the members of this House should know, the AFM gets all these funds from the government. They've had to stay within - like every department - they've had to stay within the allotted funds. There has been some discussion and the discussions are ongoing, to try to make sure that all the services are delivered and also to try not to centralize.

I've had discussions with the executive director of the AFM. Those are ongoing and if there is any decision it should be announced fairly soon.

MR. J. DOWNEY: Madam Speaker, is the Minister of Health telling us that in this letter, that this statement is not correct, that "Judge Rubin advised us . . ." - being the Western Region of the AFM, Madam Speaker - "this move was forced upon the AFM by the Provincial Government."

Is he indicating that statement by Judge Rubin is not true?

MADAM SPEAKER: May I point out to the Honourable Member for Arthur, Beauséne 362, which says, "It

is not good parliamentary practice to communicate written allegations to the House and then to ask Ministers either to confirm or deny them. It is the Member's duty to ascertain the truth of any statement before he brings it to the attention of Parliament."

Alcoholism Foundation of Manitoba - government funding

MADAM SPEAKER: The Honourable Member for Arthur.

MR. J. DOWNEY: Madam Speaker, in view of the fact that the Alcoholism Foundation of Manitoba - and alcohol and drug abuse is a major concern in our society, and the work that is being done in that area is a major preventative program and has been cut by this province, Madam Speaker - I ask the Minister of Health: Will he reconsider his decision to direct them to cut the staff in the Westman Region and give them enough funds to carry out a worthwhile, meaningful program instead of buying a gas company that's questionable at best as to the profits it will make for this province?

SOME HONOURABLE MEMBERS: Oh, oh!

HON. L. DESJARDINS: Madam Speaker, at no time did I ever give any direction to Judge Rubin or anybody else to cut anybody, anywhere.

As far as the discussion in working with the AFM, I just finished telling you that is being done. We are looking at the concern of the AFM. Remember that that statement was made -(Interjection)- I beg your pardon? What are you saying? Well, I thought I was.

Madam Speaker, I have said that there's discussion ongoing with the AFM and that will continue. With one thing in mind, to spend the money wisely, remembering also the admonition from the members of this side of the House telling us that the deficit is too high, that we should be very careful, that the taxes are too high and so on. And then the large interest, the big interest on the . . .

MADAM SPEAKER: Order please, order please. The time for Oral Questions has expired. The Honourable Opposition House Leader.

MR. G. MERCIER: Madam Speaker, as the business of the House appears to be winding down - when, I can't guarantee - and in view of the fact that we have two more members on this side that were slated to ask questions, I would ask the Government House Leader whether they would grant leave for the Member for La Verendrye and the Member for Turtle Mountain to ask questions and then we'll complete question period?

MADAM SPEAKER: Is that agreed? (Agreed)

Fisher, Ross - hired by Co-op Development, salary of

MADAM SPEAKER: The Honourable Member for La Verendrye.

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

My question is to the Minister of Co-op Developments. The only thing is he doesn't know the question.

Would the Minister inform the House if his former political executive assistant, Ross Fisher, who was in Thompson and who is known in his department as "the spy," has now been or will be hired on a term contract in this department? And if so, what will he be doing and what will his annual salary be?

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

HON. J. COWAN: I wasn't certain; as a matter of fact, I have to admit I had not heard him referred to in that terminology previously. So I can't comment on what he is known or isn't know as in the department, but he is indeed working for the department upon the recommendation of the Deputy Minister and staff on a term contract dealing with the Development of Youth Employment Cooperatives, which is in fact an initiative of the department for this year to provide employment for young Manitobans through the Development of Youth Cooperatives.

We discussed the matter briefly in the Estimates process, and at that time, I indicated that we were embarked upon a pilot project which we hope will result not only in employment for young people in Manitoba which is one of the priorities of this government, but, as well, will result in young people participating in the program, gaining a better understanding of how cooperation makes this province a stronger province through working with existing cooperatives.

So he is indeed working on that project. It is a term project for six months. I'm not certain of the salary. I can report that back to the Member for La Verendrye, but it is certainly in keeping with salaries that are paid for those positions in a normal fashion and is not out of the ordinary in any respect.

I have to tell you, Madam Speaker, that the project, the pilot project, is in fact succeeding, it is in fact employing young Manitobans, it is in fact creating jobs for Manitoba youth, and it is in fact building a stronger cooperative movement in Manitoba. So we're quite pleased with the work that he's been able to undertake.

Bailey, Ron - appointed to position in Co-op Development

MR. H. PANKRATZ: Madam Speaker, to the same Minister.

Will the Minister inform the House as to whether or not a Mr. Ron Bailey, the campaign manager for the NDP Member of Parliament, Bill Blaikie, has been appointed as manager in his department, notwithstanding there were over 100 applicants for the position, many with more seniority, experience and qualifications, and what will his annual salary be?

HON. J. COWAN: It's interesting that the question is coming forward now, because when I assumed the portfolio, Mr. Bailey was working for the department, doing a very good job then, doing a very good job now. I've had the portfolio for three or four years now, and he has, during the course of that tenure, done an efficient job in his capacity with the department.

Madam Speaker, he was previously responsible for communicating with cooperatives on how we can build a stronger cooperative movement in Manitoba and liaising with those co-ops.

I think the fact that in the last three years we've had record levels of the corporations and new co-ops in Manitoba, very clearly indicates at least he and the rest of the department, no matter where they might have been employed previously, are doing an excellent job in making Manitoba's cooperatives aware of what this government can provide to them by way of assistance, and also feeding back to the government the concerns and the aspirations of the cooperative sector.

He was hired on the basis of a bulletin application. There was, in fact, a full review; the normal Civil Service procedures were followed. There were a large number of applicants. He was the winning applicant, and that does not mean that there weren't other good applicants; but on the basis of the review panel and in the review panel's opinion alone - not that others don't share it, but they were the ones who made the decision - he was the best qualified applicant, Madam Speaker, and I hope all members will wish him luck in making the department work better on behalf of all of Manitoba's 330,000 and 250,000 cooperators.

Dept. of Co-op Development - low morale due to appointments

MR. H. PANKRATZ: Madam Speaker, it's obvious, after leave, there's now no time limit to the response to the questions.

Madam Speaker, in view of the partisan political appointments, would the Minister inform the House as to what steps he will take to overcome the bad morale in his department which these appointments have created?

HON. J. COWAN: First, Madam Speaker, let me reject the premise. They were not political appointments. They were appointments made on the basis of merit.

Let me talk about morale for one moment, Madam Speaker. Morale in a department is bad when the department can't do its job well. In 1980, when one co-op in the Province of Manitoba was incorporated; in 1981, when three or five co-ops in Manitoba were incorporated; last year, over 60 cooperatives - a new record that most cooperatives incorporated in a single year since records were kept - were incorporated in the Province of Manitoba, not only does that create good morale in the department, and there is good morale because they're doing their job well and they're doing their job better than ever done before - all of them are working together - but, more importantly, Madam Speaker, that creates good morale among the cooperative movement in Manitoba, which is an extremely important sector in our economy. And if they suggest that the appointments that we're making are creating that sort of a situation, then I want to make many more of those kinds of appointments in the future.

Careerstart - funding denied to Teen-Aid

MADAM SPEAKER: The Honourable Member for Turtle Mountain.

MR. D. ROCAN: Thank you, Madam Speaker. My question is to the Minister responsible for Employment Services and Economic Security.

Given that the Winnipeg Gay Lesbian Youth Organization's coordinator is receiving a grant through the Careerstart Program, can the Minister explain to the House why an organization by the name of Teen-Aid, a non-profit organization which teaches family life and sex education through abstinence, who also met the Careerstart criteria, were denied funding under this program?

MADAM SPEAKER: The Honourable Minister of Employment Services and Economic Security.

HON. L. EVANS: Madam Speaker, as I indicated the other day, we have a system for approval. The staff receives thousands of applications and thousands of young Manitobans are given jobs in worthwhile endeavours.

I might add, Madam Speaker, for the member . . .

MADAM SPEAKER: Order please.

HON. L. EVANS: Madam Speaker, if the Member for Arthur could contain himself, I'd like to indicate, since the Member for Turtle Mountain raised it, I've got some figures on where are we spending all this money and how many people are we helping.

Do you know, Madam Speaker, that 5,679 young people got jobs under this program this year? Six hundred and forty-four in agriculture and related industries; 346 in manufacturing; 324 in construction; 853 in retail trade; 571 in universities, libraries, museums and archives; 594 in hospitals, health services, including nursing homes, child welfare services; 557 in hotels, motels, restaurants, and so forth and so on.

Madam Speaker, in the member's own riding, Boissevain, we have the Beckoning Hills Museum; in Arthur, Melita and area, personal care homes; the Reston District Library; the Society for Manitobans with Disabilities; the Canadian Mental Health Association; the MacGregor Personal Care Home . . .

Careerstart - review and approve funding for Teen-Aid

MR. D. ROCAN: Madam Speaker, a final supplementary question.

I hear members across the way say, "Hit him again." But, Madam Speaker, my question to that Minister: Why the double standard? We've got more kids out there, and surely this Minister believes in fairness and equity. Therefore, I ask him: Would he instruct his staff to review and approve the application presented by the Teen-Aid organization under the Careerstart Program? Would he approve it?

SOME HONOURABLE MEMBERS: Oh, oh!

HON. L. EVANS: Madam Speaker, in the interest of efficiency - the members opposite would like to hear this - and federal-provincial cooperation, the member should know that we have a system in place whereby we check with the Federal Department of Employment

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and Immigration under Challenge '87, and we trade off every application that comes in to make sure that if they did get some federal money, they shouldn't necessarily get some provincial money, and vice versa. I dare say - I'm not sure - but I wouldn't be surprised, Madam Speaker, that this may be the case in this instance.

Madam Speaker, let it be on the record that thousands upon thousands of worthwhile social programs, hundreds of projects, including for children, that the member is concerned about, for the old people in the nursing homes, for people in the universities, for people working in industry and small business, that there are thousands of young people, 5,679 jobs out there and that member has to single out one that may or may not have been proved properly.

Madam Speaker, the fact is that we do have a procedure that's fair and that indeed has provided jobs and employment opportunities for the young people in this province and they appreciate what we are doing, Madam Speaker.

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

HON. V. SCHROEDER: Thank you, Madam Speaker. Could I have leave to revert to tabling of reports?

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

MINISTERIAL STATEMENTS AND TABLING OF REPORTS (Cont'd)

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

HON. V. SCHROEDER: Thank you, Madam Speaker. I would like to table the 1986-87 Annual Report of the Manitoba Research Council.

HOUSE BUSINESS

MADAM SPEAKER: The Honourable Leader of the Opposition.

MR. G. FILMON: Yes, Madam Speaker, on a matter of House business, I wonder if I could just ask whether the Attorney-General would be available during the consideration of the Capital Bill at committee stage to respond to questions about the RCMP report into MTX.

HON. R. PENNER: At your services.

ORDERS OF THE DAY

MADAM SPEAKER: The Honourable Government House Leader.

HON. J. COWAN: Yes, Madam Speaker, would you please call Second Reading on Bills No. 51 and 53 in the order in which they appear?

MADAM SPEAKER: Debate on . . .

HOUSE BUSINESS

MADAM SPEAKER: The Honourable Opposition House Leader.

MR. G. MERCIER: Madam Speaker, I wonder, just on a matter of House business, whether the Government House Leader would confirm that after adjournment of the House at six o'clock, we will resume at 8:00 p.m. tonight.

HON. J. COWAN: That would certainly be agreeable.

MADAM SPEAKER: May I ask the Honourable Government House Leader to clarify if he is seeking leave for that, or is that something that he plans to do later?

HON. J. COWAN: It's on leave.

MADAM SPEAKER: Is there leave then to resume at 8:00 p.m. tonight? (Agreed)

ADJOURNED DEBATE ON SECOND READING

BILL NO. 51 - STATUTE LAW AMENDMENT (TAXATION) ACT, 1987

MADAM SPEAKER: On the proposed motion of the Honourable Minister of Finance, Bill No. 51, standing in the name of the Honourable Member for Pembina.

MR. D. ORCHARD: Madam Speaker, we'll get into committee stage shortly on these and several other bills, and at that stage of the game, I would then prefer to make a number of comments which apply to a number of areas of government.

So, Madam Speaker, unless there's no further debate on this, committee stage could proceed.

QUESTION put, MOTION carried.

BILL NO. 53 - THE OIL AND GAS PRODUCTION TAX ACT

MADAM SPEAKER: On the proposed motion of the Honourable Minister of Finance, Bill No. 53, standing in the name of the Honourable Member for Morris.

MR. C. MANNES: Madam Speaker, I don't intend to speak too long on Bill No. 53; although I must confess, in reading the very detailed explanation of the bill as presented, I still, quite frankly, don't have a strong understanding of what it is the government is attempting to do.

Madam Speaker, the former Oil and Natural Gas Tax Act, which is being repealed and being replaced with this new act, brought forward taxation. The purpose of that act, and I quote, as I was able to find in this document, was "to levy tax on producing areas, on the ownership of minerals, on land producing oil or gas." Madam Speaker, the current rates apply to monthly production values ranging from 6 to 275 mills

on developed wells, 2 to 125 mills on new wells, and I take it it's 1 to 58 mills on new wells during the incentive period. Now, Madam Speaker, I may have incorrectly have read that.

To the best of our ability, in having asked people in the industry whether they are supportive of this new act, we have been unable to determine whether or not there's any major concern with it. So on that basis then, we are prepared to see it move forward into Committee of the Whole; although I would ask the Minister maybe, in wrapping up debate, for a broader explanation of freehold rights; also, maybe give us some indication as to how they were going to be taxed specifically under this new act.

Madam Speaker, it seems to us that the removal of a significant number of assessment and tax notices against mineral-right holders, that has been used as one of the reasons for the advent of the new act. It seems to be most supportable, Madam Speaker. Yet I know there are probably going to be amendments that are brought forward that will make the definition with respect to some of these areas a little bit more meaningful.

But I would hope that the Minister, in closing debate on Second Reading, Madam Speaker, would address two or three questions. First of all, tell us specifically what is meant by freehold oil and gas rates and how they are to be taxed within this bill. Secondly, explain why it is that such a significant portion of this bill, pages 7 to 19, deals with administration and enforcement.

Madam Speaker, fully, 12 pages are directed almost to enforcement. I looked at the old bill, Madam Speaker, and I didn't see a very heavy emphasis on this area. I would ask the Minister again to explain why it is that it's necessary to have all these provisions dealing with the area of enforcement. The section is also titled, "administration," but I dare say, Madam Speaker, when one reviews the bill, it's exclusively, for the most part, directed towards enforcement.

Madam Speaker, I'm well aware that revenues through the application of this act have fallen over the last couple of years. It seems to me they've come down from \$14 million to \$7 million. I think they were the high in 1985 of 14.7. This past fiscal year, their estimated revenue was to be 7, and I think, in the year that we are now standing, it's also more or less within that range.

The government, as they like to do on other issues, Madam Speaker, like to reserve the right to regulation - to impose a number of revenue measures and applications. I really can't, at this point, contemplate what major changes in regulations will flow as a result of the passing of this act.

But, Madam Speaker, let me say, in closing, that our party is supportive of the bill in principle, given two things: given the explanation of the sponsoring Ministers; and, secondly, being unable at this point to determine, in the feedback that we've received from only a few members within the industry, that they themselves have any great concern with the implementation of the new act before us.

Thank you.

MADAM SPEAKER: The Honourable Minister of Energy and Mines.

HON. W. PARASIUK: Madam Speaker, we will be going into Second Reading and then going into committee.

I would ask some indulgence from the member with respect to the question on freehold taxes just so I could check some notes on that.

But I would say that this bill has indeed been developed after a great deal of consultation with people in the industry. That has taken place over a period of time with my Director of Petroleum, Clare Moster, and the industry, over a period of time, to try and put together a system that would be closer in line with the Saskatchewan system, which allows for regulation, and provide for flexibility with respect to particular wells.

We have a set of programs in place where one classifies wells one way - we had discussions with the companies in that respect. I think the process that has basically taken place at the technical level, when I met with members of the industry in Manitoba, they in fact indicated to me that they were supportive of the bill. They were pleased with it, and since I did not get any negative response from them, I put it forward on that basis.

But I would like some indulgence from the member so I could go and check some notes with respect to the question of freehold taxes, because we have two ways of taxing. One is a freehold tax which is levied, and the other on Crown land is done through sale of Crown leases and through a royalty system which we, in fact, can put on Crown land. So there is that difference.

There is some space there, obviously, which is, in a sense, the mineral royalty that goes to the freehold owner of that mineral lease. But roughly speaking, the total amount of Crown royalty and oil tax is equal to the amount of individual royalty gained by an individual royalty-freehold owner of the mineral right and the Crown's amount. So you don't have two systems of taxation, roughly speaking.

That's the general principle on which that operates and I think that, all told, we've tried to make our system competitive, taking into account our particular circumstances in Manitoba vis-a-vis Saskatchewan and Alberta.

We don't see ourselves, in a sense, as price leaders here. We see ourselves as, in a sense, coming in as price followers. We don't see ourselves, with oil, necessarily as being, in a sense, a regulation or administration centres. We tend to see ourselves as being administration and regulation followers in this particular area, taking into account the particular circumstances in Manitoba.

That's the general answer. If the member wishes, I can try and find the other information. I apologize for not having anything more specific. I thought that possibly when we had gone through Estimates, we might have gone through some of these items.

QUESTION put, MOTION carried.

MADAM SPEAKER: The Honourable Government House Leader.

HON. J. COWAN: Yes, Madam Speaker, I move, seconded by the Minister of Industry Trade and Technology, that Madam Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole to continue to consider and report of Bills No. 51, 52, 53 and 56, for Third Reading.

MOTION presented and carried and the House resolved itself into a Committee of the Whole to continue to consider and report of bills for Third Reading, with the Honourable Member for Burrows in the Chair.

COMMITTEE OF THE WHOLE

MR. CHAIRMAN, C. Santos: Committee of the Whole House, please come to order to consider Bills No. 51, 52, 53 and 56, and to continue considerations of Bill No. 57.

Is it the will of the committee to proceed in the order thus named? (Agreed)

BILL NO. 51 - STATUTE LAW AMENDMENT (TAXATION) ACT, 1987

MR. CHAIRMAN: Bill No. 51 - does the Minister have an opening statement?

HON. E. KOSTYRA: Thank you, Mr. Chair of Committees.

I won't provide any extensive comments, because I did provide detailed committee review notes for the member a considerable time ago, at the time of introduction of Second Reading of this bill, which was over a month ago. I did provide the member with that information, so I won't bother reading it all into the record.

I would also point out that I did supply the member with a proposed amendment, which I intend to bring forward when we get to the appropriate section of the bill.

MR. CHAIRMAN: Does the Opposition critic, the Honourable Member for Morris, have any statement to make?

MR. C. MANNES: Mr. Chairman, just a very brief one, that being we're talking about, of course, the main taxation measures that were brought forward in the Budget, again it's incumbent upon the Opposition to request of this government, particularly the Minister of Finance, some indication at this point in time as to how the revenues are flowing, basis the changes in the taxes that we're giving effect to today.

Also, Mr. Chairman, it's important that we realize that, at this point in time, Manitobans are enraged at a level that they've never been, not only because of Bill 47 and other bills this government has brought forward, but specifically within every household where a wage payment is taken because of the net income tax, the flat tax on an income.

Mr. Chairman, I know the Minister is receiving daily letters on this one item alone. I think, as we said some three months ago when the Budget came down, that over time Manitobans would come to the realization as to what would occur. That has now happened.

So, Mr. Chairman, I don't have the time to belabour and present another Budget presentation or speech. I don't want to. But I would ask the Minister how he will be monitoring two things: firstly, the revenue inflows, because we're already three and a half months into the new fiscal year; and, secondly, is he also monitoring the number of businesses at this point in time which are reducing their payroll or some of them

even moving out of the province? So that at that six-month statement of the fiscal standing, we won't, all of a sudden, be shocked to learn of the news, as we were a year ago, that we had a budgetary shortfall far above the forecasted level.

HON. E. KOSTYRA: I will not take the provocation to get into the Budget Debate over again at this point. We may well do that before this Session concludes, but let me just answer specifically the questions raised.

At this point, we have not seen the information for the first quarter of the year, and as I indicated in a response to a question the other day from the member, that will be provided in the usual fashion as soon as it's available.

I have asked staff as to what has been happening with respect to revenues, and the first three months are not in. We do have indications of the first couple of months, and that indicates at that point in time that things are at or actually beyond overall targets. I did indicate when we were dealing with another matter - I can't recall the day or the context - but the only area of revenue that was, at this point, seen to be below target was in the area of tobacco revenue. The others are at or close to or beyond that which was projected.

But we'll certainly be looking at that when we get the first quarter reconciliation of revenues and expenditures, and it's certainly our intent to ensure that we remain on target not only in terms of revenues but in terms of expenditures.

MR. CHAIRMAN: Is it the will of the committee to consider . . .

HON. E. KOSTYRA: Well, then, I'll have to make my amendment.

MR. CHAIRMAN: . . . clause by clause, page by page?

HON. E. KOSTYRA: I think we should actually do it page by page so that I can move my amendment.

MR. CHAIRMAN: Pages 1 to 27, inclusive, were each read and passed.

Page 28 - the Honourable Minister.

HON. E. KOSTYRA: I move, seconded by the Minister of Industry, Trade and Technology

THAT section 29 of Part III of The Revenue Act as set out on page 28 of Bill 51 be amended by striking out "or" at the end of clause (c); by adding "or" after clause (d), and by adding after clause (d) the following clause:

(e) a transfer of a family asset within the meaning of The Marital Property Act between spouses or former spouses, including a transfer from an executor or administrator upon the death of a spouse.

MR. CHAIRMAN: Is the amendment agreed to?
The Member for Morris.

MR. C. MANNES: Mr. Chairman, I have to put a few comments on the record. I support the amendment, Mr. Chairman. I think I take a little bit of responsibility maybe for bringing it forward.

Mr. Chairman, sometimes I have to give the NDP credit for being smart, but many more times they're lucky. Had this issue been brought up before 20 people from the press and the media present, I dare say it would have been an issue, and I'm surprised in fact they didn't pick it up because it had been covered.

Here is a case where, because of the new land transfer tax in place, an individual who had the ownership of his or her home in their one name, wanting to now place the ownership of that home or that piece of land in two names - in the name of the other spouse - to make that transfer, Mr. Chairman, there would have been the full impact with the land transfer tax cutback.

Mr. Chairman, can you imagine the harangue if we had done that? If we had brought a bill in, a new taxation act, which had overlooked that, it would have been a front-page headline, and yet the NDP, in some infinite wisdom or whatever - I'd say good luck or maybe it's something else; maybe if they do it, it's overlooked - they were able to bring in this change, this amendment, without a whimper anywhere. Mr. Chairman, politics can be strange at times, because I know we would have paid, as a party, a political price had we made this mistake.

I'm glad the Minister has brought it forward and I support the amendment.

HON. E. KOSTYRA: Mr. Chairman, I just want to respond to some of the comments the member made.

First of all, I acknowledge that he did spark my interest in this particular section at one point during the Session, so I was pleased that he did raise that issue. But I would remind him - and I have never taken the time to research who first brought in the fees that exist for land transfer - in essence, that was the case with the old taxation system, if I can use that term. Someone advised me, because it was called a fee, but it was a fee based on a graduated - to an extent - on a percentage, but it was still a fee that was charged to people in this circumstance prior to us coming straightforward and calling it a tax, No. 1

MR. C. MANNES: \$70.00.

HON. E. KOSTYRA: No, it was based on a percentage so it would vary by the size of the property or the value of the property. Also it penalized people who had mortgages. So a spouse who was transferring property that had a mortgage would actually pay more if they had a mortgage on the property than one that didn't. So it's not that this didn't exist prior to the imposition of this tax.

It was certainly amplified because we did, firstly, change it from a fee to a tax because it was revenue generated. So it's better to be up front and call it a tax rather than suggesting it's just a fee and somehow it just equates to the cost of providing that service.

Secondly, we put it on a true graduated scale that it is based on the value of the property and not including mortgages, which was, in some ways, a penalty to people who didn't have the wealth or the cash and had to assume mortgages in order to purchase properties. But nevertheless, I was glad that the member did raise the issue and that we are able to make that correction.

MR. C. MANNES: Mr. Chairman, one question to the Minister.

Is he saying then that there will be absolutely no tax, no fee, associated with transferring the ownership in the name of a single spouse, putting into joint names? Will there be any fee at all?

HON. E. KOSTYRA: There still will be the transaction fee that exists through the Department of the Attorney-General, the Land Titles, which I believe is \$30 - it could be \$25 - but that fee will exist under - because it's now truly split - this is a tax under the Department of Finance, and the administration fee, which is just an nominal fee, is under the Attorney-General's Department, Land Titles.

QUESTION put, MOTION carried.

MR. CHAIRMAN: Page 28, as amended—pass.

Pages 29 to 35, inclusive, were each read and passed; Title—pass; Preamble—pass.

Bill be reported.

BILL NO. 52 - THE ENERGY RATE STABILIZATION ACT

MR. CHAIRMAN: Bill No. 52, An Act to amend The Energy Rate Stabilization Act.

The Honourable Minister.

HON. E. KOSTYRA: Thank you, Mr. Chair.

I just again would point out that I did provide detailed clause-by-clause analysis of this bill for the Opposition critic and I gave an extra copy for the Energy critic of the Opposition, so I won't bother reading into the record all the clause-by-clause explanation.

In addition, there were some questions raised in-between the committee review of this and the Second Reading regarding some of the specific debt of Hydro, and I also had staff provide that information to the member.

MR. CHAIRMAN: The Honourable Member for Morris.

MR. C. MANNES: Mr. Chairman, the Minister is correct. He has given me information detailing the loans of government that have been specifically set aside in support of Manitoba Hydro.

Mr. Chairman, what I was hoping to do at this time was not to draw the discussion on this bill out, but I was hoping that the Minister could, on one of the debt issues, walk me through, so to speak, the exercise to show the members of the House how it is now the responsibility of a loan, any one we want to detail, the responsibility of Manitoba Hydro in having now to meet the foreign exchange fluctuation, i.e., loss, in most cases - how in simple mathematics that would be done as a result of this bill.

Can the Minister of Finance do that or the Minister of Energy, either Minister?

HON. E. KOSTYRA: I can't take a specific loan and take the member through it, but basically it is that - I'll use the case of the responsibility that rests still with the province - any of the issues that are outstanding that are non-Canadian, non-U.S., the province is still responsible for. Any of the losses, or gains, for that

matter, that may come about when the time runs on those issues would have to continue to be absorbed by the tax base or the expenditure base through the statutory payments under Hydro Rate Stabilization.

We will see a continuation for a number of years of costs associated with those offshore non-North American loans, and we'll probably see next year - because there is a major issue coming due, a Swiss issue - that there may well be, indeed, an increase in costs depending on where the Swiss franc will be against the Canadian.

You can take different points in time. Today, it's strengthened a bit as against yesterday, but it's down considerably from where it was a few weeks ago or at least a few months ago. So, in the case of the government, there will be increased costs associated with that if the Swiss franc stays at relatively the same position it is now. Obviously, if it goes one way or the other, that would impact on the costs that have to be paid out that were not amortized. As the member is aware, all of the non-Canadian issues are amortized on a three-year moving average.

In the case of Hydro, the Minister of Energy and Mines may want to comment further, but they are now responsible for all existing U.S. pay debt and any new debt that will be entered into, secured after April 1 of this year, whether it be Canadian - well, Canadian doesn't matter - but U.S. or offshore, that Hydro will be responsible for any losses, or will receive any gains from any changes in currencies of loans that are entered into subsequent to April 1.

MR. C. MANNES: Mr. Chairman, the Minister has given me some further detail, but still, let's talk about the loan coming due, the Hydro loan coming due. I think it's series AC. It's been borrowed in Swiss francs. The date of maturity according to the document that I have out of Public Accounts says November 1, 1988.

The amount outstanding as of March 31, 1986, was \$116.7 million. I believe, and I'll go to another list that I have before me, Swiss francs, looking at AC, yes, Mr. Chairman, right now there's an unamortized foreign exchange loss, and again I'm referring to the long page documents given to me by the Minister of Finance, when I asked him to provide for me an amortization of foreign exchange fluctuations, loan by loan.

Mr. Chairman, when one looks at that particular loan, payable in 1988, one can't help but note that the par value was \$200 million. Pardon me, I think it was taken out in Swiss francs, so it was \$200 million Swiss francs that we borrowed. The book value at the date of issue was \$116.7 million, but today, not even today, as of February 20, 1987, we had to pay back \$145.4 million and the exchange rate of that day was .727. Today, Mr. Chairman, it is, I believe higher than that. I was going to look that up.

I dare say, unless the Swiss franc drops against the Canadian dollar significantly within the next year and three months, that we will end up owing, as a loss on that one issue, \$40 million. Now, will that loss, in its entirety, now transfer to Manitoba Hydro? And will Manitoba Hydro have to reflect that entire loss, first of all, within the reporting fiscal year and, therefore, the year after reflect it totally within the rate structure?

Mr. Chairman, if the Minister of Finance can give me his answer to that one - it's more than an example;

it's more than theory; it's almost inevitable that it'll happen - then I'm satisfied; I can do the rest myself.

I just want to know how it is that the government now passing these foreign exchange fluctuations - handing them off, so to speak - to Manitoba Hydro, how it is that Manitoba Hydro then is going to deal with them.

HON. E. KOSTYRA: Could the member - unfortunately I've got, it seems to me, every other piece of paper except the one that he's making reference to - could he just quote the issue again and the date? Let me ask you: Is that an issue that was entered prior to April 1, 1987?

MR. C. MANNES: Yes.

HON. E. KOSTYRA: Okay, then, I can answer the question.

Well, without getting into the details of - that was a Swiss issue again - without getting into the details, because I can't, I don't have that detailed information, but that will remain the responsibility of the government through direct expenditures because that issue is an offshore issue which was entered into prior to April 1, 1987.

Any of the old - and I'm using the term "old" - loans, old being any loan that was entered into prior to April 1, 1987, any loan that is offshore, that being non-North America, will remain the responsibility of the Department of Finance and will be paid out through the appropriations for energy rate stabilization funds in the Budget. So, in the example he gave, that will not be a responsibility of Manitoba Hydro in terms of the currency fluctuation. That will be the responsibility of the Department of Finance.

Now again, without getting into specifics of the figure, part of the losses to date, based on the formula established for the amortization of such losses on the three year moving average, is reflected in the costs of borrowing for ERSA on a yearly basis.

The portion, the difference that may exist at the time when that debt comes due in November - I believe it was - of 1988, whatever the rate of exchange is at that point in time, when we must pay it off, that portion will be have to be paid out from the appropriation for ERSA out of the Department of Finance, next year. So whatever is not amortized between the three-year amortization moving average, and that which will be in effect at the point in time when we have to pay that, will be what additional amounts of money will have to be paid out against that loan. So that is not a responsibility of hydro. It remains the responsibility of the taxpayers through expenditures.

MR. C. MANNES: Mr. Chairman, the Minister has cleared that away.

Now the example that I used now, in a theoretical sense, dealing with American issues, because the bill states, and I quote, "Manitoba Hydro would assume responsibility for fluctuation of the value of the U.S. dollar denominated debt," and it says, "issued by, or on behalf . . ." - let me repeat this.

Prior to April 1, 1987, Mr. Chairman, I look at the U.S. currency area, and I look at issues 11.(l) and 11.(n),

and there we have some degree of loss. With the U.S. debt, where we've had fluctuations in currencies, and now we owe more than the face value of the debt that we took the responsibility of assuming, well, those losses when they come due, and here's the year specifically - '89 - and those two issues 11.(l), 11.(n) come due in '89. Given that the Canadian dollar does not change vis-a-vis the American dollar in the next two years, would those losses be totally the responsibility of Manitoba Hydro?

Furthermore then, at this point, given the levels of exchange in place, what is the liability that we're shifting from the taxpayers to the ratepayers of Manitoba Hydro?

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

HON. W. PARASIUK: Manitoba Hydro indeed would be picking up that loss. I do not have the figures available with me to tell you how much it would be. I know that Manitoba Hydro had been doing calculations to make sure that unless there were situations like drought, which are unforeseen, take into account normal weather conditions, they would be, through their revenues and their expenditures, picking up any of those foreign exchange losses of a U.S. nature and living within the 5 percent or lower than inflation rate increase commitment that had been made.

MR. C. MANNES: Mr. Chairman, that's just a mathematical analysis. This is at a picture point in time. If the currency rates stay in effect that are in existence today, what liability is going to be shifted to Manitoba Hydro away from the Government of Manitoba as a result of this bill? Surely that figure exists. I understand why that figure is only good for this point in time because currencies fluctuate, but what is the total value of that today? That number certainly has to be in existence somewhere.

MR. CHAIRMAN: The Honourable Minister.

HON. E. KOSTYRA: I just want to clarify one point for the member. This is probably why he thinks that the increases would have to be at levels higher than what has been indicated by Manitoba Hydro or the Minister responsible.

Again, it is only the portion of the unamortized portion that will be their responsibility. So the amortized portion is still shown on the books to the extent that it's covered by the three-year moving average. I don't have the figure with me. Presumably, we do have a figure that exists somewhere that shows that.

On the basis of the review that we did, along with the Minister of Energy and Mines, with Manitoba Hydro, we were both satisfied that those costs would be contained in the additional adjustment that was announced as part of the Budget, the additional adjustment to hydro rates. As a result of that adjustment and the present plans of hydro, relative to their projections, a further cost increase would be maintained as the Minister has previously stated, unless there is some major catastrophe that is not anticipated in terms of drought or some other factors. But otherwise, our

expectation is the hydro rates will not increase higher than what has been previously stated.

MR. C. MANNES: Let me say this for the record, Mr. Chairman, that right now, at this point in time, we have these issues on the book, payable in U.S. dollars, firstly under the column - and these are issues that Manitoba Hydro is directly responsible for themselves and the government has guaranteed them - there are issues 1U, 1Z, 2F, 2G, 3A, 3M, 3C, 3E, 3H, 3L and 3M. Some of them go out to the year 2006, Mr. Chairman.

There's a sum total there at issue value of \$756 million. I add to that issues 11L, 11N, AV, 11E, 9J, 9K, 9U, AM, 9M, and 10D. I listed off at least a dozen issues, Mr. Chairman.

I am of the view that there's a liability associated with those 12 or however many issues I named, that there's a liability there upwards of at least a couple of hundred million dollars. That's being shifted to Manitoba Hydro. I know that number can be provided to me; I know that number is dynamic, it's not static; it can come back or it can go out. I'd have to believe and hope that it's going to come back, but today there's a liability shift from the Government of Manitoba to Manitoba Hydro.

I expect that the Minister would bring forward, would be forthright enough to give us that number, that figure in debate. I asked the Minister in debate the other day if we could work toward that number. Mr. Chairman, let me say for the record that there is a considerable shift of liability - I cannot quantify it at this point in time - as between the province and Manitoba Hydro. Let the record show that the Opposition was aware of it; we cannot quantify it. If the government can, we will accept their number, but the net result of it, over the next 10 years, in that one decision alone, in principle, I might say, Mr. Chairman, probably to be supported by the Opposition. But in that one decision, there is going to be a requirement of ratepayers to increase the rates - by how much, it's difficult to say - but I think it's incumbent that it be put on the record.

HON. E. KOSTYRA: Yes, Mr. Chairman, I can't confirm that and I don't have those specific figures. As the member is aware, they literally will change day by day. I dare say -(Interjection)- Yes, they do. In fact, they've changed significantly from when the decisions were made, based on where the U.S. dollar was against the Canadian dollar, in a positive way, as the member is aware, over the last while. But I will confirm that there is substantial movement back to Manitoba Hydro, the responsibility for that debt, and it is significant.

Again, I repeat for the record, based on the work that we have done, based on the work that Manitoba Hydro has done and based on reasonable projections, that will be absorbed within the special adjustment that was put in as a result of the Budget this year and will be accommodated as part of any further increase that was made before the decision was made to revert the responsibility back to Manitoba Hydro for all new debt and the past U.S. pay debt.

MR. C. MANNES: Mr. Chairman, I serve notice to the Minister responsible for Manitoba Hydro that we will ask this question in Committee of Public Utilities

Committee a year or a half a year from now, whenever we reconvene that, because obviously that's a transfer of liability to Manitoba Hydro. I expect now, in some circles, it will possibly be printed at that point in time.

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

HON. W. PARASIUK: I have received notice from the member.

MR. CHAIRMAN: Is it the will of the committee to consider the bill clause by clause, page by page, or bill as a whole?

Bill as a whole—pass.
Bill be reported.

BILL NO. 53 - THE OIL AND GAS PRODUCTION TAX ACT

MR. CHAIRMAN: Bill No. 53, The Oil and Gas Production Tax Act.

The Honourable Minister.

HON. E. KOSTYRA: Thank you.

Just for the record, I would again just confirm that I will not provide detailed clause-by-clause comments on the bill. I did provide that for the members opposite some time ago, at the time of introduction for tabling of the bill.

I would also just note, to help facilitate our work in this committee, that there are some amendments that I also did pass on to the member on two pages - pages 2 and 16. I think that the Minister of Energy and Mines responded to some of the comments or questions raised.

I would just respond to one I don't think he responded to specifically, and that was the whole enforcement section. Basically, what we've done is made this section consistent with other provincial statutes, both within Manitoba and - I hesitate to say this, but I will anyway - consistent with this kind of variant in Saskatchewan and Alberta because, as the member is aware, these kinds of taxation measures are somewhat complicated areas. We certainly try to harmonize in terms of specific areas with other provinces.

MR. CHAIRMAN: The Member for Morris.

MR. C. MANNES: Mr. Chairman, I want to be very specific, because part of the rationale used for this change in tax - and I'll quote the comment. It says, "Some of the new features of this act are: Simplify administrative and recordkeeping procedures by not having to maintain records, and the mailing of 1,640 assessment and tax notices to the mineral right holders."

Mr. Chairman, can the Minister indicate that there are a number, then, of mineral right holders who no longer will receive any type of request, any type of an assessment from the government as a result of this new tax act?

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

HON. W. PARASIUK: I can't be certain, but I think there's a process of gazetting for that which people are aware of, rather than individual notices.

MR. C. MANNES: The Minister is going to have to be more definitive than that, Mr. Chairman. Does he mean that if the mineral right holder doesn't get the gazette and doesn't know what form to fill out, he then will still be taxed? Is it automatic? I don't understand how the process flows.

HON. W. PARASIUK: The tax is on the production. It's not on the right; it's on the production. They get notice -(Interjection)- Pardon? -(Interjection)- Yes, this is on the production.

MR. C. MANNES: On purely production?

HON. W. PARASIUK: Yes.

MR. CHAIRMAN: Since there are two amendments, at least, we will consider the bill page by page.

Page 1—pass.

Page 2, there is an amendment.
The Honourable Minister.

HON. E. KOSTYRA: I move, seconded by the Minister of Employment Services and Economic Security,

THAT the definition of "working interest" in subsection 1(1) of Bill 53 be struck out and the following definition be substituted therefor:
"working interest" means an interest in a well, or in any oil or gas produced therefrom or allocated thereto, including the mineral right owner's share of procedures therefrom.

MR. CHAIRMAN: The amendment is also moved in French, as printed. (Agreed) The amendment is approved.

Page 2, as amended—pass. Pages 3 to 15, inclusive, were each read and passed.

Page 16, there is an amendment.

HON. E. KOSTYRA: I move, seconded by the Minister of Energy and Mines,

THAT subsection 19(1) of the Bill be struck out and the following subsection be substituted therefor:

Certification of Tax.

19(1) Any tax, penalty or interest payable under this Act and remaining unpaid, in whole or in part, may be certified by the minister after the expiration of six months from the time the tax, penalty or interest is levied and the minister may register the certificate in the Land Titles Office of any Land Titles District and, from the time of the registration, the certificate is a charge on all lands of the debtor against which the certificate is registered by instrument charging specific land, and, while registered in the general registrar, against all lands of the debtor in the Land Titles District in which it is registered that are held in a name identical to that of the

debtor set forth in the certificate whether or not the lands are registered under The Real Property Act.

MR. CHAIRMAN: The same amendment, in French, as printed. Is that agreed? (Agreed) Amendment—pass.

Page 16, as amended—pass; page 17 -(Interjection)-en français on every page—pass; pages 18 to 21, inclusive, were each read and passed; Preamble—pass; Title—pass.

Bill be reported, as amended.

BILL NO. 56 - THE MINING CLAIM TAX ACT

MR. CHAIRMAN: The next bill under consideration by the committee is Bill 56, The Mining Claim Tax Act.

The Honourable Member for Lakeside.

MR. H. ENNS: I made the concerns of myself and members of the Opposition known on this bill. I understand the reason why it's here. I received assurances from the Minister at the time that he would not take advantage of the one concern that I have and what representatives of the mining industry have expressed to me, that they would not, in haste, or imprudently, alter changes now made possible by transferring certain features of the act into regulations which, previous to this, were embodied right in the bill.

We'll have to take the Minister's good intentions in this respect and his concern, I'm sure, for treating the industry with consideration when changes are made and announced. The spokespersons for the mining industry confirm what the Minister has confirmed to me in private, that there are no changes of substance in the bill, and I'm prepared to see it pass, Mr. Chairman.

MR. CHAIRMAN: Since there is no amendment, do we want to pass the bill as a whole? -(Interjection)-Pass.

Bill be reported.

Committee rise.

Call in the Speaker.

IN SESSION

The Chairman reported that the Committee of the Whole had considered Bills No. 51 and 53, respectively, and reported same with amendment; and had considered Bills No. 52 and 56, respectively, and reported same without amendment.

MADAM SPEAKER: The Honourable Member for Burrows.

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

MOTION presented and carried.

MADAM SPEAKER: The Honourable Government House Leader.

HON. J. COWAN: Madam Speaker, as you're probably aware, according to rule 64.1(1), there is a time

restriction in respect to the total number of hours for the review of Estimates in committee. It appears as if we may, in fact, be exceeding that time estimate in order to complete the consideration of The Loan Act.

I would, therefore, suggest that the House grant leave to allow the committee to exceed the 240 hours so that we can continue on with consideration of Bill No. 57 once we have reached that 240-hour limit.

MADAM SPEAKER: Is that agreed? (Agreed)
The Honourable Minister of Finance.

HON. E. KOSTYRA: Madam Speaker, I move, seconded by the Attorney-General, that Madam Speaker do now leave the Chair for the House to go into Committee of the Whole to consider and report on the Capital Supply, Bill 57, The Loan Act, 1987.

MOTION presented and carried and the House resolved itself into a Committee of the Whole to consider and report on Bill No. 57, with the Honourable Member for Burrows in the Chair.

COMMITTEE OF THE WHOLE

BILL NO. 57 - THE LOAN ACT, 1987

MR. CHAIRMAN, C. Santos: The Committee of the Whole House will now come to order to consider Bill No. 57.

The Honourable Minister of Finance.

HON. E. KOSTYRA: Thank you, Mr. Chair.

I'd just remind members we had already started consideration of Bill 57 at a previous sitting of the committee, and we did, at that time, provide detailed clause-by-clause notes for the Opposition Finance critic.

I'd also just like to serve notice - and I did provide this to the Opposition Finance critic - of an amendment to this act to comply with an amendment which was made to Bill 68, I believe it was, dealt with by committee last night, a minor amendment changing the name.

So, with that, I would urge members for speedy passage of consideration of this bill in committee.

MR. CHAIRMAN: Does the Member for Pembina wish to speak?

MR. D. ORCHARD: Please, Mr. Chairman.

I'm making a presumption that may be wrong. Is the Minister responsible for the Telephone System also responsible for Data Services?

HON. E. KOSTYRA: That's incorrect. It's Len Evans.

MR. D. ORCHARD: First of all, on the Telephone System, \$45.9 million is being requested here. Obviously, it's for this current year's capital expenditures.

Last year, I believe, when we were in Telephone System Estimates, the former Minister of Telephones provided us with a list of the scheduled capital expansions that would use this \$45 million or use last

year's loan authority. Does the Minister have a list of capital projects that he can table with myself now?

MR. CHAIRMAN: The Honourable Minister responsible for Crown corporations.

HON. G. DOER: Mr. Chairman, I don't have a specific list, but I can indicate what the capital, the \$45.9 million, was required for. It's out of a capital program, Mr. Chairman, of \$165 million for the '87-88 year, as we've indicated in previous committee meetings. So, therefore, we're requesting 27 percent for the '87 Loan Act.

The specifics of the loan requirements are \$113 million, or 69 percent, is required to meet the existing telecommunications services. This is based on growth, the movement of existing telecommunication equipment, and replacement of worn out and damaged plant. We've increased spending in this area considerably.

We have \$48.1 million or 29 percent for plant spending that is earmarked to provide new services in terms of replacing obsolete equipment and upgrading existing equipment to current standards, and some specific highlights of that: 21 rural exchanges to be modernized with digital switching; five Winnipeg central offices will have additional digital switching capacity - and I should say some of them are oversubscribed in a number of areas; automatic number identification to allow long distance calls for an additional 12 exchanges. We are also spending, as we indicated in committee, one-half of a \$20-million commitment this year for the national fibre optic line, which of course is going through Southern Manitoba, one-half of it this year, Mr. Chairman. That's the sum capital list.

MR. D. ORCHARD: Mr. Chairman, I'm going to have to read Hansard on that, because I've got a little bit of activity over here and I missed some of the latter answers.

HON. G. DOER: I'll give it to you in writing.

MR. D. ORCHARD: Mr. Chairman, I apologize in advance to the committee, but I was unable to attend the last meetings of the Telephone System, in which I had intentions of asking a number of questions in terms of expansion in rural service. They may have been asked by others of my colleagues and, if they were, I'll read Hansard and follow up from there, but in case they weren't, the basic questions that I would have of the Minister are:

In rural Manitoba, as he well knows, there are the two issues; first of all, size of exchange and private lines in rural Manitoba. Now is there capital earmarked in this \$165-million budget to further expand upon the extended area of service program that was initiated in 1981, so that more communities are joined in a toll-free fashion, the neighboring communities are joined in a toll-free fashion? If so, what communities will be involved in that this year?

I'll pose that question; then I'll pose the one on private lines.

HON. G. DOER: I couldn't hear the whole question. The member - and I just got some of the general points - mentioned that there were two issues, and he's

absolutely right. In fact, in my conversations with a number of rural communities, it seems to me that the issue of extended areas is the major priority although, when I hear questions in the House and comments from people, they're very concerned about the number of people on the multiparty lines.

I would like to actually work and develop a plan over this summer with the consultation process and make public a proposal that we'll consult with municipalities on and members of this Legislature, and file with the PUB in both areas, identifying what we're going to spend, where we're going to spend it, how much it's going to cost, and how we're going to raise the money.

I didn't hear the specific question. I did have a lot of the technical people at the committee at the last hearing. In fact, I even had the two regional managers there to answer a lot of the specifics about the individual exchanges. If that's the question, I could provide that to the member in greater detail than I may have right now.

MR. D. ORCHARD: Mr. Chairman, the latter part of my question was: If the extended area service program is ongoing this year, which communities would be receiving the extended area service with this capital program?

HON. G. DOER: There are some and I'll provide that to the member. It is involved in the overall spending of providing new services, some \$48 million under this Loan Act, in terms of replacing obsolete equipment and upgrading existing equipment. I'll get a breakdown of that number for the member in terms of the - there are 21 rural exchanges to be modernized, but I'll find out, of those 21, how many are being expanded as opposed to just being modernized, which is the question I think he's asking.

MR. D. ORCHARD: Mr. Chairman, can the Minister, and I know he's probably been asked this a number of times - the multiparty line is a problem in rural Manitoba, particularly with the farm community, because many farms nowadays, as long as the service exists, are hooked into the computer system for information - Infomart - for markets, commodity trends, etc., etc., and they use that as a pretty successful management tool.

One of the prerequisites of using that on the farm is, of course, a private line. In many areas there was a program two or three years back where \$500 would bring you a private line, but that was normally at the expense of other multiparty line users. In other words, if they could free up a single private line, they would do so by increasing up to four, members on the neighbour's party line. It was first come, first served - in effect, quite discriminatory, because really if you didn't apply first, and all the capacity was used up, you didn't get a private line. In fact, you'd end up with more people on your multiparty line, quite the opposite to what you desired. So that was an unfair program, but it was nevertheless undertaken, and I don't want to get into the politics of the program. That's not the point this afternoon.

The question I'd like to ask the Minister is: What is the policy rate now in terms of anyone who requests

a private line, who currently is on a party line? Can they avail themselves of private line service on a farm? And I'm speaking specifically of farm instances, and what would be the process?

HON. G. DOER: Mr. Chairman, I have not changed the existing policies of the Telephone System yet in terms of many of the nuances dealing with who gets a single party line, why and how much they pay for it. The other issue is the issue of who gets dumped - has a single party line and then all of a sudden the next day gets dumped on to a multiparty line.

It seems to me there are a number of unfair parts of our policy in the Telephone System, and I, quite frankly, don't have a handle on all of the rationales of those yet. I'd like to bring one to the member's attention. It costs a major amount of money for expansion of a telecommunications system into new urban development, yet I don't see the costs being borne out by urban individuals the same way I see new developments being paid for by members of rural Manitoba. I've asked the Telephone System, why do we have this system, one standard for a large urban area? I understand there are more lines and it's easier to do and you get your money back quicker, but why do we have this one standard in urban areas and another standard in rural Manitoba?

Beyond that, there are all kinds of tariff regulations, of who has to pay and what they have to pay, assigned by the PUB, often filed by the Telephone System initially. Then there's a combination of things that have been grandfathered with two lines and many items that were grandfathered in '78 and '79 that are causing me problems in terms of individual residents of rural Manitoba, in terms of it doesn't appear to be fair to them in terms of the cost and the services.

I hope to have a handle on all those issues this fall and articulate a broader policy, including some of the things I think - just from a gut sense - are unfair in Winnipeg. It's too bad we didn't catch it, perhaps, before the urban boom took place, because maybe we could have used that money to subsidize - and I believe in subsidies in the Telephone System - some of the other requirements in rural Manitoba.

But I want to get a handle on a lot of those nuances because I haven't been able to understand all the rationals of them, except to say they're tariffs, or they're precedence or they're grandfathered, or this and that. I think the member is absolutely right and that's why Saskatchewan is proceeding with an accelerated program for single line service because the phone now has computer capacity and I feel we should be doing the same thing.

The question is how fast we do it, and what it'll cost, and who will pay it, but I think we should be decreasing the 48,000 or 49,000 and moving towards a plan whereby in "X" number of years they'll all be gone. But at the same time, I don't want that to erode extended areas, which I hear from municipalities is even a greater priority, of course depending on where people live.

That is kind of a general answer to a specific question, Mr. Chairman. Instead of reacting to things that look unfair to me on the gut level, I want to get a broader policy on it, and consult, quite frankly, with members

opposite, including the Opposition critic, because I want to file with PUB a broad program for the next 10 years at the Telephone System rather than just ad hocking it.

I don't like the fact that we want to reduce the number of people of multiparty lines and then know of examples in Roblin-Russell and other examples where we're adding people to those multiparty lines. I don't think that makes any sense at all. I have not intervened in those policies yet, till I try to get a sense of an overview and then come in with a broader policy position, rather than picking away at some of the inequities.

But I mention the one from urban to rural, because I think that's an interesting thing. For example, the Edmonton Telephone System, which is a specific telephone system just to that city, they levy a major cost to putting in those lines which may be up to a considerable amount higher than \$1,000.00. They levy that into the whole system. It seems to me that would be a fair way to get some more money into the revenue area for purposes of total provincial development.

But those are the questions I haven't yet had answered.

MR. D. ORCHARD: Mr. Chairman, in terms of the rural system, first of all, Saskatchewan is doing a major, major expansion into private line service in rural Saskatchewan. That's been ongoing now, I believe for two years. Now I recognize the cost there, but you know what I guess incenses a lot of the farm community is that the Telephone System, where it comes to telephone service, for instance, to cottages at a number of our recreational lakes in the Whiteshell area, will put telephone lines in which are private line service to summer cottages at no cost to the individual. That isn't a business telephone; that is simply a convenience telephone at the lake. Yet in rural Manitoba, because the system is already in place, we're expected to simply make do with that. It's those kinds of inequities that rural Manitobans see at the lake resort areas.

I know my colleague, the Member for Roblin-Russell, pointed out examples where in his area the lake developments have single private-line telephone service and the farm community doesn't and that's right side by side, if you will. That's the policy that rural Manitobans find particularly inequitable and unfair. I realize it's expensive to resolve. It was expensive when we were looking at it too, but it's an area that has to be resolved because our farms are becoming ever more important businesses and need every break, in terms of communication and computerization that you can get.

Now, Mr. Chairman, in the second area, I'd like the Minister to table later on the policy on private line service for rural Manitobans who go from a multiline to a private line by application. Now I want to know how they're charged. Like there are some areas that the \$500 flat fee applied no matter how far you were from town. Other areas, they are charged on the basis of distance from the nearest exchange.

There is even some apparent confusion and I'd like to get to the bottom of it - and I wanted to be at the committee hearing, but of course, I wasn't there - but there even is some confusion where an individual farmer has paid for his private telephone - in other words, the

installation charge that Telephones requested to come from the nearest exchange to his farm - and then additionally to that, after having paid presumably a contribution towards the additional capital cost, he is charged a monthly fee by mileage. I don't think that's universally applied.

Can the Minister provide to me later on the policy guideline that's used? Because I've got some individuals at home that have been riding my rear end, if you will, as to why this appears to be applied to them and not to other people. I don't think, if the Minister checks, he will find that that policy is necessarily universally applied. Sometimes the mileage distance charges are; sometimes they're not. Again, that's a case of inequity that I think has to be straightened out.

HON. G. DOER: I think the member raises some legitimate points. I'm finding that every time I see an inequity, I find a "grandfather clause" that started sometime before, and all tied to tariffs. I think it's about time we took a look at all the grandfather clauses and all the policies and all the tariff regulations, and tried to put them together with what our priorities are, and have an overall policy that I could try to explain in this House because I couldn't now.

I know they're all tied to PUB tariffs and they interweave with grandfather clauses of the Public Utilities Board, and then you go back to some other policy on how many are on a line versus how many are on another system in terms of an extended area.

That's one of the things we want to do this year in the fall period, in terms of the rural consultation, is get a handle on all those things because people are - you mention the term "on your rear end." I can tell you they're on my proverbial rear end as well, and rightly so. So I'd like to get all these things together so I can begin to explain it and then we can begin to rationalize it.

I will send the existing tariff-grandfather - and that's what they call it - provisions to the member. All those policies that I mentioned at the latest hearing are on the table because we want to review every one of them for what we're going to do in terms of rural improvement services.

Yes, Saskatchewan has gone. They have 78,000 multiparty lines now. They're moving to reduce that number because of the computer on the farm. They've stopped moving in extended areas, by the way. They're putting all their money into the single lines as opposed to multiparty lines. But we want to look at that in terms of where we think we should be going.

I'll forward that to the member.

MR. CHAIRMAN: The Honourable Member for Virden.

MR. G. FINDLAY: Thank you, Mr. Chairman.

I have one quick question for the Minister responsible for Telephones. I've had two different communities in my area, both with volunteer fire departments, ask me about the FRED system and where the new Minister of MTS is going to go with that proposal that has been developed by MTS technicians. They've been in discussion with Municipal Affairs, with Labour, with members of his department. I'd like the Minister maybe to tell us whether that's part of the package that will

be reported on in their proposal that's going to be brought forward this fall, or whether he intends to shelve that important proposal that has been drafted over the past, about seven or eight years?

HON. G. DOER: Well, Mr. Chairman, the FRED program is one of the areas that some of the honourable members across the way have been highly critical of - not in terms of its importance but in terms of two aspects to it: (1) is the inability of other radio companies to compete on the public telephone system, fire alarm system; and (2) is the fact that MTS allegedly has understated the costs and overstated the revenues.

We are reviewing FRED. In fact, we've referred it to Coopers and Lybrand in terms of the projections. It looks like the cost projections that we did have a couple of years ago are not accurate if one includes all costs - capital, depreciation, interest rates, etc. - in terms of Project FRED.

I said at the committee awhile ago that if there are projects of a socially redeeming factor at the Telephone System, that we wouldn't try to defend them as making money, but we would defend them as a socially redeeming project and identify clearly to the public how much that costs. And it is costing money now. We believe FRED falls within that general mandate of being a very necessary service of the municipalities, but we would want to defend it in this forum and to the public as an emergency safety service, not as a "cash revenue product in the Telephone System." So I think we want to clarify the mandate of FRED.

The second issue is that we're looking at private radio operations interconnecting with the Manitoba Telephone System. It didn't make sense for us to have illegal operations in La Broquerie, Manitoba. I guess the Member for Emerson is aware of that in La Broquerie. There was a big battle going on in Lakeside before with the municipalities. We want to clarify that position if we're going to have interconnect with cellular telephone. It only makes sense that local radio operators have the right to interconnect to the system and be part of that alarm system. The key is - and I think one of the companies proposing it is Motorola - the key is that they should pay a fair tariff on the line.

The other proposal that the municipalities are proposing is that MTS pay for everything. I think that's a couple million dollars per year, Mr. Chairman. The municipalities that you talk about, I know the individual, I think, is the Chair from Shoal Lake, is it?

MR. A. DRIEDGER: . . . and then they lost money in Saudi Arabia - it will take them 25 years.

HON. G. DOER: Well, 13 1/2 years - to the Member for Emerson.

But I have talked to the individual. I believe it's Mr. Edmundson from Shoal Lake. He gave me a good presentation of FRED as an aside to the other equipment problems they were having in their area. If the government was going to have all of the municipal fire service alarm system paid for, that would be a political decision - one members opposite may criticize as affecting the rates - at a political level, intervening in the "objective rate setting." Notwithstanding that, we know that report is in. The bottom line is I don't

see a very valuable service in municipalities such as FRED being cut or reviewed the same way as Project FAST and some other projects because it was justified. It has a safety factor to it and a value to the municipalities.

MR. CHAIRMAN: The Honourable Member for Pembina.

MR. D. ORCHARD: Mr. Chairman, quickly to the Minister: When do we get cellular telephones in Manitoba?

HON. G. DOER: I thought you were going to ask me about Project FAST. I was very disappointed.

Mr. Chairman, cellular telephones, we're now negotiating with Cantel on the tariff that they would pay to get on the public line. There have been two proposals, I believe - and I haven't got a current update - back and forth between Cantel and the Manitoba Telephone System.

What they are planning to do is arrive at a fair tariff and file, if they can, jointly with the PUB for that tariff. If they can't, they will have to file separately with it. I have asked them to get it completed by August 15 and go to the PUB because people are waiting. There's a major waiting list for that service.

MR. D. ORCHARD: Mr. Chairman, the Minister of Telephones jokingly made reference to FAST, and when he does table the FAST analysis, which will show probably \$8 million or \$9 million of loss, I hope he also tables the questions I posed, particularly, to his predecessor, the Member for St. James, who said how wonderful a system it was and how wonderful it was doing, just like he said about MTX and Saudi Arabia. I admit we put it in and I admit that we were sold a bill of goods. I warned the government for four years while it continued to pour money down the drain on FAST.

So I'm waiting for that report to show how much the losses were and how many times they were warned and didn't do anything about it, particularly "Candy-stripe" in front of him there who didn't do a thing about it.

SOME HONOURABLE MEMBERS: Oh, oh!

A MEMBER: The sheik's tent.

MR. D. ORCHARD: Well, yes, Mr. Chairman. For a \$27 million dollar loss in Saudi Arabia, we got a chunk out of a sheik's tent that he made into a shirt and sent to the Member for St. James.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. D. ORCHARD: Mr. Chairman, I'd like to ask the Minister responsible for the Manitoba Data Services: What is the \$9.4 million capital authority intended to do? What are they spending the money on in Manitoba Data Services?

MR. CHAIRMAN: The Honourable Minister of Labour.

HON. A. MACKLING: Mr. Chairperson, while the Minister is getting that information, I wanted to just

put on the record my appreciation for the efforts of the Honourable Member for Pembina when he was Minister responsible for the Telephones.

A MEMBER: Oh, here we go!

SOME HONOURABLE MEMBERS: Oh, oh!

HON. A. MACKLING: After the previous Minister, the Honourable Member for Lakeside was very rudely embarrassed in this Chamber by not being aware of the fact that the Telephone System had entered into contracts without authority that were very embarrassing to the government. But the Honourable Member for Pembina was made Minister because he was that super Minister who was going to clean things up in the Telephone System.

What did he do, Mr. Chairperson? Did he do something with those administrators who were adventurous, who were doing things without authority? No, he didn't do that. He gave bonuses to Mr. Aysan. He didn't discipline anyone in the Telephone System.

Mr. Chairperson, here I was, a Minister of the Telephone System, having before me not only my three colleagues who had been Ministers of the Telephone System who had relied on the expertise of Mr. Holland and all of his subordinate administrative staff, including the legal staff, including Mr. Aysan and all those, but I had confidence in knowing that the Honourable Member for Pembina had kept those staff, endorsed those staff and had felt that they were certainly important enough and responsible enough to be left, even after the embarrassment to the Honourable Member for Lakeside was made in this Chamber. So when the Honourable Member for Pembina was asking those questions of me in committee, I turned to Mr. Holland, the CEO of the Telephone System, and of course he recognized, told me, that the Honourable Member for Pembina was being political.

Sure, he was being political. He was a former Minister responsible for the Telephone System and was assumed to have some expertise and knowledge, and was just trying to put down the good programs that he had initiated, including FAST. Because the Honourable Member for Pembina not only recognized that Mr. Holland and Mr. Aysan had initiated developments in Saudi Arabia, they had also initiated FAST under the tutelage of the Honourable Member for Pembina. Those same people. And he endorsed that activity. So when the Honourable Member for Pembina was questioning FAST, among others of the Telephone System's programs, I agreed with the CEO, Mr. Holland, that the Honourable Member for Pembina was grandstanding, was trying to make a play, trying to become the Leader of the Opposition by playing up these issues, attacking the Telephone System.

I didn't know, Mr. Chairperson, how embarrassed the Honourable Member for Lakeside would be when he was Minister responsible for Telephones, and the fact that the Honourable Member for Pembina did nothing to deal with the adventurism and the misguided direction that was continuing in the Telephone System ranks as significant weakness on the part of the Honourable Member for Pembina. He knew - he sat in this Chamber and he heard the exposure of the

Telephone System - but he did nothing about it. So let the record be very, very clear, Mr. Chairperson, that the incompetence of the Honourable Member for Pembina is at the root of the continuing problem that the Telephone System had.

MR. CHAIRMAN: The Honourable Minister of Economic Security.

HON. L. EVANS: Thank you, Mr. Chairman.

The Member for Pembina asked for an explanation of the \$9.4 million requested for the Manitoba Data Services Incorporated, and I can advise him that it breaks down generally into two parts: \$3.4 million which is for the Capital Expansion Program that has been going on for some time. This is generally upgrading their computer facilities, expanding and upgrading their computer storage capacity and the purchase of new computer software, and there's a lot of information here on the various kinds of equipment, but it's generally for the expansion of the basic facility.

I might advise honourable members that the organization continues to play an expanding role in government, because of computerization that's taking place. Revenues have expanded in spite of reductions in rates that have been appreciated every year. There is a very positive net income flow that has occurred over the years.

The other portion, the \$6 million, is to support the Burroughs and Unisys based health care initiative. This is being done in cooperation with the Manitoba Health Services Commission, which has the responsibility for bringing forward computerization of information in the health care system and this is the beginning of that particular effort.

MR. CHAIRMAN: The Honourable Leader of the Opposition.

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

I recognize that this may not be totally within the ambit of what we're discussing, but this, I believe, would be the only opportunity we might have for discussion on the MTX report of RCMP. With the indulgence of the House, I'd like to just ask the Attorney-General some basic questions on the report for my understanding, and I would hope that we'd be given the latitude to just discuss it for 5 or 10 minutes.

Mr. Chairman, I guess the basic conclusions that I read from the report are that there has been evidence of 10 payments of secret commissions - I'll just quote from the report. "It has been established that a total of 10 secret commission payments were made during the period of '83 to '85, with a total amount of 248,118.79 Saudi Riyals or approximately \$95,000 Canadian being expended. Among other things, it appears as though the authorization signature on all 10 payments was that of Mr. Mike Aysan."

Although the evidence that the RCMP has arrived at is that at no time, according to Mr. Aysan, during the signing of any of these documents did he have knowledge that the funds were associated to the payments, the explanation being given that he travelled extensively and was away from the office and so he preauthorized many payment slips and 10 of them were

used for these particular secret, which I would assume, were illegal commission payments.

Mr. Chairman, as well, there's an indication that the statements of Mr. Birchfield, who - there's evidence - received some of the payments, although his version is that he returned those payments. There's a suggestion that the RCMP do not believe or that they have some concern about the accuracy of Mr. Birchfield's assertions that way.

I guess the difficulty I have, Mr. Chairman, is in asking the Attorney-General, since there does appear to be evidence that illegal acts were committed, there does appear to be evidence to tie those illegal acts to some individuals - is there no way in which charges can be placed against either one individual whose signature appears on all the authorizations or another who clearly appears to have received some of the payments? Is there no way in which charges can be laid, given that illegal acts are evident in the report having taken place?

MR. CHAIRMAN: The Honourable Attorney-General.

HON. R. PENNER: Mr. Chairperson, first of all, just to note that indeed there were a number of individuals whose signature at least appears on some of the documentation and not just that of Michael Aysan, but a Michael McInnes, Levon Keshishian, Jack O'Sullivan, George Kenukinu and in the first instance of a payment to Ian Ferguson. These employees' names appear on the documentation as being authorization for the funds or recipient of the funds for delivery to the subject being paid the secret commission.

Now let me say, in response to the question, that the RCMP had their own independent counsel looking at the legal issue. The legal issue is this: That while those acts, likely, if carried on in Canada, would constitute an indictable offence in Canada and would be charged in whatever jurisdictions that took place, and as I understand it, they are also offences against Saudi Arabian law and could be charged as such - they don't use the term "indictment" in Saudi Arabia - to charge those acts which apparently - such evidence we have - all took place in Saudi Arabia, we'd have to be able to charge a conspiracy, but one significant element of that conspiracy would have to be in Canada because of the basic rule of criminal law that is against extraterritoriality. Except with respect to hijacking and certain acts of piracy on the high seas, you have to have the territorial jurisdiction. You can gain territorial jurisdiction if you can prove a conspiracy with respect to the acts committed offshore with someone onshore. That evidence was not there at all.

MR. G. FILMON: In fact, that is precisely, I guess, the question that I have, and I am not a lawyer and so I certainly bow to the Attorney-General's knowledge in this area. But I guess I was surprised that the offence that was set forth as that being investigated was conspiracy to commit the indictable offence of payment of secret commissions and that the alleged offence therefore is that Mehmet Atila Aysan, Maurice Provencher, Don Plunkett and MTX Telecom Services, during the period of time at Alkhorbar and other points in the Kingdom of Saudi Arabia and Winnipeg in the Province of Manitoba, did unlawfully conspire and agree

together, each with the other, and others with them, to commit the indictable offence; whereas in my knowledge - and I certainly don't have it in front of me - that's not the allegation that Ian Ferguson made.

His allegation was that in fact the payments, illegal commission payments were taking place in Saudi Arabia and were being made as part of the operation over there. So I don't believe that any of us ever believed that it was possible to tie in Mr. Plunkett, Mr. Provencher and all of the Canadian operation here, just simply that those payments were indeed taking place over there, and I believe that the evidence clearly indicates that. So I guess, as I say, I have difficulty knowing why we have to have such a roundabout way of arriving at the charge, when in fact it was there and was taking place and it was illegal.

HON. R. PENNER: There were acts carried out in Saudi Arabia which, if the evidence could be established - and that's not entirely clear in terms of what would be accepted in the Canadian court of law as evidence - would establish an offence; and the allegations of the payment of secret commissions were made originally in Mr. Ferguson's affidavit, who incidentally, in his affidavit, made a number of other charges which were found to be not supportable by the RCMP.

But when the former Minister responsible for the Manitoba Telephones, in fact on the day that the Ian Ferguson affidavit was tabled, contacted me, I was then in Edmonton, I instructed an RCMP hands-on investigation in the event that there was, in fact, a Canadian connection in the territorial sense.

I think it would have been irresponsible to leave that stone unturned, because indeed, just let us suppose for example that we had credible evidence with respect to Michael Aysan because there was no direct evidence of his payment to somebody in that bank. Let us suppose that there was that evidence.

If any part of what he was doing or Ferguson or these other people - I think Birchfield is an American national and is there now - had been committed on Canadian soil, then even without a conspiracy we might be able to charge the individual. We need the Canadian connection; and the other thing that would have been irresponsible is to assume that these people, even apparently credible in the criminal, non-criminal sense, executives of MTS, to make the assumption without further investigation that they in fact were, if I can use the colloquial term, "clean." So it was necessary, I think, to conduct that investigation and to clear the air on that.

We know now what we knew in general, that there were the payments of commissions. We know now, more or less, the precise extent. We know who may have been involved. Certainly, we have some fairly cogent evidence with respect to some people; some implications might be made with respect to others. But what we have had to conclude is that there isn't the Canadian connection either against an individual or a group of individuals on the theories of criminal conspiracy.

MR. G. FILMON: My question to the Attorney-General is that because there is no Canadian connection, does that mean that there cannot be any charges laid? That's

the whole crux of it - we had to have a Canadian connection in order have charges laid anywhere? In other words, can charges not be laid in Saudi Arabia because these offences were committed in Saudi Arabia, and there's evidence of it?

HON. R. PENNER: We cannot lay charges in Saudi Arabia. Again, we have no jurisdiction.

The RCMP were advised during the course of their investigation by Saudi Arabian diplomatic people, and so on, that indeed, such payments would be an offence against Saudi Arabian law and if they had sufficient evidence, they would in fact proceed. Now what they will do or have done, I don't know. It may be that they apparently, if I recall from the hearings - this central character, not the only character, central character - Chafe Abou Richeh is long gone, that he was not a Saudi, and actually might have been an Iranian National, and he is no longer on the territory of Saudi Arabia.

Presumably, one or more of the people employed in the bank, who were the actual recipients of secret commissions given to them so that the business would flow to the corporations, are indictable or chargeable in Saudi Arabia - and I think I would agree with you - ought to be charged. We ourselves can't charge them. And we'd have to leave it to the Saudi Arabian authorities.

MR. G. FILMON: Could, for instance, Mr. Asyan, or any of the other MTX employees be charged in Saudi Arabia by the Saudi Arabians, given the evidence of their involvement in the illegal payments?

HON. R. PENNER: Yes, they could be. But then the problem of extradition would arise. It would depend (a) - and I can't answer the question, but I'll just tell what it would depend on - whether or not there was an extradition treaty between ourselves and Saudi Arabia. I'm inclined to think there isn't, but there may be. And (b), if that particular offence is covered in the extradition treaties. Extradition treaties tend to be limited to the more heinous offences of aircraft hijacking, murder, bank robbery. Whether they would cover fraud or secret commissions is a question of some doubt. I really, honestly, could not tell you whether we have such a treaty, and if the treaty would cover that.

If I might add, if I were any one of the people named in the report, I wouldn't go back to Saudi Arabia.

MR. G. FILMON: You wouldn't take a holiday in Saudi Arabia.

HON. R. PENNER: No.

MR. G. FILMON: I was going to say that they aren't likely to take holidays there.

Mr. Chairman, I have not gone through in detail to try and understand which books the RCMP were able to go through in order to find these payments, these 10 that they found.

Did they have access to the Sheik's books, or were these only payments that were in either MTX or the jointly-owned Saudi Arabian Datacom Limited? Are those the only two sets of books in which these

payments were made, and were there others there, for instance, in Datacom Division or Telecom Division, both of which were being operated as well, to our understanding, by MTX personnel?

HON. R. PENNER: I haven't had the report any much longer than the member, although I did have an interim report, as I advised the House about a week ago, that was not complete because they hadn't interviewed Mike Aysan. And if you'll note, Mike Aysan was interviewed on the 14th of July and then they completed the report. But my understanding is that they had all of the access to all of the books they felt necessary to complete the investigation.

I should note that, with respect to the report, I advised the RCMP that the report had to be in a condition to be tabled in the House. One or two informants' names do not appear in the report for that reason, because of the privileges that are given to informants. But otherwise, the report is complete and, whatever they did, it may be found in the report.

MR. G. FILMON: In fact, while listening to the Attorney-General, I think that I have the answer here. It says: "As a result of the examination of a copy of a file maintained by SADL-Datacom at their offices in Riyadh, it has been established that a total of 10 secret commissions," so the assumption would be that it is only in that SADL-Datacom jointly-owned operation that those 10 offences occurred.

That leaves open the question that obviously has been asked. Since our MTX personnel were also operating two divisions of the sheik's companies, there is quite an open question as to whether or not there were many other payments being made illegally through those avenues.

Well, Mr. Chairman, I only leave on the record my frustration which, I know, would be shared by all of my colleagues and perhaps even by the Attorney-General and others that we have evidence of offences having taken place, illegal payments, at least 10 in one aspect of our Saudi Arabian operations and the inability to lay charges with respect to those. I understand, from the explanation of the law that the Attorney-General has made, the legalities of the situation but indeed, as I say, I'm left with the frustration of knowing that personnel who clearly were violating laws, whether they be in Saudi Arabia or anywhere else, are left scot-free as a result of the legalities of the situation. That will remain a frustration, Mr. Chairman, in my mind in future.

MR. CHAIRMAN: The Honourable Member for Pembina.

MR. D. ORCHARD: Mr. Chairman, apparently the indication that - I presume we could use the terminology "kickbacks," because that's what it was described as - the 10 payments were basically paid out of the SADL-Datacom. I guess to the Minister responsible for the Telephone System now, our staff - and a number of them are returned now to Winnipeg, and indeed some of our senior management were part of the Board of Directors of SADL-Datacom. I think it would be most instructive to the Minister to determine from those staff, because some of them who were in those positions

weren't among the five executives dismissed, whether they had knowledge of this business practice being undertaken because as it came out last summer during the whole unveiling of MTX in Saudi Arabia, that company, SADL-Datacom, was run entirely by our people.

I guess that's the whole issue was that we understood that Datacom, as a division, was separately owned by the sheik himself. In fact, we found out that we were running it; we were running Telecom Division. I guess that really has to be an area the Minister now, with this report and with the confirmation that in fact at least 10 payments, kickbacks were known of, the Minister I think has a responsibility now to have his chief executive officer take a pretty serious look at the people who were manning those companies in Saudi Arabia on our behalf. Because it appears as if, for 10 payments, that was a systematic method of obtaining business in Saudi Arabia - something that I guess as early as 1984 in committee hearings we were assured was not being used, because that's when we first raised the issue whether any - I believe we described it at that time not as kickbacks - finders' fees or unusual payments were used to obtain business in Saudi Arabia. We, of course, were assured as early as 1984 that wasn't the case.

I think, even though charges are unable to be laid because we don't have the definitive proof of a conspiracy emanating from the senior executives' residence in Canada, as I understand the Attorney-General's explanation, there appears to be no doubt that in fact we were operating in contravention of Saudi laws in Saudi Arabia. Some of those people may well be back in Canada working for the Telephone System, and I think that's cause for concern for all of us and, more particularly, the Minister responsible.

MR. CHAIRMAN: The Honourable Minister responsible for Crown corporations.

HON. G. DOER: I've just received the report as well, and we'll be looking at it very carefully. On my first examination of it, there are certainly individuals whose names appeared in the documentation. All of those individuals, as I understand it - and I will double-check it - are no longer working for MTS-MTX. There is one individual who is working now for the sheik's company, who is in fact getting paid by the sheik and we are getting reimbursed. I did inquire quickly on those individuals to ensure that they in fact weren't in the Telephone System.

Other individuals such as Mr. Provencher and Mr. Plunkett, identified with Mr. Aysan, have been dismissed. I would want to read through it carefully. There are other names mentioned and there are other examples where, on the one hand, it's mentioned that people were aware of it and, on the other hand, it was made clear that MTS said at a board meeting that, if anything happened, it was to cease. So I will take that point from the member opposite.

I should say that, in terms of the information that Mr. Curtis did report to the committee, all the information - and he had access to the sheik's books - that the RCMP requested - and they certainly didn't initiate information although, if Mr. Curtis would have

seen anything untoward going through those books over three weeks, he certainly would have made it available to the RCMP. All the information that he had or all the information the RCMP requested was sent to him by the Deputy Finance Minister who was, of course, and continues to be the interim CEO of MTX.

I think the unfortunate part, the members opposite raised frustrations. I think it is frustrating, Mr. Chairman, but the one report that was very conclusive certainly was the Coopers and Lybrand report whereas, in terms of the mismanagement and misinformation, this report dealt with more the criminal allegations.

MR. CHAIRMAN: Are we ready to consider Bill 57?
The Member for Pembina.

MR. D. ORCHARD: I have some other areas, Mr. Chairman.

I see the Minister responsible for Data Services has gone. The Minister made reference to ongoing capital expansion in Manitoba Data Services. Maybe the Minister of Finance can answer this question. My memory just isn't good enough to know whether Manitoba Data Services had a capital request last year. I don't believe they did, and I wonder if the Minister might have that information, the Minister of Finance

MR. CHAIRMAN: The Honourable Minister of Finance.

HON. E. KOSTYRA: The answer is no. There was no need for loan authority last year for the Manitoba Data Services.

MR. D. ORCHARD: That's what I thought, and yet the Minister's answer was that this \$3.4 million for capital expenditure was part of the ongoing renewal over there. As I say, I didn't recall any Capital Authority being used last year - well, maybe the Minister can answer, he seemed to be making a signal from his seat - the point being that Manitoba Data Services solely operates within government. It provides government departments and some Crown corporations with data services, and any expenditures here will eventually be paid for by the departments of government of the Crown corporation, so this is a direct cost. Any expansion of Manitoba Data Services is a direct cost to the taxpayers of Manitoba, either directly as taxpayers or as ratepayers in Crown corporations.

We've got \$6 million here in the Burroughs-Unisys deal. Now, to my knowledge, the Burroughs-Unisys arrangement was one whereby the Department of Health and the Manitoba Health Services Commission, more specifically, used Burrough's equipment for computer expansion. I was not aware that part of that agreement involved \$6 million purchased by Manitoba Data Services. Is that \$6 million for main-frame capacity in computers, as part of that arrangement?

HON. E. KOSTYRA: Let me try to answer part of the question. Then the Minister responsible can respond in more detail.

In terms of not being aware of any capital program for that organization last year, the member will have to appreciate that it is a Crown corporation - indeed it was set up during, I think, his time in government -

and that some of their capital requirements will be met by internally generated funds. Indeed, part of the capital program this year is being met by internally generated funds, so it may be possible the Minister responsible can reply more specifically that if indeed there was a capital program last year, it may not have required any incremental loan authority. It may either have been authority that existed previously and/or part of it would have been funds generated internally by the Manitoba Data Services.

So I would defer to the Minister responsible to provide further elaboration on that point. Just so that the member also gets the second part of his question answered, because the Minister came in late, you were requesting information as to whether or not this amount of money for Unisys that the Minister responded to earlier in committee was part of the deal or the arrangement or the agreement that was entered into by the Government of Manitoba and Unisys-Burroughs.

MR. CHAIRMAN: The Honourable Minister responsible for Manitoba Data Services.

HON. L. EVANS: Mr. Chairman, I slipped out for a couple of minutes, having answered the previous questions and having seen no further questions and other discussion on MTS taking place.

With regard to the latter, I can advise, yes, it's part of the arrangement, part of the deal. The arrangements, as I am advised by the staff, are going along very well, and the \$6 million is deemed to be the amount necessary to put in place the mainframe, the central equipment that is required to enable this health informational system to be put in place.

Mind you, we are working this with the Manitoba Health Services Commission. It is their main responsibility, of course, for informational systems within the hospital network, but we were providing the backup in this way.

With regard to the earlier question, as I understood it, yes, indeed the \$3.4 million, which I referred to as being required to provide monies for expansion and upgrading of computer facilities, is only part of what will be done this coming year. I'm advised that likely \$8.6 million will be spent in the coming year for upgrading and, of that, \$3.4 million is being requested now as new. The balance is being found internally within net revenues of that corporation.

MR. D. ORCHARD: What is the current debt structure of MDS? Have they repaid their financial obligations in the Province of Manitoba?

HON. L. EVANS: I don't know whether I have the precise information, Mr. Chairman. I can advise however that for 1986, the year ending March 31, 1986, which is the latest information I have, working capital was \$5,294,000; fixed assets were \$10,317,000, for a total \$20,066,000.00. At that time, added to that were advances from the Province of Manitoba of \$3.6 million. The equity held is \$1,684,000.00.

I don't know whether I answered the member's question specifically. I don't have that specific detail with me, but we could certainly obtain it.

MR. CHAIRMAN: The Honourable Leader of the Opposition.

MR. G. FILMON: Mr. Chairman, I wonder if I might ask a couple of questions of the Minister of Energy and Mines.

I wonder if the Minister would indicate - I believe it's the intention of the Legislature that we have a one-day committee meeting with respect to the ICG takeover after the agreement is finalized and all of the financial arrangements, so that we won't be treading any confidences or confidential information.

Given that, I wonder if the Minister could indicate whether or not the Opposition can receive the department's analysis of the Mini-gasco pricing arrangement that was spoken about earlier today and previously, prior to that meeting of the committee. Between now and then, I understand we have a couple of months.

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

HON. W. PARASIUK: Yes, if I could.

I just want to clarify that, in that, by deregulation, there is a monitoring committee of the three producing provinces and the Federal Government, and we have indicated that we would like to be part of that monitoring committee just so we know what those prices are, because the way in which they've been releasing those prices is that they've been doing it on an abrogated basis, or they intend to do it on an abrogated basis for all of the United States sales, so that you don't get the information of a detailed nature, especially with respect to what might be considered the adjacent market, because the deregulation accord said that the prices in adjacent markets shouldn't be lower than Canadian prices. To date, we have not been able to do that.

I did have a meeting today without our reaching any conclusions, with the Alberta Minister of Energy, and again I raised this whole point about the monitoring committee and the prices. I must say that we affirmed our position and our understanding of the accord that the price of adjacent markets should not be less than Canadian. We did not reach agreement on that, even though that's our understanding of the accord and the Federal Government's understanding of the accord.

What I am endeavouring to do with Alberta and with the Federal Government is, in a sense, since we ourselves have applications before the National Energy Board, not to break any of the rules that they have established because I wouldn't want any of our applications prejudiced on that basis. So, on that understanding, that I can spend time with the Federal Minister of Energy and the Alberta Minister of Energy to say that this is a matter that has been raised and I have made this undertaking that I want to be able to have that material provided to the Opposition so that when we meet in this committee I would have that available to them.

I feel confident that that material would be provided. I can't completely guarantee it. I would have to make a judgment at that time as to whether in fact I would then say, well, I feel I have no other choice, and then to provide it.

So, I'd like to try to explain the context for the Leader of the Opposition.

MR. G. FILMON: Let me place on the record - again, for the benefit of the Minister. I know that when I spoke - I believe it was last Friday, or whenever, in Second Reading - he was nodding his approval and agreement when I said that I believed that the Western Accord was seriously flawed with respect to consideration of consuming provinces such as Manitoba, Ontario, Quebec, etc. whereby there are many ways in which our consumers are left out of the considerations of that agreement, and that everything that the government can be doing to ensure that it's restructured so that the consideration of our consumers in Manitoba is introduced to that mix is something that we support, and support his efforts in. And, with respect to that, being able to obtain definitive information so that you can make the comparisons between adjacent American sales and sales to American jurisdictions and so on.

These are things which I believe are there and have to be accomplished, and I believe that when it comes to legal jurisdictional disputes, that is a question of fairness that would give Manitoba a very firm hand in any of these disputes. So, we're not disagreeing in any of that and we would certainly support what he's doing to get that.

The question I have, though, is that I believe that he did indicate that he does have information on the Mini-gasco, and all we were asking for was to have that shared prior to the public meeting, or at least the committee hearing that we're going to be having, so that we, too, will be operating from the same basis of data and information.

HON. W. PARASIUK: I appreciate the Leader of the Opposition's comments on that. I was going to comment on it yesterday when we were in Second Reading. I was going to comment on his speech and indicate that I thought that he put forward the position of the Conservative Party on this well, and that I wanted to point out that was a position he had taken. We welcomed that support. We had a difference with respect to one aspect of the overall policy, but with respect to this other one I think it is very important that there be a united position.

The dilemma is especially acute with gas that flows through Manitoba and into the United States at Emerson. I don't know how one could make a rational, tenable argument that somehow gas to a utility in the United States should be priced significantly lower than Manitoba, with the view that, well, we're trying to sell off our surplus to the United States and once we sell off the surplus to the United States, then the market will have firmed up again and then we'll have deregulation flow in a nice way. All we're left with then, is facing the prospect of price increases.

Clearly, deregulation, if it's going to flow properly, takes both a down side and the up side, because Alberta is quite adamant in saying that they do not want to have any hint of a ceiling with respect to prices that might be put on by the Federal Government. At the same time, they are putting in place a set of measures which effectively establish a floor without them calling it a floor.

MR. G. FILMON: The point that I'm attempting to get at is that I took from the Minister's earlier statement

that they do have an analysis of the Mini-gasco price. He has indicated, obviously, that isn't able to be achieved or gotten through the signatories to the Accord, but obviously he's got it through some other means.

So we want to have that because earlier - and I know that he questioned statements I made about information I received from the Federal Department of Energy, in which they gave a blended price for sale in Minnesota, and they gave a price for sale based on the latest sales made to Minnesota, which I would assume was the Mini-gasco but I'm not certain, and we obviously want to be able to compare it so that we're dealing with the same base of information and it's an apples-to-apples comparison.

Again, there is the further bit of information that was put before the committee that suggested that the same pricing arrangement was offered to ICG, to Manitoba, in other words, and again we'd want to know.

Now, I don't want to get into all the details. I know that the Minister is knowledgeable about load factors and all of these different considerations, because he knows about the differences in pricing that are being given to provinces with greater load factors and the rationale behind it. All of that was argued before the PUB, and we get into very technical detail.

But what we do want to have is the information with which we can make the valid comparison, so that the Minister's arguments will either be valid or will stand the test of examination or we will agree to disagree, but indeed we have to operate from the same base of information.

HON. W. PARASIUK: I think, given the lateness of the hour last night, I didn't want to go into very long questioning, but I did point out to the vice-president that was not the information that we had, and I wanted a confirmation. I had raised those particular points with the president of Western Gas Marketing, and I had been assured that I would receive the information and I had not received it. Again, I'm pleased that it is, in a sense, on the record of the committee where they have indicated that they would provide it and they have actually indicated, as well, what their understandings of the price were.

Furthermore, again because I think, prior to that bill coming up for presentation, the Chair of the committee had indicated that we shouldn't get into long debates with the presenters but, when I met with the president of Western Gas Marketing - and it was a long meeting - and when we asked him about whether in fact they would be providing prices that would be comparable to what we knew was the market price, because other producers were willing to take long-term contracts at those prices, the response we got was very significantly different than the answer we received last night.

In terms of our discussions with ICG, in terms of what type of prices they have been offered, again the responses were significantly different than what we received last night. I only put a little qualifier on there. One would assume that they were talking to the same people that we had been talking to, rather than possibly having had a discussion with someone else. We are trying to ascertain that in terms of making sure that's on the record, because I think there is a larger problem

here that I think Manitobans should be aware of, and that is that you have TransCanada Pipelines, which is the transporter of the natural gas, but they are also a marketer. They also hold large gas reserves themselves. They had attempted to buy Dome Petroleum, which would give them probably the largest natural gas position in Canada. If you have deregulation, then surely their prices should somehow reflect what that market is. If their price is going to be, in a sense, a take-it or leave-it price, then it is not reflecting any type of market situation, but rather is a type of regulation and monopolistic price, and then the question becomes: Is Alberta going to back supposedly the name of deregulation, but back a take-it or leave-it price or a regulated price, which in a sense is the floor price, is a regulated price by a different name. There are a whole set of legal implications to that.

MR. G. FILMON: Mr. Chairman, I just want to say, for the Minister's benefit, that we, too, wanted that evidence and information put on the record and indicate that he perhaps took some shots at us and members on this side for having met with Western Gas Marketing and TCPL, alleged that we were becoming their mouthpiece here by our opposition to it. All of that information, which they gave before committee, was given to us in a meeting weeks ago.

Our response was that information is not on the public record. We would suggest that you put it on the public record, so that indeed the Government of Manitoba and the people of Manitoba know what your position is. It's all well and good. They claim that they have given that information to ICG in the course of their negotiations, and that the Minister had a representative monitoring those negotiations and should have been aware. We'll accept that the Minister's information wasn't that that was given last evening.

I say that, and I'm not trying to take credit for it, but we believe, too, that if they're going to be coming forward with arguments on their own behalf, not on behalf of anybody else, that they should be prepared to make public all of those statements. We were pleased that they were, last night, made public at the committee, and that now that information presumably will be able to be confirmed by any further discussions that the Minister has with him.

This further question that I have for the Minister may appear to be minor. I don't want to take extensive time up. But I make the suggestion to the Minister that we have had the discussion with respect to public opinion polling on the ICG takeover. Both the Minister and the Premier have indicated they're prepared, in due course, to make that information public and available. I suggest that when we meet at committee, it will be beyond the stage at which a deal will have been struck, or presumably then we won't have a committee if no deal is struck.

So a deal will have been struck, all proprietary information, all sensitive information, all negotiating information will by that time have already led to some agreement.

I would ask, as well, if the Minister would provide that public opinion sampling again prior to the committee sitting, for whatever use it is, whether it has been or has not been a part of the decision-making.

If it is relevant to the ICG takeover, I would ask, as well, that that information be given to the Opposition prior to that committee sitting.

HON. W. PARASIUK: When the Premier indicated that any type of poll results would be provided according to the process that had been indicated before, I think there is a process whereby, that is, a deposit in the library, and I will check and determine what that process is. I think the member wants me to give a commitment now. I would prefer to say that I would like to follow the course that we have followed before with the provision of polls in the library, just as we normally do. I know the point that he's raising; I know that he has put that on the record. I guess my qualified answer then, my intention would be to try and do it through the normal process and that I would publicly get back to him with respect to the request that he made.

MR. CHAIRMAN: The Honourable Member for Lakeside.

MR. H. ENNS: Thank you, Mr. Chairman.

Mr. Chairman, I just want to raise one further issue at this time - not to necessary prolong the discussion on Capital Supply - but early this morning, or late last night, there was another, what I would consider, a fairly sharp division of opinion between the Minister and the vice-president of Western Canada Gas Marketing, who had legal counsel along with him to assist him on the question of contract.

My impressions certainly were and, regrettably, Mr. Chairman, although we inquired, Clerk's Office could not, or Hansard's Office, could not supply us with transcripts, understandably, of this early morning's committee meeting. But it was certainly my impression that when I asked some direct questions about how Western Gas viewed their situation with the respect to contracts, they were of the opinion that they had an ongoing running contract to, I believe, conclude in '94, somewhere thereabouts, and that they certainly considered that a binding contract. There was the phrase "sanctity of contract" used frequently during the discussion.

Mr. Chairman, the Minister last night - as he has already indicated - did not engage counsel or represented at any great length, but indicated that he has a different opinion. Mr. Chairman, the Minister today, in question period, indicated that in his view the contract runs out as of November 1, '87.

My question is this: Has the department or has the Minister taken any consideration about what I would read to be a classic situation? We have two opposing points of view. They normally are settled eventually in a court of law. I tried to ask or determine from the representative - and it was an unfair question perhaps at that time - would the representatives of Western Canada Gas put any market value on the remaining years of that contract? I raise it, Mr. Chairman, because we're dealing with the capital supply of Manitoba Consumers Gas Corporation, but I certainly got the impression that in addition to the \$175 million that you are requesting in this bill, the government or the new corporation may well face a fairly significant, a fairly substantial, settlement of that contract.

The Minister says the contract runs out November '87; the other party to the contract says they have remaining years running on that contract. I don't know if that contract is worth \$20 million, \$40 million, \$10 million. The impression I was left with last night or early this morning was that it may well be that a court might settle the value of that contract. But if that is the case, Mr. Chairman, then we are surely looking for some subsequent Capital Supply requirement for the formation of this corporation that would have to take that into consideration.

HON. W. PARASIUK: If you could recall the vice-president of Western Gas Marketing was quite careful with his answers, both with respect to the Mini-gasco contract and with respect to this and was very careful to take legal advice. I was not really taking much legal advice on that, but I was trying to be very careful in terms of our legal position.

We looked at more than one legal interpretation, fundamental tenet of contract laws that there has to be consideration or a price. As of October 31, 1986 that price, by regulation, was abandoned and there was a renegotiated price for two years as approved by regulation, and that was approved only for one year by the PUB.

Now, without wanting to go beyond that in terms of the contracts, we have looked at our probabilities and they are extremely high but one cannot guarantee anything. If there was a court case that was won, obviously Manitobans would receive a very major reduction. If there was a court case that went against us, one would be looking at the price that they in fact would have been charging Manitobans.

So we do not foresee an extra amount per se with respect to the capital supply.

MR. H. ENNS: That's an interesting response. The Minister is gambling that his interpretation of contract will stand up in the eventuality it is taken to court, but he tells me even if we lose, that Manitobans won't lose a great deal, we'll just be charged what we had been charged for natural gas all these years. But that is not quite correct because as I understand the contract that would be renegotiated, the original terms of the contract was renegotiated every two years. The PUB intervened in this instance and reduced that to a one year, but nonetheless, that process would consider - and he assures me now that we wouldn't face a heavy buy-out penalty of breaching a contract, we would just be charged what the contract called for.

Under those circumstances, Mr. Chairman, I foresee no savings at all, unless, of course, those savings that he is still not quite prepared to acknowledge flow from being part of the overall deregulation process that takes place; that is, with some difficulty trying to take place in Canada.

HON. W. PARASIUK: I think, Mr. Chairman, the Member for Lakeside has to recognize that Manitoba has been in the forefront, not moving to ensure that the deregulation actually flows, and it's not that we are passive bystanders who are going to somehow reap windfall gains, but we are probably the leaders in this whole process of trying to bring about prices that reflect

the market circumstances out there, and this may be a matter for the courts to determine, and it may be that there are ways in which this could be resolved through negotiation. We would expect that there will be discussions beyond today and hopefully concluded by the time we have talked to them.

MR. CHAIRMAN: The Honourable Member for Pembina.

MR. D. ORCHARD: Thank you, Mr. Chairman.

The Minister indicated in question period today that he had legal opinions which say that as of October 31, 1987, there are no supply contracts that ICG is compelled to - hence, flowing from that answer, no contracts that we're tied to, as the purchaser of ICG.

Will the Minister table those legal opinions so that we have those in preparation for the meeting later on this fall to discuss the financial details of the purchase?

HON. W. PARASIUK: Again, if we are appearing to have resolved the matter, then I would provide that. If we are into a court situation, I would certainly not want to indicate our legal opinions unless we were into the court procedure where one formally puts that forward, but I wouldn't want to be giving our position out there because certainly those legal niceties are not going to be made public by the other side. Our legal counsel says that is very important for our carrying through with both our negotiations and with the possibility - and he said that there is a possibility, hopefully not a probability - that we would possibly even

MR. D. ORCHARD: Mr. Chairman, this whole ICG takeover gets even more nebulous as we ask more questions, as we hear more people, other than this Minister standing up and telling us what his staff has advised him. You see, it's not just staff, but you don't table anything else, that you can say that it's other than your staff. You can't table legal opinions which say there's no contractual obligation to be assumed.

Mr. Chairman, the next thing I'd like to ask the Minister, he's indicated on numerous occasions he has signed supply contracts which indicate that he has gas, presumably long-term gas supplies, 15 years, at a fixed price.

Can he table those contracts for us?

HON. W. PARASIUK: Mr. Chairman, I often get questions from the other side, saying, why isn't all this tabled or open or provided? What we are doing is following the rules and procedures that we have to follow in terms of the federal system and the provincial system.

We have made application to the National Energy Board for carriage of that natural gas. The marketing agents themselves have confirmed that they have entered into the agreements, they have confirmed that the prices are below \$2 and they have confirmed that they extend up to 15 years.

We are following procedures of the National Energy Board. Those types of contracts, to my knowledge, are not made public. However, along with the undertaking that I made to the Leader of the Opposition earlier with respect to the meeting, I will undertake to determine

whether I can make those public without, in a sense, undermining the procedures that we are going through.

MR. D. ORCHARD: Okay, we've got a Minister of Energy and Mines who says we're going to save \$50 million yearly, the Manitoba consumers. Testimony last evening indicated - and I wasn't there but my colleagues indicated - that this Minister, or his staff, were informed by ICG - no that wasn't part of the testimony. It's our impression that the Minister and the government were fully informed that under the price renewals a lowered price would be available November 1, 1987. The Minister seems to have some difficulty answering that.

But, basically, Mr. Chairman, this ICG takeover by this government is being proposed to us on the basis of an analysis the Minister says he has, which shows that Mini-gasco buys gas cheaper than we can buy it in Manitoba; the indication last night, the testimony, was that was not the case. The price would be equivalent, transmission and other costs being taken into consideration, so there's the first argument out the window.

The second argument the Minister is using is that there is no contract in existence in ICG, note October 31 it expires. He won't table a legal opinion; he's given the reasons; we're asked to believe that. The testimony last night seemed to indicate in fairly blunt terms, yes, there is a contract, and I would suspect what we are going to be doing is ending up in court on whether a contract exists. We are told he's got long-term contracts. Again he can't provide us with any tabled information for the reasons he's given.

So out of the three areas that the Minister is claiming are going to result savings, No. 1, he can't produce any of them for us to see. We're taking this Minister and his staff at word. I simply remind the Minister that other Ministers in this House have stood up and taken their staff's information presented to the House and they found out it was wrong. But, in the meantime, this Minister is going to forge ahead with the purchase of a gas company when every indication is that of the \$50 million of savings, \$30 million will occur no matter who owns the gas company this fall. Regardless of whether ICG owns it or the government owns it, there's a \$30 million saving this fall.

And the Minister, as he often chastizes us, cannot have it both ways. If there's a contract in place which forces ICG to buy high-priced gas after October 31, 1987, and they buy the company and they have to honour the contract and the price can't go down. If there is no contract, as the Minister says, then ICG would put the price down, but yet the Minister says no, they're going to leave the price up because they have a contract; but on the other hand, he says no, they don't have a contract because we're going to buy them. Now this Minister is trying to have it both ways.

In the meantime, Mr. Chairman, the people of Manitoba are going to invest \$185 million - we're asked today for \$175 million. We don't know what the final price is going to be. We're told there's savings of \$50 million, but these aren't savings. We don't know from whence they come; we have no documentation; we have this Minister's word.

We have testimony last night that says the savings will be there no matter who owns the gas company starting this fall. So it's a straw dog that we're buying.

But meanwhile, as I pointed out when I spoke to the bill, this is going to be nothing but a political tool, it's already started. We're hearing that the gas price will go down anyway, regardless of ownership. Well, you can bet if the NDP buy it, they're going to say "we did it," but, in fact the private sector firm would have done it as well.

Now, Mr. Chairman, if we don't have the legal opinion that says there's no contract, we end up in court. I'm concerned about this alleged saving, that it's non-existent, and that in fact the gas company will become a political tool for the NDP going into the next election. Even more so, I'm concerned that Manitobans who will not receive natural gas service from this Crown corporation, will have to pay ever higher hydro rates as hydro consumption goes down when these people buy votes by putting gas in various towns. Hydro rates will go down, the Minister can't deny that. The gas consumption goes up, hydro consumption goes down. Those as fixed and forced customers of Manitoba Hydro will pay more. It's as simple as that.

Mr. Chairman, a more important issue has emerged as a result of last night's testimony. We've got this same Minister of Energy and Mines commissioning the construction in Manitoba of a \$2 billion hydro-electric dam in Northern Manitoba at Limestone. And his justification for building that, is what? A long-term, 12 year, contract on the supply of electric energy to Northern States Power in Minnesota.

Now, the Minister says, that contract is good enough for us to go ahead and commit \$2 billion of resources on behalf of the Manitoba people, to sell this contracted power for 12 years. And now the Minister comes to us with this scheme, that we buy ICG. On one hand of the argument, people are saying there is a 15 year contract in place; this Minister says, on the other hand, there's no contract in place. I presume that if push comes to shove, we end up in court over the fact of the existence of a supply contract in natural gas.

I suggest to the Minister that that puts us in a very dangerous position as a government, when we talk about the credibility of this Provincial Government and the Province of Manitoba, when you're willing to go and fight a contractual supply contract court battle even to the Supreme Court to break that supply contract because that would be the nature of the lawsuit. If the other side believes the contract exists and you have legal opinions that say it doesn't, and you end up in court, what you're trying to do is break a long-term supply contract, the very kind of contract that you've committed \$2 billion of Manitoba resources to build Limestone.

Now if you happen to break the contract, what sort of a moral and ethical outlook does the Manitoba Government then have in international dealings? When it's good for Manitoba, this Manitoba Government will go out and break contracts. I would say that if I was senior executives in Northern States Power, I would say that I would have my lawyer working right now to see how to break that 12 year contract with the Manitoba Government, and find a loophole - and there may well be lots of them.

Do you know what's happening right now? We're building Limestone. We are committed to go ahead with the complete and final construction of Limestone. When it's in place, the Manitoba ratepayer is going to

pick up the entire cost of that building of the dam. The revenues that we're getting from Northern States Power, barely cover the interest costs, let alone the capital retirement costs.

Now, that is at this alleged price the Minister's negotiated. But let's say that Minnesota's Northern States Power says, well, the Manitoba Government doesn't care about long-term contracts, we'll break our contract. And they can do it knowing that the capacity to supply the electricity is in place because this NDP Government has commissioned Limestone. And it will be there. And what will they buy it at? What will they buy the electricity at? Not at this contracted price because they said this government doesn't believe in contracts. They break the contract. They'll buy it at a run-off rate of less than a half cent a kilowatt hour, like we're selling to the United States right now. So that, you know, this issue is even bigger than the politics that this Minister is wanting to play internally in Manitoba with the gas consumers to win the next election. This goes to the very nub of whether this government has the moral and legal integrity to believe in long-term supply contracts.

It's obvious that when it's for their alleged convenience, they're willing to break them in a court of law, because that's what this Minister said. Maybe it'll go to a court of law. Yet we have committed \$2 billion on the basis of a same type of long-term contract. This is a dangerous moral, ethical and legal precedent that we're allowing this Minister to set. I realize that this Minister may not appreciate that. I won't get into any of the reasons personally, while I believe he would not necessarily understand the moral and legal and ethical approach on this.

But, Mr. Chairman, if Northern States Power decides to challenge this Minister's long-term contract, Manitobans are left paying for a \$2 billion hydro-electric dam that we don't need. Our hydro rates in Manitoba will not just double, they'll triple or quadruple. So the short-term politics that this NDP Government is playing in ICG can have very major repercussions.

Mr. Chairman, again I go back, I reiterate, we are buying a pig in a poke from this Minister. He says he's got legal opinions that say there's no contract that he can't table. He says he knows that the United States customers, Mini-gasco, buys gas cheaper than we do. Last night at committee they said no. The Minister can't table his analysis. So again we don't know. He won't table the analysis. So that's the second area of a pig in a poke we're buying.

The Minister says he has information but he won't table it. He alleges he can't table it, because of some National Energy Board problem with disclosure of contracts. That's an interesting argument to use. If that's the case, how did he get the information in the first place to make the analysis, if that information is confidential and secret? I mean, where did it come from? Or is this a dreamed-up little scheme from somebody in his department that says: Mr. Minister, I can develop any figures you want.

Now the third area that this Minister expects us to buy a pig in a poke on is that he's got these long-term contracts for a lower price, for a fixed term of supply. Again, the Minister says he can't table them. The Minister is alleging these \$50 million savings. Last night we hear that 30-some of them will happen anyway

regardless of ownership. The other 12 million is charged to Manitoba, because of our motive fuel tax.

So that what we're doing is we're spending \$185 million to achieve a \$6 million saving. We're buying a pig in the poke with no legal opinions the Minister can table, no contracts he can table, no analysis of lower gas prices in the United States that he can table, and certainly, Mr. Chairman, no business case that this Minister can put before this committee today to justify his investment.

Mr. Chairman, I simply want to point out, as I did when I spoke to the bill, this Minister has not delivered one nickel of profit of anything he's done yet. On any negotiation that he's been in on, we have done nothing but lose money and spend money to date. There isn't 5 cents of profit from ManOil that this Minister created with the illusion of profits. There's not 5 cents of profit; it's cost us money. He's lost the major initiatives that were under way in 1981 because of his inability to negotiate. He's made a deal with Northern States Power that we don't even know what the price of the power is going to be. He can't stand in this House today and tell us what that price will be when we start shipping it down there from Limestone. And what are we doing? We're committing \$2 billion. We've spent \$1 billion already.

All this Minister has done in his career is cost the taxpayers of Manitoba money. He hasn't delivered one single cent of profit yet, and we are asked to buy this pig in a poke of ICG from the same Minister who has not delivered one nickel of profit yet.

Well, I tell you, with the extreme lack of information to justify this takeover, this Minister ought not to go ahead and Manitobans ought not to accept this because we're buying a pig and a poke - \$6 million of savings a year for a \$175 million expenditure from a Minister who hasn't delivered a single nickel of revenue or net profit on any of his deals yet. He still can't table anything to justify what he says, and he's asking us to believe him, and I simply don't believe him.

HON. W. PARASIUKE: Actually I think (Interjection)- No, in fact, I quite like something like this because it puts the other positions clearly on the record. Our positions have been clearly on the record. We went with the Northern States Power sale before the National Energy Board, and our positions were challenged consistently by the Conservative Opposition. We went through a long hearing process. We had the National Energy Board do their intensive analysis, and they indicated that all of our analysis was correct. We had a price that was beneficial to Manitoba, a price beneficial to Canada, and the best price that could be negotiated.

That's in pretty significant contrast to what took place with Quebec Hydro when they went before the National Energy Board, and I wonder what the Opposition would have said about our confidence had we, in fact, had the same ruling brought down about the Northern States Power sale with Manitoba Hydro as was brought down by the National Energy Board with respect to the Quebec Hydro sale. You would be, validly I think, screaming for my scalp or what little is left of it.

One can spend long times trying to rehash this, which I won't. I'll just point out three things. Alberta right now isn't even completing the coal-fired plants that

they thought they needed a number of years before they would have taken any power from the Western Grid. Think about that from a retrospective position as to where we would be with an economy that really went into a very dramatic tailspin.

Alcan is not even finished the plants that they made commitments to Quebec to finish before they even proceeded with anything that they might have talked about here. The interesting thing is that Alcan, having spent \$52 million in British Columbia, pulled out because they said that the long-term demand for aluminum was not working out the way they had projected.

Then we have the other case that was raised the other day about potash, where we have a situation where we were going to be 40 percent investors under the Conservative Government in a mine development that, in terms of its ore quality, was about 25 percent worse in quality than the project that is being pursued right now. Presently, you have the mining companies there in Saskatchewan in pretty tough shape because of the particular timing of the cycle.

So, you know, one has made those arguments before and made them very strongly and very vociferously prior to the last election. The people judged whether in fact they felt your arguments were valid or whether they thought our arguments were valid, and you must say that, despite the French issue that had been out there, obviously the people made a judgment.

And the people will make judgments in the future, not just about natural gas, but they will make judgments about Hydro development. People have said, well, you haven't had a sale. Well, we have a Northern States Power sale, and I'm hopeful that we'll have more.

Again, people on the other side have said, well, you know, we'll judge you, and I have indicated that's a valid point. One was up before the National Energy Board; two haven't happened yet. Right now, from your position, you think you have me on the defensive.

But what happens if they happen or when they happen? What happens with other ones? (Interjection)- Possibly, possibly, just like you've attacked a number of other things and, lo and behold, things happen, not of an artificial nature but a very substantive nature.

So when people come along and, I think, paint a straw man of the Northern States Power sale, the Northern States Power sale makes good business sense to both parties, very good business sense to both parties. In fact, Northern States Power is negotiating for the development, as the Member for Lakeside knows. They also put themselves into a particular time frame where the alternatives aren't there.

So all I say is, make your criticisms, put them on the record. I'll go back to the words of the Member for Lakeside at the end of my Estimates, where he said, if you had the courage, if you had the will, you would act to undertake measures that would bring down the price of gas and explore the extension of services to more Manitobans. (Interjection)- That's what you said. I came back to you and said, you've put quite a challenge on my plate.

MR. H. ENNS: I did that, and you haven't delivered, and you're not showing any signs of delivering my challenge.

HON. W. PARASIUKE: But if this government responds, I then said, will you have the courage to support it?

And you've had some courage. You're like the - is it lion in the Wizard of Oz? You just dig deep down there and this is your great opportunity to really show the vision that occasionally you've shown, and I quite respect the fact that you have shown that vision.

The last point I want to make - and I want to get the blues or whatever from last night's discussion, because the analysis we did indicates that there would be a \$50-million saving from the price of \$2.64 per 1,000 cubic feet, which is the blended price in existence today.

The Western Gas Marketing said that is, in their estimation, something of about a \$20 million saving from regulation. Our assessment says that we can make a \$50 million saving beyond that. Included in that is \$12 million for the motive fuel tax.

So when people throw out figures of \$6 million, they aren't that. They're in the order of \$50 million, including the motive fuel tax. So you've put your position clearly on the record. You've raised the doubts, you've raised the concerns. I think I can appreciate that is a valid position for the Opposition. It's up to us to produce and we've indicated that there are hurdles and there are difficult obstacles to overcome.

It is our intention to do everything possible to do that, because the ultimate goal is not something that happens by spontaneity, because deregulation took place a year ago and we didn't get the lower prices. We ended up with prices that are extremely high.

So the invisible hand out there didn't work for the benefit of Manitobans. We went before the Public Utilities Board. We made the argument, we did the surveys. We pushed the Federal Government, we pushed other people. We think that all of that is bringing about a better deal for the consumers.

MR. CHAIRMAN: The Honourable Member for Virden.

MR. G. FINDLAY: I would like to ask the Minister of Finance a couple of questions for clarification here.

On the Capital Supply Bill there, Manitoba Agricultural Credit Corporation, \$69 million, can you give us a breakdown of what that \$69 million is intended for?

MR. CHAIRMAN: The Honourable Minister of Finance.

HON. E. KOSTYRA: The Acting Minister of Agriculture - the Honourable Minister of Natural Resources - will respond to those specific questions.

MR. CHAIRMAN: The Honourable Minister of Natural Resources.

HON. L. HARAPIAK: Thank you, Mr. Chairman.

The total capital program requirement for the corporation is \$84 million, but there is a Loan Act Authority carried forward from the previous year of approximately \$10 million. So of the total amount, the capital deployment of \$84 million, I can give the member the indication there are approximately 10 categories into which that amount is separated, the main categories being for direct loans, \$33.184 million, accounting for 39 percent of the program. The other large component is for the buy-down program of \$29 million. Then if the member is interested in the other components, I can

indicate those, but those are the two main components of the Capital program.

MR. G. FINDLAY: Mr. Chairman, I would like to ask the Acting Minister, on the \$29 million for the buy-down program, since the deadline for application was June 30, could he tell us how much of that fund is going to be used because of applications for the program?

HON. L. HARAPIAK: Mr. Chairman, I do not have that information with me. I would have to take that as notice.

MR. G. FINDLAY: Mr. Chairman, the Minister of Agriculture has in the past agreed to table that. It's now some two weeks since the deadline, and I think it's high time that information was available.

I would like to ask the Minister, on the \$12 million for the Manitoba Water Services Board, could he give us a breakdown of what's intended there?

HON. L. HARAPIAK: Mr. Chairman, of the information that I have here on the Water Services Board, the additional authority that's to be provided pertains to the gross capital requirement of \$19 million which provides loan assistance to municipalities for the construction upgrading of water supply and distribution facilities in sewage collection disposal facilities in the province, but it does not break them down into components.

In addition to the loan assistance grant, assistance to the municipalities of \$3.5 million for water and sewer is to be provided under the Department of Agriculture. So if the member is looking for the breakdown of particular allocations to particular projects, I would have to supply that at another time.

MR. G. FINDLAY: To get back to the MACC on the interest break Buy-down Program again, I'd like to ask the Minister if a substantial portion of that \$29 million is not utilized for the program as it was drafted, is it the Minister's intention or the government's intention to alter the program so that it becomes more acceptable to the MACC clients?

HON. L. HARAPIAK: Mr. Chairman, in my capacity as Acting Minister, I can only indicate that the past record of the Minister of Agriculture, and indeed this government, has indicated that they've been sensitive to the needs of the agricultural community and they have adapted their programs to the interests to be able to serve, as well as possible, the interests of Manitoba farmers.

MR. CHAIRMAN: The Honourable Member for Charleswood.

MR. J. ERNST: Mr. Chairman, I'd like to ask the Minister of Finance, the bill requires \$97 million for the Manitoba Housing and Renewal Corporation. Can he tell me over how many years, or over what period of time the \$97 million covers?

By and large, I assume capital applies to the financing of the bricks and mortar associated with the Manitoba Housing and Renewal Corporation. Ninety percent, by and large, of the funding that is required for housing

projects comes from the Federal Government through CMHC. I was wondering then what \$97 million, representing a 10 percent equity in the Manitoba Housing and Renewal Corporation indicates a very significant housing program which wasn't evident during the Estimates of the Housing Department. Perhaps the Minister could comment on what the \$97 million proposes to cover.

HON. E. KOSTYRA: I believe the Minister of Business Development, Tourism and Housing can respond to that.

MR. CHAIRMAN: The Honourable Member for Charleswood, would you repeat the question, please?

MR. J. ERNST: Sorry, I didn't hear the answer of the Minister of Finance, Mr. Chairman. I didn't have my microphone on, and being so soft-spoken, he didn't come across.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. J. ERNST: Am I to determine, Mr. Chairman, by the non-answer of the Minister of Finance, that I'm supposed to readdress the question to the Minister of Housing?

MR. CHAIRMAN: The Honourable Minister of Finance.

HON. E. KOSTYRA: Thank you.

What I had said was that the Minister of Housing will - it would possibly be easier if some of your members weren't cackling as much, but what I indicated is that - (Interjection) - He indicated he couldn't hear it, that's what he said. Do you want me to yell? Is that better for you?

It seems that at least one member opposite needs something to get through the thick skull. What I said is that the Minister responsible for Manitoba Housing will respond to your question in terms of what purposes that \$97 million is to be used for.

MR. CHAIRMAN: The Honourable Minister of Housing.

HON. M. HEMPHILL: Thank you, Mr. Chairman.

I'm going to have my colleague follow along. I haven't got my glasses on and sometimes figures escape me.

Mr. Chairman, the major programs to be financed within the gross capital program of \$138.4 million, include the Senior Citizen RentalStart Program at \$28.5 million; Non-Profit Housing at \$34.8 million; Urban Native Housing at \$10.4 million; Cooperative Housing at \$16.4 million; and land which is subdivisions prepayment, and other at \$14.12 million.

MR. J. ERNST: I've just quickly jotted down the numbers. Of the \$28 million under the RentalStart Program, could the Minister advise if that amount of money is one time, paid out, gone, type capital, is it a question of financing, is it a loan against the new rental units, or how exactly does that apply?

HON. M. HEMPHILL: It's loan authority.

MR. C. MANNES: Well it's loan authority, but is it paid back?

HON. M. HEMPHILL: Yes, paid back.

MR. J. ERNST: Mr. Chairman, under some of the other programs, the Co-op housing, the non-profit MHRC housing and so on, generally speaking, has been funded over the years by CMHC. During the Housing Estimates we had a discussion with regard to the CMHC units, and the Minister advised the number that were going to be constructed, etc. But \$34.8 million, for instance, in non-profit housing, would represent the equity, I would assume, and the balance would be financed? Is that correct?

The subdivision and development of land of \$14.12 million, can the Minister advise what major subdivision that the department is proposing that would require a \$14 million investment?

HON. M. HEMPHILL: Mr. Chairman, I don't have that information with me right now. I'll have to get that for the member. I might be able to do that in a few minutes.

MR. J. ERNST: Mr. Chairman, in my initial question to the Minister of Finance, I had asked him over what time period this amount of money was to be allocated against? Is it to be the fiscal year currently in progress? Is it over a two or three year period? Over what time period is this amount of money to be allocated?

HON. M. HEMPHILL: It's extended over a period of several years.

MR. J. ERNST: Mr. Chairman, then is it several years into the future? Is it covering off several years into the past? What have we in a fact expended the money to build and do these kinds of projects, for which we are now borrowing the money to pay for it? Is it to be borrowed now in anticipation of development into the future? Again, what is the time frame in that respect?

HON. M. HEMPHILL: Mr. Chairman, some of it will be from those projects that were begun in the previous fiscal year, but where the timing for the development and the building is carried over into this fiscal year, where they weren't able to be completely financed or completed, Others are for those projects that are in the process this year, and will be proceeding, but where the development will carry on and will not be completed in this fiscal year.

MR. J. ERNST: Mr. Chairman, in the case of those programs where money is in fact lent out to developers of projects such as the RentalStart Program, how is the money when it's returned treated? Perhaps I could leave it at that, Mr. Chairman. How is the money treated when it is returned? Perhaps the Minister of Finance could advise on that basis?

MR. CHAIRMAN: The Honourable Minister of Finance.

HON. E. KOSTYRA: It's treated in the same manner as any other funds that are advanced as loans. It goes off to pay the loan.

I will just clarify for the member. In terms of Capital Supply in this area, as it is in all areas, in some cases it may be that they're actual loans that are advanced

and monies borrowed by the province for specific projects. In other cases, there may be loan guarantees in place whereby no money actually flows to a party, but there needs to be loan authority put in place for the guarantee. In other words, if the province provides a guarantee to a private lender for a specific loan for a project, the authority must exist on the books for that, even though there is not any actual money flowing.

I think in some cases in housing, there are guarantees put in place, but no loans actually flowing, no funds being needed by the government for that kind of circumstance.

MR. J. ERNST: Mr. Chairman, in the case then of RentalStart loans as an example, to the Minister of Finance, there are in fact set-offs in the book-keeping system of the province so that, when income from those loans comes in, it is offset against the cost of borrowing and the cost of capital repayment, as authorized under this bill and similar bills. So there's no direct charge against revenue, except in the case of a shortfall between the two interest rates. Is that correct?

HON. E. KOSTYRA: Sorry, I was a bit confused by the question.

If there is any subsidy of interest rates, then that would be covered by the appropriation in the Department of Finance. So that wouldn't show here if there was any subsidy of interest rates. If it's being loaned out at the going interest rate, the government-blended rate, then that would be a wash. If there is some subsidy of interest rates, then the department has to pay for that subsidy, i.e., the difference, from appropriations within the Department of Housing.

MR. J. ERNST: That, Mr. Chairman, answers the question, the latter part of the question.

The earlier part of the question dealt with set-offs in the book-keeping system. Does in fact the revenue go into general revenue and simply disbursed amongst all general government expenditures, the revenue from the loan repayment, or is it in fact set off in an account where that revenue would go to pay back that particular bond issue, so that it is separate and distinctly different from the general borrowing that the government does?

HON. E. KOSTYRA: Yes. All loans are set out in Public Accounts, and any repayment of those loans, not revenue - the member used the term "revenue," there is no revenue. It's repayment of the loans goes against the loans. There's also provisions, as there is with all loans, for doubtful accounts or those that for reasons are not collectible. Then there's an allowance made for that on the basis of what is anticipated in terms of difficulty with loans. Those provisions are set out in Public Accounts and are reported on a yearly basis.

MR. J. ERNST: Thank you, Mr. Chairman.

I just wondered if the Minister had a chance to collect her thoughts with regard to that subdivision.

HON. M. HEMPHILL: I will get that for you.

MR. J. ERNST: Okay, Mr. Chairman, thank you. That's all I have for the moment.

MR. CHAIRMAN: The Member for La Verendrye.

MR. H. PANKRATZ: Thank you, Mr. Chairman.

In respect to the Cooperative Loans and Loans Guarantee Board, the \$1.25 million, could the Minister of Finance indicate what this money specifically has been allocated for?

MR. CHAIRMAN: The Honourable Minister of Finance.

HON. E. KOSTYRA: The Minister of Cooperative Development is just - I shouldn't reflect on the fact that he wasn't in his seat.

The question was: What purposes are the \$1.25 million authority for co-op being used for?

MR. CHAIRMAN: The Minister of Cooperative Development.

HON. J. COWAN: Thank you, Mr. Chairperson.

We had indicated in the Throne Speech earlier and also in the Estimates review that we were actively considering the establishment of a program to encourage the development of gas bar co-ops in the province in areas where they might be able to provide lower gas prices. We looked to the experience in Thompson and some other experiences elsewhere and saw that, under certain circumstances, gas bar co-ops could significantly lower the price of gasoline to members of the co-ops.

Having looked at those experiences, we felt that it would be a good program for the government to assist cooperators to develop gas bar co-ops, where they felt and we felt it might have that sort of an impact to bring down prices to consumers. We think that's a very worthwhile goal, and I'm certain members opposite would agree that's a very worthwhile goal. If members of a co-op, by banding together, can reduce the price of their gasoline by the forming of a gas bar co-op, they should be encouraged and assisted in doing so.

The difficulty of course is it's a new concept. It's worked in Thompson, it's worked in other areas as well, and there are a number of gas bar co-ops being considered throughout the province. But because it is a new concept and we don't have a lot of experience, government in the initial stages of the development of the program can play a role in assisting the development of the specific co-ops. It can assist through loan guarantees; it can assist through some programs to help in the development of the gas bar co-ops and the organization. That's what this money here is provided for.

I have to tell you that the program has not been finalized as of yet because it is a new program, and we're undertaking consultations and discussions with those who have experience in this area so that we can put together the best possible program. - (Interjection) -

The Member for Emerson says, what worries them is the unfinalized program. Well I can agree, from their perspective, that is a concern that they should have. I can tell them though that, from my perspective, what would worry me more would be if we put together a program in order to accommodate the time line of the introduction of this bill that in fact was not a good program and the money wasn't well spent.

So in having to balance the two choices, do you come in here with a finalized program that maybe is not as good as it would be if you took some more time to develop it or do you come in here and ask for the authority and say, while we're working our way through the next number of months of consultation, we're going to develop a better program and we need that authority to proceed once we have that program in place, I would choose the latter. And that's exactly what we're doing here.

MR. H. PANKRATZ: Is the Minister indicating that this is now, in plain words, something that will subsidize establishing gas bars or basically the capital project of these bars?

MR. CHAIRMAN: The Honourable Minister of Cooperative Development.

HON. J. COWAN: It depends on how one defines the word, "subsidizes." It will help, it will assist, it will provide for loan guarantees which are in fact guarantees or loans which we would expect would be paid back or honoured. If they're not honoured for some reason or another, if the gas bar, through no fault of its own, were to fail, not succeed, and we could not collect the loan or we had to honour the loan guarantee, then that I guess would be considered to be a subsidy. But it's not intended to be a subsidy as much as it's intended to be seed money to assist in developing this new organizational entity that will help bring the price of gasoline down to consumers who are members of the co-op.

MR. H. PANKRATZ: To the Minister, are you referring that this is only going to be a loan guarantee or is this actual payout to the co-op that's going to be setting up this establishment and, through subsidization of this \$1.25 million, will be able to reduce the gas price to the customers?

HON. J. COWAN: No. What this money is intended for is to provide for either loans or loan guarantees. I would prefer to use loan guarantees if possible, but there are instances when one would want to provide loans as well. So it would be used for those two purposes, loans and loan guarantees, in order to help capitalize the new gas bar co-ops.

Once capitalized, if the program works in the way it's intended to work, that money would then be paid back or the loan guarantee would never have to be honoured because the loan would be paid back to the lending institutions. But we feel that, given that it is a new concept, given that we'd like to see the establishment of these gas bar co-ops, the loan guarantee or the loan to help capitalize the initial start-up costs will be helpful in encouraging the development of gas bar co-ops.

The fact is that some of them may not succeed. I have to be quite frank. If that were the case, then, of course, like any other loan that any other institution gives out, including government, where you can't collect, it goes bad, and in fact we've lost that amount of money. But we don't anticipate that being the case. There's always that possibility.

MR. CHAIRMAN: The Member for Morris.

MR. C. MANNES: Mr. Chairman, this is a most intriguing area. I served notice to the Minister that members on our side and certainly our critic will want to follow this one very closely over the ensuing months.

What the Minister has said, Mr. Chairman, is this, that the present co-op system that we have in place, Federated Co-op, who has its own supplies of fuel, has failed. It cannot provide a service in these areas of which the Minister speaks, Northern Manitoba, and in any way make a return. How can therefore a new group, given seed money by way of this loan authority, without being vertically integrated, having to buy its fuel from the spot market, how is that new company going to be able to offer fuel at a lower price in Thompson, to use that as an example, than an existing company who does not take profit, that being Federated Co-op, through their retailer, Tempo Gasoline? How will the Minister's new system work whereas the other one will not?

Mr. Chairman, I say what is going to have to happen is that's there's going to have to be a subsidy flow on a continuous basis that's going to allow this new company to do two things: first of all, offer product at a lower price; and also to show a profit, if it ever can.

HON. J. COWAN: Firstly, I appreciate the fact that members opposite will be watching with interest this project, and I would encourage them to do so and would also go a step further and encourage them to provide advice to me as we begin to more fully flesh out the program, because I think they will have some good ideas that will be helpful in addressing concerns or questions such as the ones that were just expressed.

But I do have to say that the fact that the government feels it is necessary to bring forward this program at this time is predicated upon the sincere motivation to help lower gas prices in this province, which I believe all members in this House believe are too high.

We look to see how that can be done and it can be done in a number of different ways. One of the ways that we thought would be most appropriate was to use a cooperative model so that people in the true tradition of cooperation, banding together - such as they did in Thompson, earlier - banding together, could provide and establish -(Interjection)- well, the member opposite says we have that in the Federated Co-op.

If we had that in the Federated Co-op and the Federated Co-op wanted to undertake this sort of a program nothing in this particular program discourages them from doing so. The fact is that we feel we can assist in the development of gas bar co-ops and that is not a reflection on the success or failure of Federated Co-op. -(Interjection)- Well, the Member for Morris says it certainly is. No, it is not.

What it is, is a reflection on the current circumstance where we have one very successful gas bar co-op in the province that is significantly lowering gas prices for Northerners like no other gasoline organization or institution in the North has been able to do in the history of this province. And it happens to be a gas bar co-op and we don't have that model spread throughout the province.

We have to ask ourselves: Why, if it is so successful in one instance, is it not being modelled in other areas? Why is that model not being followed? And when we looked at what happened in Thompson . . .

A MEMBER: Does it pay any dividends?

HON. J. COWAN: Yes. I happened to have been a member of the Thompson Gas Bar Co-op when I lived in Thompson. I was member 113, actually. And I remember the organizational drive. I remember what was needed at that time was some assistance and some expertise.

In that particular instance, the United Steelworkers of America, Local 6166, and Federated Co-ops worked together. The United Steelworkers of America provided some seed money and some assistance along with the local direct charge co-op in the community, and worked with Federated to establish this gas bar.

Immediately, to answer the question as to whether or not it paid dividends, immediately the price on the pump was equal to the lowest price in town - those were the conditions. When you went and bought your gas you got an immediate five cent dividend. And at the end of the year you got a patronage dividend of another 4 or 5 cents, and that was on a gallon at that time, I believe.

As of recently - several months ago - you got a seven or eight or nine cent rebate at the pump when you went to pay. It was still equal to the lowest price in town. You got that rebate at the pump and you got a dividend at the end of the year. So people in Thompson who have for far too long paid too much for gas, were paying a reasonable price for gas.

If this is the type of program that is required to bring gas prices into a more reasonable range in this province, then I would expect members opposite to not only want to monitor what we're doing but to encourage what we're doing and to help us do it, because I believe we should share that particular goal. - (Interjection)- Well, the member opposite says I'm calling for the destruction of Federated Co-op. If that's what we wanted to do, that's what we'd say we wanted to do.

Well, please let them not misrepresent what is happening here. What this is is a program to allow Manitobans like you and I, the people in the gallery, the people who are listening to this debate, the people on the street, who want to pay a fair price for gas, to be able to do so by use of the cooperative model. That is in the best tradition of cooperation. That is in the tradition of the pools. That is in the tradition of the co-ops, whether they be day care co-ops, utility co-ops, employment co-ops, retail co-ops, and that is in the best tradition of federated co-ops.

If what you're saying is that the assistance of a government that is designed to help federated co-ops and other co-ops promote the cooperative option to benefit consumers in this province is intended to be the destruction of the federated system, then I would suggest that you're very far off base. If anything, it's intended to promote the concept of cooperation. When the concept of cooperation is promoted in this province, we have a stronger federated system.

MR. CHAIRMAN: Order please.

Given that there is agreement in the House that the Committee of the Whole can sit up to 6:00 p.m. and then meet again at 8:00 p.m. this evening, we are sitting as a committee. We are not in the House.

The hour is now 6:00 p.m.

Call in the Speaker.

IN SESSION

The Committee of the Whole considered Bill 57 and agreed to report progress.

MADAM SPEAKER: The Honourable Government House Leader.

HON. J. COWAN: Madam Speaker, I appreciate your patience and beg your indulgence.

As today unfolds, we're making a lot of arrangements by consultation and in agreement with all members of the House, and members opposite in particular, in respect to how we try to accommodate the business of the House today.

It has been suggested to me that, by leave, instead of adjourning from 6:00 to 8:00 p.m. this evening, as was earlier indicated, that, by leave, we now adjourn from 6:15 to 6:30 p.m. to allow members to attend to a filming, which was scheduled some time ago, and we reconvene back in the House at 6:30 p.m., at which time we'd move the motion to bring us back into the Committee of the Whole so that we can continue a very productive and exciting debate on the concept of gas bar co-ops in the Province of Manitoba.

So if we have leave to do so, I would suggest that we adjourn at 6:15 p.m. Or perhaps, Madam Speaker, what we're going to have to do is move back into committee right now, and then the committee will adjourn at 6:15 p.m. and reconvene at 6:30 p.m. in Committee of the Whole.

MADAM SPEAKER: The Honourable Member for Burrows.

MR. C. SANTOS: Madam Speaker, thank you.

I move, seconded by the Honourable Member for Inkster, that the report of the committee be received.

MOTION presented and carried.

MADAM SPEAKER: Now, it's my understanding that the Honourable Government House Leader has suggested we recess for 15 minutes or we adjourn?

HON. J. COWAN: Madam Speaker, what I'm suggesting is that we move ourselves back into Committee of the Whole and that Committee of the Whole continues its consideration of matters before it until 6:15 p.m., or earlier, if it finishes that. Then, if we're still in Committee of the Whole when we recess, if that's the appropriate terminology, we recommence in Committee of the Whole at 6:30 p.m.

MADAM SPEAKER: Is that agreed? Agreed and so ordered.

Could we have a motion then to move back into Committee of the Whole?

The Honourable Minister of Finance.

HON. E. KOSTYRA: I move, seconded by the Minister of Cooperative Development, that Madam Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole to continue consideration of Bill No. 57.

MOTION presented and carried and the House resolved itself into a Committee of the Whole to continue consideration of Bill No. 57, with the Honourable Member for Burrows in the Chair.

COMMITTEE OF THE WHOLE (Cont'd)

BILL NO. 57 - THE LOAN ACT, 1987

MR. CHAIRMAN, C. Santos: Would the Committee of the Whole House please come to order.

We have been considering Bill No. 57, The Loan Act, 1987.

The Honourable Member for La Verendrye.

MR. H. PANKRATZ: Thank you, Mr. Chairman.

My question I have for the Minister - he was talking about the Thompson Gas Bar and it was a success, but he also indicated that the Province of Manitoba had supplied it with quite a bit of funding. Now my question to the Minister would be: What amount of funding has he supplied in order for the Thompson Gas Bar to be able to give a rebate of 7 cents per gallon or litre - I didn't get that when he was saying - and also pay dividends? But he also indicated that the Province of Manitoba had put money into it.

My supplementary question to that is: This \$1.25 million, how many gas bars shall that supply or, in order to construct gas bars, how many shall that capital help along to be set up in the northern part of the province?

MR. CHAIRMAN: The Honourable Minister of Cooperative Development.

HON. J. COWAN: Yes, Mr. Chairperson, I apologize if I left the perception that the Government of Manitoba has directly subsidized the Thompson Gas Bar.

MR. H. PANKRATZ: You said it did.

HON. J. COWAN: No. If I left that impression I apologize. It was inadvertent; it's not to my knowledge. There may be Careerstart grants or grants that any co-op can access, but there was not a direct subsidy. The subsidy was by the United Steelworkers of America, Local 6166 that helped get it started in the first instance, seed money, some organizational funding.

In respect to how many gas bar co-ops this particular amount of funding would provide for, I can indicate that it is hoped it would be somewhere in the area of 10 gas bar co-ops which would be located, not only in the City of Winnipeg and other major metropolitan areas, but in rural and northern areas as well.

I do not believe that all 10 gas bars will necessarily be developed this year because there is a developmental process that still has to unfold, so it may be that not all this funding is used this year, but if it were all to be used, it would provide for 10 gas bar co-ops.

MR. CHAIRMAN: The Member for Morris.

MR. C. MANNES: Mr. Chairman, I just found that last answer astounding. Now I know how some of the gas bars are going to be profitable because they're not going to pay wages. You're going to have a Jobs Fund commitment under YouthStart or something pay the wages of people who are pumping gas. That's why the gas bars under this new scheme of the Minister are going to be profitable. Mr. Chairman, isn't that revealing.

Mr. Chairman, I asked the Minister of Finance, I asked him specifically, of the \$460 million that we are granting authority to this afternoon, what share of it will be spent in this fiscal year, because I remind him, when the Budget came down, the Minister said that there would be capital expenditures in the province this year of \$900-and-some million, and the assumption was made that under the old schedule, the one before the revised came forward, to reach that number of \$900 million-plus, it had to be assumed that all of the money spent as shown under The Loan Act, Schedule A, had to be expended.

Is this the fact? Will all the \$460 million be spent this year, or was the claim made in the Budget incorrect?

MR. CHAIRMAN: The Honourable Minister of Finance.

HON. E. KOSTYRA: The claim in the Budget, Mr. Chairman, was not incorrect. But again, as the members are aware, this is incremental authority for those specific purposes laid out in the bill, which includes the Telephone System, Data Services, MACC, Housing, Water Services, Co-op, Hospital Capital Authority, Mineral Resources, Manitoba Natural Gas Corporation.

There are a number of other agencies that already have existing authority that will not use all of the authority that they have that was granted previously, they will not use all of that authority this year. As an example, Manitoba Hydro has in place all of its authority for Limestone. That will not all be spent this year, some of it will be spent in years subsequent to this year.

So you can't say that this 460 relates to just incremental authority which will be spent this year. Obviously, some of this authority, or a good part of this authority, will flow this year, but there may be some of it - and I'll use the example, the area that we've been debating - in terms of the Cooperative Loans and Loans Guarantee Board, that may not flow this year because they may not meet the target that the Minister talked about in terms of setting up of the direct charge gas co-ops. It may take sometime over it, or indeed, it may not happen in its entirety.

MR. CHAIRMAN: Is it the will of the committee to consider the bill clause by clause or page by page, or bill as a whole?

A MEMBER: Page by page. There's an amendment.

MR. CHAIRMAN: Pages 1 to 6, inclusive, were each read and passed.

There is a general amendment, but it does not refer to any section of the bill. It's a general amendment.

HON. E. KOSTYRA: I know; I have to read it.

MR. CHAIRMAN: The Honourable Minister of Finance.

HON. E. KOSTYRA: Thank you, Mr. Chairman.

I move, seconded by the Attorney-General THAT Bill No. 57 be amended by striking out the name "The Manitoba Consumers Gas Corporation" everywhere it appears in the bill and by replacing it with the name "The Manitoba Natural Gas Corporation."

MOTION presented and carried.

MR. CHAIRMAN: The Honourable Minister of Finance.

HON. E. KOSTYRA: I heard somebody say "why"? That's to conform with an amendment that was made last night in committee to Bill No. 68 as a result of another company in Ontario that has a similar name to the original name in the bill.

MR. CHAIRMAN: The amendment agreed to also in French? (Agreed)

The bill, as amended—pass; Title—pass.

Bill be reported, as amended—pass.

The Honourable Minister of Finance.

HON. E. KOSTYRA: Thank you, Mr. Chairman.

I think there was a previous agreement that we would recess at this point as a committee and then reconvene at approximately 6:30 p.m.

MR. CHAIRMAN: The time being now 6:15, we will recess for 15 minutes and the committee will resume its proceedings at 6:30 p.m.

RECESS

MR. CHAIRMAN: Committee rise.

Call in the Speaker.

IN SESSION

The Chairman reported that the Committee of the Whole had considered Bill No. 57 and reported same with amendment.

MR. ACTING SPEAKER, M. Dolin: The Honourable Member for Burrows.

MR. C. SANTOS: Mr. Acting Speaker, I move, seconded by the Member for La Verendrye, that the report of the committee be received.

MOTION presented and carried.

MR. ACTING SPEAKER: The Honourable Government House Leader.

HON. J. COWAN: Please call Bill No. 4, please, in Report Stage.

REPORT STAGE

BILL NO. 4 - THE RE-ENACTED STATUTES OF MANITOBA, 1987, ACT

MR. ACTING SPEAKER: Shall the report of the committee on Bill No. 4 be concurred in?

The Honourable Member for St. Norbert.

MR. G. MERCIER: Thank you, Mr. Acting Speaker.

I move, seconded by the Member for Fort Garry, THAT Bill 4 be amended by:

- (a) striking out the references in the Schedule to The Education Administration Act and The Public Schools Act; and
- (b) deleting from the roll The Education Administration Act and The Public Schools Act.

MOTION presented.

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

MR. G. MERCIER: Mr. Acting Speaker, I'm going to try to deal with a fairly complicated subject in a fairly short period of time. It is my view that Bill 4 should not be passed with the acts that are referred to contained in the schedule at this particular time.

Mr. Acting Speaker, section 22 of The Manitoba Act provides that, in and for the province, the Legislature may exclusively make laws in relation to education, subject and according to the following provisions:

- (1) Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools, which any class of persons have by law or practice in the province at the union.

There was, Mr. Acting Speaker, a case dealt with in the Brophy case that the Honourable Attorney-General and the Member for St. Boniface, I'm sure, will be familiar with, in which the petition of the Catholic minority in Manitoba, under this section 22(2) of The Manitoba Act, was referred by the Government of Canada to the Supreme Court of Canada and was ultimately dealt with by the Privy Council.

Brophy vs. Attorney-General of Manitoba, 1895, the Privy Council judgment provided, and I quote, Mr. Acting Speaker, on pages 226-227:

"The sole question to be determined is whether a right or privilege which the Roman Catholic minority previously enjoyed has been affected by the legislation of 1890.

"Their lordships are unable to see how this question can receive any but an affirmative answer. It contrasts the position of the Roman Catholics prior and subsequent to the acts from which they appeal. Before these passed into law, there existed denominational schools, of which the control and management were in the hands of Roman Catholics who could select the books to be used and determine the character of the religious teaching.

"These schools received their proportionate share of the money contributed for school purposes out of the general taxation of the province, and the money raised for these purposes by local assessment was, so far as it fell upon Catholics, applied only toward the support of Catholic schools. What is the position of the Roman Catholic minority under the acts of 1890?

"Schools of their own denomination, conducted according to their views, will receive no aid from the

state. They must depend entirely for their support upon the contributions of the Roman Catholic community, while the taxes out of which state aid is granted to the schools, provided for by the statute, fall alike on Catholics and Protestants.

"Moreover, while the Catholic inhabitants remain liable to local assessment for school purposes, the proceeds of that assessment are no longer destined, to any extent, for the support of Catholic schools, but afford the means of maintaining schools which they regard as no more suitable for the education of Catholic children than if they were distinctively Protestant in their character.

"In view of this comparison, it does not seem possible to say that the rights and privileges of the Roman Catholic minority, in relation to education, which existed prior to 1890, have not been affected."

As a result of that decision, Mr. Acting Speaker, the Government of Canada granted a remedial order on March 21, 1895 that The Public Schools Act and Department of Education Act be supplemented to restore to the Catholic minority the rights and privileges of which they had been deprived.

(Madam Speaker in the Chair.)

That remedial order, Madam Speaker, provided at the end that it is hereby adjudged and declared that by the two acts passed by the Legislature of the Province of Manitoba, on the 1st day of May, 1890, entitled respectively, "An Act respecting the Department of Education" and "An Act respecting Public Schools," the rights and privileges of the Roman Catholic minority of the said province in relation to education, prior to the 1st day of May, 1890, have been affected by depriving the Roman Catholic minority of the following rights and privileges, which previous to and until the 1st day of May, 1890, such minority had:

- (a) the right to build, maintain, equip, manage, conduct and support Roman Catholic schools in a manner provided for by the said statutes which were repealed by the two acts of 1890 aforesaid; and
- (b) the right to share proportionately in any grant made out of the public funds for the purposes of education; and
- (c) the right of exception of such Roman Catholics, as contribute to Roman Catholic schools, from all payment or contribution to the support of any other schools.

They went on to make a declaration with respect to the passing of additional legislation, and that order remains unanswered to this day, Madam Speaker.

We have had in recent weeks, Madam Speaker, a decision in the Supreme Court of Canada of June 25 of this year, in the matter of a reference respecting An Act to amend The Education Act in Ontario, to provide full funding for Roman Catholic separate high schools. That decision with respect to The Ontario Education Act, Madam Speaker, the similarity of the provisions and subject matter make it very relevant and persuasive in considering this matter.

That matter was decided by unanimous judgment of the Supreme Court of Canada and it should be pointed out that section 93 of the Constitution Act of 1867 is very similar to the wording of section 22 of The Manitoba

Act. In fact, The Manitoba Act goes further because the section 93 of the Constitution Act only refers to rights and privileges granted by law. The Manitoba Act goes on to state law and practice. That decision, Madam Speaker, is significant in that it referred, on page 7 of that decision, to the history in which they stated "the purpose and history of section 93" - and this is an analogous to our situation in Manitoba in The Manitoba Act - "stated that the protection of minority religious rights was a major preoccupation during the negotiations leading to Confederation because of the perceived danger of leaving the religious minorities in both Canada East and Canada West at the mercy of overwhelming majorities."

In the headnote to the decision, they indicate that the protection of minority religious rights was a major preoccupation during the negotiations leading to Confederation. The basic compact of Confederation with respect to education was that rights and privileges already acquired by law at the time of Confederation would be preserved and provincial legislators could bestow additional rights and privileges in response to changing conditions.

Madam Speaker, the Attorney-General is well aware of the legislation that existed in 1870 and the rights of the Catholics in that regard, and, of course, the Brophy case has referred to that.

I would submit, and I am being very brief in the interest of time, Madam Speaker, that the judgment does support the proposition that the Roman Catholic minority in Manitoba were prejudicially effected by The Public Schools Act and The Department of Education Act of 1890, and if the Attorney-General has read the new spring court case, it would appear from that decision, the Barrett case which is referred to, and the court did not find very favourably in support of that particular decision. The suggestion is that if the petition, a new petition, is referred to the Supreme Court for advice and direction, that the claim of the Roman Catholic minority in Manitoba will be affirmed.

Madam Speaker, we had representations made to the committee which dealt with this particular bill. Members will be familiar with the arguments. The decision of the Supreme Court of Canada is very persuasive in support of their argument.

The purpose of my motion is simply to allow the government and the Attorney-General the opportunity to review the most recent case, in the case put forward by the submissions to the committee to review this situation, and not so much, at least in my personal view, to establish separate Catholic schools in Manitoba, that is certainly not my preference, Madam Speaker, but to allow the government to consider what would appear to be a very valid, legal position that is being submitted to us, and to reconsider funding for their position with respect to funding for all independent schools in Manitoba, which has not been deemed to be satisfactory.

Madam Speaker, this is not done. There's no doubt in my mind that what is going to happen is that this whole issue is going to be resolved in the courts. In my view, there's a very strong argument to be made here, and rather than establish a separate Catholic school system in Manitoba, I think it's preferable politically, in the interest of all Manitobans, if the government considered the adequacy of funding for

independent schools in Manitoba, and that is the preferred alternative rather than a separate Catholic school system.

My hope is, Madam Speaker, in the light of this most important decision of the Supreme Court regarding the Ontario case, that the government would agree to the motion and take the time to study this matter further rather than have this Legislature pass legislation which I regard as inadequate in the light of the constitutional obligations of Manitoba under The Manitoba Act and in light of the interpretation that particularly now is being given to it.

Thank you, Madam Speaker.

MADAM SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Madam Speaker, let me say at once that the issue in this short debate is not the issue of funding for either Catholic schools or for independent school altogether.

That is a matter that is going to, in my view, have to be resolved politically within the province as it looks at its obligations, whether legal or moral, and as it looks at its available resources.

The passage of this amendment will not advance the cause for which the Member for St. Norbert speaks, one iota. What Bill No. 4 does is re-enact a whole series of enactments because of the requirements for validating those statutes by the Supreme Court; and my concern is that passing this at Report Stage, on the heels of a decision of the Supreme Court, which our own Constitutional Law Branch has not had the opportunity to review and analyze, could have unintended effects, even of the kind suggested by the Member for St. Norbert, and against which he spoke, in terms of the notion of a separate system.

I think it would be wiser not to do that. There are legal issues yet to be addressed, it is true; and it may be that the best course to be taken by the Coalition of Independent Schools, or by the Roman Catholic Association of School Boards, is in the light of the Supreme Court decision to take a reference to the Supreme Court and resolve, in that way, what in fact are the exact legal obligations in Manitoba pursuant to the provisions of The Manitoba Act.

Now I, too, will confine my remarks just as much as the Member for St. Norbert did.

My reading - let me admit immediately - hasty reading - of the recent decision of the Supreme Court, which of course arose with respect to the decision of the Ontario Government to fund right up to and including Grade 13 in the separate school system, Catholic system, which they have, was "simply" to the effect - and the word simply should be in quotes - that they have the constitutional right to do that. And I would think that that's right. I would think that if we were to pass a law, if a law was required saying that we will fully fund all separate schools, or any portion of them, or just the Catholic schools, that that could not be challenged constitutionally.

So, to that extent, the decision of the Supreme Court is right. You can do it if that's what you want to do. That's what they wanted to do in Ontario in a much different situation where they've had the separate school system for eons of time, and a way of allocating taxes

through separate tax rolls and all the rest of it, for a considerable period of time. And I don't think that we should see the decision of the Supreme Court as reaching any further than that, although I will certainly undertake to have the Constitutional Law Branch do a complete analysis of it, so that we can be guided by that analysis.

Secondly, I think we have to be careful when a possible legal challenge is being advanced at this very moment with respect to our system of school funding in Manitoba to do something which, without consideration, puts or has the potential for putting the position of the province in some uncertainty.

I conclude by pointing this out. The Member for St. Norbert referred to decisions of the Privy Council. Those decisions are very difficult because The Manitoba Act, section 22, which deals with this question, has two sections. One of the sections says that nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have, by law or practice in the province of the union. Rightly or wrongly, the Privy Council in the first of the two said that under that section the Roman Catholic minority in Manitoba had no claim. Then when the matter was subsequently litigated up to the Privy Council again, they said, nonetheless, under section 2, there's another route they can take. That is to go to the Governor-General-in-Council, and the Governor-General-in-Council could pass a remedial order and then send that to the province and say, you follow that remedy. And indeed, the Governor-General-in-Council, that is the Federal Cabinet, did that.

The Government of the Day in Manitoba said no way. At that point, the matter was challenged and Privy Council said, yes, there is an alternative remedy of that kind. And when the Government of the Day refused to follow the remedial order, what then happened is that the Federal Government of the Day attempted to pass a remedial bill. In that remedial bill, it was going to order, the Federal Parliament was going to order the Manitoba Legislature to pay out the money. That generated the Manitoba school question, one of the most contentious matters that ever happened in this province.

The Government of the Day, the Federal Government of the Day, was defeated; they could not pass that remedial bill. Subsequently, in the election, Laurier was elected overwhelmingly, and Laurier, of course was the defender of the Catholic school system, but the issue was federal versus provincial rights. Could you really have a Federal Parliament passing a bill directing a province to do something? Rightly or wrongly, the political will of the Canadian people was to answer "no."

So, Laurier became the new Prime Minister of Canada, and he entered into negotiations with Greenaway, who was then the Premier of the Province of Manitoba. They came to an agreement, an agreement which the Roman Catholic minority in this province has never really been comfortable with. They didn't oppose it because in the hierarchical structure of the church, the Vatican said "accept it" because they felt that the internecine struggle was damaging to the church.

They've never been comfortable with it, but they accepted the compromise under those difficult situations, and so the Laurier-Greenaway compromise has existed ever since. The issue . . .

A MEMBER: It was never accepted by the Catholics

HON. R. PENNER: No, I said it wasn't accepted by the Catholics. So finally, to come to a conclusion, the issue that remains is whether that compromise - the Laurier-Greenaway compromise - wiped out the remedial order. I think it would be a mistake and would not, in fact, be advancing the cause for which the Member for St. Norbert, the Member for Fort Garry, the Member for St. Boniface are interested one whit to pass this amendment.

I think we need further reflection, certainly, and undertake to do an analysis of the Supreme Court Decision; but I must, in all conscience, oppose this amendment and, in doing so, this is not reflecting any judgment of mine on the difficult question of aid to private schools.

QUESTION put on the amendment, MOTION defeated.

MADAM SPEAKER: Now we concur in the bill.
The Honourable Minister of Education.

HON. J. STORIE: Yes, Madam Speaker.
Would you call Report Stage, Bill 26?

MADAM SPEAKER: Just one moment. We still have Bill No. 4.

Shall Bill No. 4 be concurred in? Is that agreed?
Agreed and so ordered.

BILL NO. 26 - THE ENVIRONMENT ACT

MADAM SPEAKER: The Honourable Minister of Education.

HON. J. STORIE: Yes, Madam Speaker, I apologize for the haste.
Will you call Bill 26, Report Stage?

MADAM SPEAKER: Shall the report of the committee on Bill No. 26 be concurred in?
The Honourable Member for Charleswood.

MR. J. ERNST: Thank you, Madam Speaker.
I move, seconded by the Member for Riel,
THAT Bill 26 be amended by adding the following section immediately after section 31:
Prohibition.

31.1. Notwithstanding any other provision of this Act or any other Act, no person shall use, develop or undertake any other activity that may damage or have the potential to damage the quality of water in all or part of Indian Bay or Shoal Lake located at or adjacent to those portions of the seventh and eighth townships, in all or part of ranges 15, 16 and 17, all east of the principal meridian.

MOTION presented.

MADAM SPEAKER: The Honourable Member for Charleswood.

MR. J. ERNST: Thank you, Madam Speaker.

In proposing this amendment this evening, Madam Speaker, I'm concerned that even though the new Environment Act is now reaching final reading stages, that this major and new legislation, this act that was supposed to cover major eventualities in the Province of Manitoba in terms of the environment seems to have a distinct section missing.

Madam Speaker, I spoke to that same issue at Second Reading, at committee stage, where I proposed an amendment and, unfortunately, the government has not seen fit yet to accept that and to recognize the need - notwithstanding having this new, progressive type of legislation, the most important, single potential environmental problem in the Province of Manitoba is virtually being ignored.

They have shown no leadership; they have shown no willingness to carry forward legislation that would protect the water supply of 600-and-some-odd thousand residents of the Province of Manitoba in the City of Winnipeg. Madam Speaker, that is a major, major potential environmental problem, one that could cost hundreds of millions of dollars to rectify if in fact certain kinds of activities that take place within that watershed happen to occur.

Madam Speaker, what is needed is a clear statement of intent by the government, a clear statement of intent to everyone that this matter is so important, that legislation has been enshrined to ensure that, in statute form, no one can, through any falling through the cracks, through any kind of accident, through any kind of mix-up, nothing of that nature can occur.

If it's enshrined in statute, then it says for all and sundry. Only an act of the Legislature with proper debate, with proper public hearings, those kinds of things are the only things that will allow a change in this statute law so that water supply can be protected.

Madam Speaker, this is not the be-all and the end-all. This is not going to solve all of the problems with respect to Shoal Lake, certainly. That's very evident. The fact of the matter is it is a clear intent, a clear statement by the government that, notwithstanding that, wherever the Province of Manitoba has jurisdiction, and we're going to hear when the Minister speaks, I'm sure, the arguments that a large portion of this land or a portion of this land is within the jurisdiction of the Federal Government because it's an Indian reserve - and, Madam Speaker, I agree, that that is, in fact - yes, that we're also going to hear the argument that the land is in fact Crown land for the most part in that general area and that it is under the jurisdiction of the government at the present time, and that's also correct.

But, Madam Speaker, there can be some Minister, and not necessarily the one in power, but at some point in time there can be some Minister, some bureaucrat - heaven forbid - an error by some Cabinet, that could cause major problems for that water supply, again through an accident, through an oversight or in fact through deliberate action, Madam Speaker, as the case may be.

But with this kind of legislation in place, with a statute on the books that says no one may do anything that could potentially harm the water supply of the 700,000 or 600,000 people of the City of Winnipeg, is a clear statement of intent to everyone and no one can misunderstand that.

Madam Speaker, this government spent hundreds of thousands of dollars, authorized an office to open in Washington, D.C., had ministerial delegations travel back and forth, had the Premier meeting on the border with governors of North Dakota states, had all kinds of publicity and activity, Madam Speaker, over the concern that some fish from North Dakota might get into the watershed of Manitoba.

Madam Speaker, yet what have they done for the water supply in the City of Winnipeg? Nothing - absolutely nothing. Now, Madam Speaker, it's time this government took some action. It's time this government took some leadership, showed some leadership to the people of Manitoba, and put into place a statute that would tell everyone - Manitobans, Ontarians, Americans, whatever - that the water supply in the City of Winnipeg will be protected at all costs, Madam Speaker, and hence the amendment is put forward.

MADAM SPEAKER: The Honourable Member for Arthur.

MR. J. DOWNEY: Madam Speaker, I want to make a couple of comments on concerns that I have dealing with The Environment Act, which at Committee Stage I found most interesting when the presentation was made, particularly by Mr. Alan Scarth.

The fact that what we have seen happen is that the farm community will now be faced with the threat of a Cabinet moving at some point to force the farm community to have a licence to farm in this province. Even though the farm community is today exempt by Cabinet, by statute, they are removed, or they are a part of, I should say, the legislation. - (Interjection)- Yes, and I want to put it on the record at this stage. I will not do it at Third Reading, Madam Speaker, because I may not . . .

MADAM SPEAKER: Order. Order please.

May I clarify. Is the Honourable Member speaking on the amendment?

MR. J. DOWNEY: Yes, I'll speak to the amendment, Madam Speaker.

I want to put on the record that I support the proposal put forward by the Member for Charleswood. But there is another concern within the bill that I would have thought the Minister of Environment would have prepared an amendment for this stage as well. I just want it to be clear - well, the Minister of Economic Development doesn't really care whether the farm community has to buy a licence or not, or get permission from government to farm. I think that everybody in this province does have, or should have, the right to farm.

I would have thought, Madam Speaker, that there would have been an additional amendment by the Minister following the excellent presentation by Alan Scarth as to whether or not the Cabinet had the power to force a farmer to be licensed, or the fact - I should put it this way - the legislation now forces them to become licensed, but the Cabinet exempts them from it. The point that I want to make, Madam Speaker, is if in fact they have been doing their work, they would have prepared an amendment to introduce at Report Stage. As far as my colleague's amendment, Madam Speaker, I fully support the one which he's put forward.

MADAM SPEAKER: The Honourable Minister of the Environment.

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

I suppose, in keeping with the rules, I cannot address those comments that were not related to the proposed amendment by the member, and I will try to avoid to do that.

Madam Speaker, the other night when the bill came in front of committee, I told the members of the committee why this amendment could not be supported. In fact, the short or brief explanation that the Member for Charleswood provides, actually alludes to some other reason why this amendment doesn't belong in the act, I believe he knows that, why it cannot be.

We're talking, Madam Speaker, about the amendment which says townships seven and eight in ranges 15, 16 and 17, and I repeat what I said the other night, Madam Speaker. A goodly portion of that - all of range 15, most of range 16 - don't even drain into Shoal Lake, and a goodly part of range 17 is in the reserve land which doesn't come under provincial jurisdiction.

Having said that, I refer again to my initial comment by saying that this is Crown land. In the Province of Manitoba, Crown land and use of Crown land is very rigidly controlled by land-use policies that are in place in Manitoba. No development can occur on Crown land sort of by accident, as the member says, or inadvertently. That cannot happen under the Crown land-use policy that is now in place.

Thirdly, Madam Speaker, section 43 of the act which is titled, "Regulations re sensitive areas," says that the Minister may make regulations declaring or designating certain areas of the province as sensitive or critical areas in prescribing standards or controls respecting environmental matters in those particular areas. That applies, Madam Speaker, to the land affecting or surrounding Shoal Lake.

Madam Speaker, what has been said and applicable to Shoal Lake is also applicable to some interboundary waterways such as the Souris, the Saskatchewan River and the Red River, and it's what prompted or initiated the reaction of the province upon the proposal in the United States. There is currently a Memorandum of Understanding which forces us to meet with the Province of Ontario, which forces the Province of Ontario to keep us informed and involved in development occurring on their side of the border and vice versa when it involves development occurring on our side.

Madam Speaker, the question of Shoal Lake is not one which the province can resolve on its own and for the people on the other side to say: What have you done about it, why haven't you resolved it?

Well, if it was such an easy issue to resolve, because that issue is on the books since 1979, I repeat: They could have resolved it in their last two years of government if it was that simple. It wasn't that simple, Madam Speaker.

We are extremely concerned about the quality of the water upon which the citizens of Winnipeg or Greater Winnipeg depend on as drinking water. We have until now, Madam Speaker, done all that we can to protect the quality of that water and we will continue to do so. We are sitting at that negotiating table even when some

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of the first and second parties - we consider ourselves as the third-level parties on this particular issue, when even the first and second-level parties such as the City of Winnipeg, Madam Speaker, and the Federal Government, who have authority and jurisdiction on Indian reserve land, who have jurisdiction on interboundary waters, we will continue to sit at that table.

We hope the others will show as much concern, and we will continue to prod them and to request them to assist us in solving that issue, but, Madam Speaker, that particular amendment is illegal.

MADAM SPEAKER: The question before the House is the amendment of the Honourable Member for Charleswood.

All those in favour, say aye; all those opposed, say nay.

In my opinion, the nays have it.

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

MADAM SPEAKER: Call in the members.

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

YEAS

Birt, Blake, Brown, Carstairs, Cummings, Derkach, Downey, Driedger, Ducharme, Enns, Ernst, Filmon, Findlay, Hammond, Johnston, Manness, McCrae, Mercier, Mitchelson, Oleson, Orchard, Pankratz, Rocan.

NAYS

Ashton, Baker, Bucklaschuk, Cowan, Desjardins, Doer, Dolin, Evans, Harapiak (Swan River), Harapiak (The Pas), Harper, Hemphill, Kostyra, Lecuyer, Mackling, Maloway, Parasiuk, Pawley, Penner, Plohman, Santos, Schroeder, Scott, Smith (Ellice), Smith (Osborne), Storie, Walding, Wasylycia-Leis.

MR. CLERK: Yeas, 23; Nays, 28.

MADAM SPEAKER: The motion is defeated. Shall the bill be concurred in? (Agreed)

BILL NO. 59 - THE MENTAL HEALTH ACT

MADAM SPEAKER: The Honourable Minister of Education.

HON. J. STORIE: Madam Speaker, would you call the Report Stage on Bill 59?

MADAM SPEAKER: Shall the report on Bill 59 be concurred in by leave?

The Honourable Member for Pembina.

MR. D. ORCHARD: Thank you, Madam Speaker.

Madam Speaker, I move, seconded by the Member for Sturgeon Creek,

THAT Bill 59 be amended by adding immediately after the word "proclamation" in subsection 15(1)

thereof the words "but shall cease to be in force one year after the day in which it comes into force."

MOTION presented.

MADAM SPEAKER: The Honourable Member for Pembina.

MR. D. ORCHARD: Thank you, Madam Speaker.

Madam Speaker, the reason I'm proposing this amendment again is that I think the government, after taking a look at some of the amendments that were proposed Tuesday night when we dealt at committee stage with this bill, will realize now two fatal flaws in the amendments to Bill 59 which basically only change The Mental Health Act to comply with Charter of Rights requirements. But, Madam Speaker, in doing that they have indeed probably created a number of severe operative problems in terms of The Mental Health Act and the ability of the professionals in some cases to carry on with delivery of mental health in the Province of Manitoba, and I believe that a number of organizations, and very diverse organizations who were at committee, expressed a number of concerns, many of them with a common vein. So it wasn't as if one group, i.e., the psychiatrists, or one group the patients, had a particular axe to grind, if you will. The shortcomings in Bill 59 and the amendments were rather universally recognized by a diverse group of people who appeared Tuesday night.

Of course, the Canadian Mental Health Association, and I'll quote briefly from their press release - their major concern is that the act does not address the question of quality mental health care or the right of the mentally ill persons to services to meet their needs, and of course their concern is that this bill does not address delivery of mental health services within the community-based setting. That isn't only their position. Many of the other professionals there expressed that same concern.

I think equally as important are the comments made by the Manitoba Health Organizations Incorporated. MHO, in a letter to the Minister because they were unable to be at the committee hearing stage, presented a written brief and I will read the second paragraph of their letter to the Minister because I think this addresses their problem and many other problems faced by other people concerned about this legislation.

The MHO says, "We are deeply concerned with the manner in which this legislation, Bill 59, has proceeded and the short notice which has been provided to those individuals and groups who will provide submissions to the Standing Committee of Statutory Regulations and Orders." A very brief time that we had from the Second Reading to committee stage.

Now, Madam Speaker, I want to add some general comments as well that I was made aware of in terms of talking to the various professional groups. The Minister, in introducing this legislation, said it was a product of a consultative program within the community, of various people in the mental health system. In talking to those people who presumably were consulted with, we find that the consultation process was very brief and not extensive and indeed that in many cases the

recommendations made by those groups appear nowhere in the amendments. So, in other words, the opinion expressed to me by many of the professional groups who were involved in the stages, some year-and-a-half or two years ago, in the preparation of these amendments, do not consider that their opinion was even considered very seriously in the formulation of Bill 59.

Many of these people in presenting briefs, indicated to the government and to the committee members on Tuesday night that this act should have a very finite shelf life, if you will, because it needs amendments to the amended act and because there are areas that are going to cause difficulties.

Of particular concern were the similarities of the Ontario legislation that has been in effect for about six months now, and some of the problems they've had - and some of the professionals there indicated to me that there had been three deaths in Ontario in mental health institutions which were attributed to new procedures similar to the ones we're bringing in, in this act - and that is cause for concern.

Madam Speaker, under ordinary circumstances I would have moved, not an amendment to the act, but a simple six-month hoist, in order to give the government time to go back to the drawing board and come back with a new piece of legislation next year. But I asked the question of a number of groups presenting briefs that night and they indicated that even though Bill 59 is flawed, it is still better than the existing act.

Therefore, a simple six-month hoist would not, in reality, meet with some of their concerns. So that is why I am proposing this amendment in terms of a one-year force and effect.

Madam Speaker, The Mental Health Act, itself, has been under discussion for review since 1983 in the Pascoe Report and unless we set a deadline for this government, I don't believe that any of the changes that are needed will necessarily come forward in a fairly expeditious fashion.

I believe that this one-year force-and-effect amendment I am proposing gives you a definitive target. You know you have to do something and you will move on it. And that is in agreement with a lot of the groups, the Manitoba Division of the Canadian Mental Health Association, etc., etc.

Madam Speaker, in concluding my remarks, I simply want to point out to those members who were not at the committee stage last Tuesday night - at approximately four in the morning we were dealing with Bill 59 - hardly a time to come up with reasoned proposals for amendment, and reasoned proposals for an amendment were made by many organizations. For instance: the Canadian Association of Mental Health, the Manitoba Division - their brief contains probably 25 areas of suggested amendment, none of which were proceeded on completely. One was taken into consideration where the 10-day waiting period was amended down to seven. They had wished it to be much shorter than that. So it was partially amended.

But, Madam Speaker, all the other amendments they proposed were not dealt with. And I can understand that, because we're at committee stage at four in the morning, and now, two days later, we're here dealing with the bill. The Manitoba Association for Rights and

Liberties in their brief proposed 33 amendments and a number of them were valid amendments. Only one was partially accepted. As I've said, the ten days were reduced to seven days.

A group of psychiatrists representing the general hospitals in Winnipeg - and these were the heads of psychiatry in general, for the six Winnipeg hospitals - Misericordia, Victoria, Grace, Seven Oaks, St. Boniface and Health Sciences Centre - also proposed a number of amendments; seven, in fact. Only one was proceeded with. It was only proceeded with in a somewhat satisfactory arrangement.

The Attorney-General will recall we deleted the "minimal treatment" because they have some pretty grave concerns about that part of the act in terms of their ability to treat immediately someone who is in serious need of treatment.

So, Madam Speaker, there are a number of very, very worthwhile proposed amendments that were brought forward by the professionals who deal with the delivery of mental health and we did not have the time, in the short period between Tuesday night and now, to deal with those in any constructive way.

So I would urge the government that they reconsider the act and they accept this amendment which gives a one-year life to The Mental Health Act as amended, and it sets them with a target and a goal by which they can come back after consultation.

A lot of the groundwork is done by the various groups proposing the briefs. This gives you a target to come in with a new Mental Health Act which does in some way recognize quality of care and, more importantly, availability of quality health care throughout the province in terms of the community-based system that the government indicates they're interested in, that they're working towards, but have not been making very rapid advancements with.

So, Madam Speaker, I close with those few remarks and I urge, in as non-partisan a fashion as I can, because I think the act is too important to allow to stay on the books with the flaws and the problems that are inherent in it as identified by a number of professional groups and associations dealing with mental health in Manitoba.

It should not be the act that remains for an indefinite period of time and I strongly urge passage of the one-year force-and-effect amendment, as I proposed, so that we can be in this Legislature next year debating an entirely new Mental Health Act, hopefully, which will better serve the people of Manitoba.

Thank you, Madam Speaker.

MADAM SPEAKER: The Honourable Member for River Heights.

MRS. S. CARSTAIRS: Thank you, Madam Speaker. I want to lend my support for this amendment, primarily because the act that was originally introduced, while it amends The Mental Health Act, is simply nothing more than a committal bill which brought it into compliance with the Charter of Rights. What that bill does not do is provide a level of service required by those in the community requiring care - which makes up at some point in their lives, six out of ten Canadians.

In that process over the next year, we must have very detailed public participation, particularly

participation from those most affected and hopefully the law which would be introduced in the next Session would in fact deal with service - which this act does not.

MADAM SPEAKER: The Honourable Member for River East.

MRS. B. MITCHELSON: Thank you.

I just want to briefly state my support for the amendment to this act, particularly, Madam Speaker, since the legislation was introduced very late in the Session and there was very little consultation with those people that are going to be directly affected by this new legislation - the amendments to The Mental Health Act.

And you know, when someone is called at four o'clock on the day of public hearings and told they are to appear before a committee and have their briefs and presentations ready, Madam Speaker, I feel that things have sort of been rushed through by the Minister.

He hasn't given opportunity for those that will be affected to consult, to come forward and present their briefs, and to really look at the proposed amendments that those groups made that are going to be directly affected by this piece of legislation.

So I'd like to add my support to this amendment.

MADAM SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Madam Speaker, while there is much that the Minister of Health and I and other members on this side can agree with in the statements made by the Member for Pembina and the Member for River East, particularly, we simply feel that the motion is misguided and potentially very, very dangerous.

We agree that this is a bill which needs further work and further improvement. There was much that was contributed to the discussion at committee stage by those who made submissions. They're helpful submissions and indeed we might, I think, between now and the next Session, reflect on our committee process to see if we can make it more possible to be able to respond to suggestions made at Committee Stage, which normally comes late in a Session, regardless. I certainly agree with that.

However, I do want to say, with the concurrence of the Minister of the Health, that there was much more of a consultative process than has been suggested by the Member for Pembina and others. There is an advisory committee that sits regularly in the area and advises the Minister.

One of the things that was adverted to, as well, you had the Pascoe Report in '83 and here it is '87. What should not be forgotten is that there was the knowledge that a uniform bill was being developed and that perhaps we ought to wait for that. And, indeed, in January of this year, we received what was considered to be the second from the last draft of the uniform bill but we had to proceed with major amendments to the act, first of all, to make it as good as we can; and, secondly, because of a decision of the courts that while we won, it was open to question and could be reversed on appeal in a subsequent case having to do with the committal proceedings.

I certainly disagree, incidentally, that is a mere committal bill. To say that is to seriously undervalue the bill. But I come to my main point. Yes, the Uniform Law Commissioners will be dealing with what we think to be the last draft in August. If so, we will be responding to that. The Minister of Health pointed out that these are amendments to the existing bill because we still have to carry forward those provisions of the bill that deal with mental retardates that we're not in a position to take out of the bill and put them into a new, vulnerable adults' bill at this time.

So that there are weaknesses. I would certainly not describe them as fatal flaws, as the Member for Pembina did, but with the sunset clause - and I wish the Member for River Heights was listening to this because the Member for Lac du Bonnet can't be possibly informing her about this bill - with the sunset clause, you know there's many a slip between the - let's look at the worst possible case, namely that this government falls and there's an election. I always take the worst possible case. If, in fact, that happened - and terrible things can happen - some time approximate to the year, the House is dissolved and is not in Session, boom, you don't have a Mental Health Act.

This type of way of dealing with an issue is wrong and, for that reason, we oppose the sunset clause, not because we don't think the bill can be improved, or the act as it will be shouldn't be amended or replaced, indeed, by a re-enacted bill based on the uniform law act, but because it's just simply a dangerous way of doing things and that's why we oppose it.

MADAM SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: Madam Speaker, I'd like to first of all thank the Attorney-General. By request, I wanted him to explain the question of the sunset clause. I think that he has more knowledge than I have on that and also the Law Reform Committee, the uniform law. I think he's covered pretty well nearly everything. I just want to add a few words.

I want to say that there is no doubt, we have recognized that the main reason this act was introduced this Session is because of the Charter of Rights. The messages from the courts were very clear, and I think the remarks of my honourable friend are very valid. What if something happens and we have no act? We'll be in trouble again.

We are committed; we have said that we will review that. There is also another act, The Vulnerable Adults Act, that will be brought in. That has been a commitment. We will look also at the mentally retarded, the mentally ill, and so on. There's also the uniform law that we should have the final report, as the Attorney-General said.

Now my honourable friend said that there were a lot of people that brought in recommendations. That's true. They were all told the same thing. But look at what the recommendations were. You had psychiatrists that wanted only psychiatrists to do certain things. You had psychologists that were promoting . . . I'm not ridiculing that. I think it's all valid. They weren't that easy. You had to refuse one if you agreed with the other in many instances. There's people that wanted to make sure

that they could treat immediately and I could go on and on.

Now, I'm a little disappointed to say for those that are saying that there was no consultation. I don't know of any other act or subject that has received more consultation. We went out, first of all, there was a committee of the staff working together with the different associations, such as the Canadian Mental Health Association, Manitoba Division, who were responsible for the Pascoe Report. The Pascoe Report was adopted. We've never backed away from that. There was one thing, the Pascoe Report made a suggestion that so much money would be spent in so many days, of course, from Day One. We said, well that's not the role. I mean, fine, they can suggest, but that is not the kind of a thing that a committee, that a government will automatically go in. We don't know that. We can't commit for months ahead.

I know that it could be said that we haven't done enough. I probably would agree to that, that there's never enough in this case. But during the opening remarks on my Estimates, I gave you a list of three pages of what has been done so far.

So, Madam Speaker, the situation is that we will look at this thing. We brought some amendments, some of them; we don't know how it'll work, especially those talking about timing, and so on. We're committed to bring the changes that we feel should be done. So I don't think that there's any need to say we don't trust the government, and this has to be done, and we certainly can't support this.

QUESTION put on amendment; MOTION defeated.

MR. G. MERCIER: On division, Madam Speaker.

MADAM SPEAKER: On division.
The Honourable Minister of Health.

HON. L. DESJARDINS: Madam Speaker, I'd like to move, seconded by the Attorney-General,
THAT Bill No. 59 be amended by adding to proposed subsection 18(1) of The Mental Health Act at the end thereof, the words "or by order of the board of review or of the court."

MOTION presented.

MADAM SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: I don't believe there's any reason to prolong this. This is something that was agreed on by the members of the Opposition on the committee as well as the government. What it does, it adds, instead of just saying that a certain group of people would be admitted to psychiatric facilities as involuntary patients only. When this was decided by the Lieutenant-Governor-in-Council, it was agreed that it would be also by the Board of Review or the courts.

MADAM SPEAKER: The Honourable Member for Pembina.

MR. D. ORCHARD: Madam Speaker, the Minister is partially correct in his remarks, but I believe the credit

should be given where credit is due. This is an amendment that was proposed, I believe, by the Manitoba Association for Rights and Liberties. We proposed that it be included last night, and I thank the Attorney-General for taking it under advisement and concurring with that amendment from MARL, that we couldn't get them to agree to on Tuesday night for obvious reasons.

QUESTION put on the amendment, MOTION carried.

MADAM SPEAKER: Shall the bill, as amended, be concurred in?

Agreed and so ordered.

BILL NO. 64 - THE HIGHWAY TRAFFIC ACT

MADAM SPEAKER: The Honourable Minister of Education.

HON. J. STORIE: Madam Speaker, would you call Report Stage, Bill No. 64?

MADAM SPEAKER: Shall the report of the committee on Bill No. 64 be concurred in?

The Honourable Minister of Highways and Transportation.

HON. J. PLOHMAN: Thank you, Madam Speaker.
I wish to move, seconded by the Minister of Government Services,

THAT section 3 of Bill 64 be struck out and the following section be substituted therefor:

Commencement

3 This Act comes into force on a day fixed by proclamation.

MOTION presented.

MADAM SPEAKER: The Honourable Minister of Highways and Transportation.

HON. J. PLOHMAN: The Member for St. James is not familiar with this amendment and I want to brief him on all details of it at this particular time. I can't say the same for the Member for Ste. Rose though, because he and I have discussed this issue and he is aware that this very complicated amendment must be brought in at this time, Madam Speaker. I would like to just briefly give the reasons for it.

The bill is dealing with the inspection requirements for salvage vehicles and ensuring that there are adequate safeguards to ensure that the public is protected from purchasing the used vehicles from MPIC that have been written off as salvage vehicles, Madam Speaker. In many cases, these vehicles are unsafe and in the past they have, at times, been sold, Madam Speaker, without having the proper certification or tests or inspections.

So, Madam Speaker, what we are doing here, and I think after I get finished the Member for St. James will have it very clear in his mind what we're doing. What we are doing, Madam Speaker, is simply ensuring that MPIC has an opportunity, has the time to put in place the mechanism to carry out these amendments.

The way it is written at the present time, it would come in on Royal Assent and they would not be quite ready. So we want to give them some time and therefore change the proclamation to the date set by Order-in-Council.

Thank you, Madam Speaker.

MADAM SPEAKER: The Honourable Member for Ste. Rose.

MR. G. CUMMINGS: May I ask the Minister a question at this stage? I would like to know if he could give us an anticipated date when this would be proclaimed?

HON. J. PLOHMAN: The member asked me a question that is specifically within the jurisdiction of the member responsible for the Manitoba Public Insurance Corporation, who will carry out the spirit and details to the letter of this amendment. I understand that it will take a short period of time.

I can't give a specific date, but certainly time to prepare and order the proper declaration forms that are going to be needed for these vehicles, and also the machinery and equipment to ensure that the stamping process is available for these vehicles. Insofar as the time, I couldn't give the member a specific, but I'm hopeful that within a month or two that it would be ready.

QUESTION put on the amendment, MOTION carried.

MADAM SPEAKER: The question before the House is shall the bill, as amended, be concurred in? Agreed? Agreed and so ordered.

The Honourable Minister of Education.

HON. J. STORIE: Yes, Madam Speaker.

Would you call Third Readings, amended bills, starting with Bill No. 3 and continuing? Start with Bill No. 3, Madam Speaker.

THIRD READING

Bill No. 3, The Manitoba Advisory Council on the Status of Women Act;

Bill No. 6, The Emergency Measures Act;

Bill No. 10, The Queen's Bench Act; and

Bill No. 11, The Change of Name Act, were each read a third time and passed.

BILL NO. 14 - THE MILK PRICES REVIEW ACT

HON. R. PENNER presented, on behalf of the Minister of Agriculture, Bill No. 14, An Act to amend The Milk Prices Review Act; Loi modifiant la Loi sur le contrôle du prix du lait, for Third Reading.

MOTION presented.

MADAM SPEAKER: All those in favour, say aye; all those opposed, say nay. In my opinion, the ayes have it.

The Honourable Opposition House Leader.

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

MADAM SPEAKER: Call in the members.

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

YEAS

Ashton, Baker, Bucklaschuk, Cowan, Desjardins, Doer, Dolin, Evans, Harapiak (The Pas), Harapiak (Swan River), Harper, Hemphill, Kostyra, Lecuyer, Mackling, Maloway, Parasiuk, Pawley, Penner, Plohman, Santos, Schroeder, Scott, Smith (Ellice), Smith (Osborne), Storie, Walding, Wasylcyia-Leis.

NAYS

Birt, Blake, Brown, Carstairs, Connery, Cummings, Derkach, Downey, Driedger, Ducharme, Enns, Ernst, Filmon, Findlay, Hammond, Johnston, Manness, Mercier, Mitchelson, McCrae, Oleson, Orchard, Pankratz, Rocan.

MR. CLERK: Yeas, 28; Nays, 24.

MADAM SPEAKER: The motion is accordingly carried.

Bill No. 18, The Securities Act;

Bill No. 23, The Highway Traffic Act;

Bill No. 27, The Real Property Act and Various Other Acts Amendment Act;

Bill No. 29, The Condominium Act;

Bill No. 39, The City of Winnipeg Act;

Bill No. 41, The Animal Husbandry Act;

Bill No. 45, The Lotteries Foundation Act, were each read a third time and passed.

BILL NO. 61 - THE LABOUR RELATIONS ACT

HON. R. PENNER presented, on behalf of the Minister of Finance, Bill No. 61, An Act to amend The Labour Relations Act; Loi modifiant la Loi sur les relations du travail, for Third Reading.

MOTION presented.

MADAM SPEAKER: The Honourable Member for Brandon West.

MR. J. McCRAE: Madam Speaker, I had hoped we would never have reached this stage of debate of Bill 61 regarding The Labour Relations Act, bringing in a new system of arbitration known as final offer selection. I had hoped that on behalf of the employers and the employees of this province who are so much against this form of arbitration being forced upon them, I was hoping that the Minister would see the wisdom of withdrawing this bill and it would have been in his own interest and his own party's interest to do so, and I really shouldn't be offering this kind of advice because what the Minister and his government have done has been, in the words of the president of the Canadian Union of Public Employees, has been to divide the union movement as management has never been able to do.

On that ground alone I would have thought that the Minister would have seen the wisdom of removing from

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the legislative schedule of this Session, Bill 61, dealing with final offer selection.

But it goes much further than that, Madam Speaker. It's totally unfair to the employer sector of our province in the sense that the employers of this province will have no say when it comes to a veto, whereas the employees in a workplace would have a veto. What it is, Madam Speaker, is another assault on the principle of freedom in this province and certainly on the principle of free collective bargaining, which has been used for many years in this province with a great deal of success and has created harmonious relationships between employers and their employees in this province for a very long time.

Let's remember, Madam Speaker, Manitobans are very reasonable people. They know how to sit down together and they know how to hammer out agreements. If this Minister wants to intrude and get in the way of that process; I'd say he does so at his peril. The Minister has given his undertaking that this legislation will not be proclaimed until at least the 1st of January of next year.

I have my doubts that that will happen then and I believe what we're seeing is a Minister in disgrace, a Minister whose reputation has been ruined several times in the last couple of years alone, a Minister saving face in the face of very bad legislation, which was very ill-conceived and he was very poorly advised to bring this forward. That says something about the counsel the Minister takes. I've talked about that at length, and others have as well, Madam Speaker. I don't support this bill and I invite all honourable members to join with me to protect free collective bargaining in the future of this province by voting against Bill 61.

MADAM SPEAKER: The Honourable Minister of Labour.

HON. A. MACKLING: Yes, Madam Speaker, although I spoke rather briefly in closing debate at Second Reading, I will resist the temptation and the provocative comments of the Honourable Member for Brandon West and not speak at length, in rebuttal, to what I think is otherwise a very negative statement on his part. I have indicated -(Interjection)- I appreciate the support I'm getting from some of my colleagues, I won't name them.

I have appreciated the arguments that were advanced and I appreciate the sincerity of the concerns of those who, when anything new is being suggested, have some concern, and I recognize legitimate concern from any source. But I want to assure honourable members that we believe that this is very progressive legislation; that unlike the criticisms based on concerns of the unknown we believe that this legislation will work in the best interests of the public; that it can and will be a very effective alternative mechanism and that, unlike the fears of honourable members opposite, it will be to the advantage of the public.

The honourable member has some reservation about whether or not the legislation will be proclaimed. I've indicated it will be proclaimed early in the new year, as soon as the administrative apparatus can be ready to ensure its successful use.

Thank you, Madam Speaker.

QUESTION put, MOTION carried.

MADAM SPEAKER: The Honourable Opposition House Leader.

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

MADAM SPEAKER: Call in the members.

The question before the House is Third Reading on Bill 61.

May I remind honourable members that we conduct votes in silence.

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

YEAS

Ashton, Baker, Bucklaschuk, Cowan, Desjardins, Doer, Dolin, Evans, Harapiak (The Pas), Harapiak, (Swan River), Harper, Hemphill, Kostyra, Lecuyer, Mackling, Maloway, Parasiuk, Pawley, Penner, Plohman, Santos, Schroeder, Scott, Smith (Ellice), Smith (Osborne), Storie, Walding, Wasylcyia-Leis.

NAYS

Birt, Blake, Carstairs, Connery, Cummings, Derkach, Downey, Driedger, Ducharme, Enns, Ernst, Filmon, Findlay, Hammond, Johnston, Manness, McCrae, Mercier, Mitchelson, Nordman, Oleson, Orchard, Pankratz, Rocan, Roch.

MR. CLERK: Yeas, 28; Nays, 25.

MADAM SPEAKER: The motion is accordingly carried.

BILL 67 - THE OFF-ROAD VEHICLES ACT

MADAM SPEAKER: The Honourable Attorney-General.

HON. R. PENNER presented, on behalf of the Minister of Highways and Transportation, Bill No. 67, The Off-Road Vehicles Act; Loi sur les véhicule à caractère non routier, for Third Reading.

MOTION presented.

MADAM SPEAKER: The Honourable Member for Ste. Rose.

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

I would like to put a couple of comments on the record regarding this bill. As we said during debate and during the committee stage of this bill, we are still concerned about the ramifications that a single act to cover snowmobiles and all other ATV vehicles, the problems that this could cause for the snowmobilers of this province.

I still want to reiterate my concern to the Minister and to make it very clear that the regulations that are attached to this bill will be the regulations that will either make or break the concerns that those snowmobilers have expressed all across the province. So I would, with those few comments, urge the Minister

to be very cautious with his department when the regulations are applied to this bill.

MADAM SPEAKER: The Honourable Minister of Highways and Transportation.

HON. J. PLOHMAN: Madam Speaker, I appreciate the comments of the Member for Ste. Rose and, as I pointed out during the committee stage, clearly this bill provides for individual consideration of each kind of off-road vehicle, which is not the case now for the snowmobilers, being lumped in with three and four-wheelers. Therefore, I think we have moved some distance to recognizing the unique nature of snowmobiles.

The provision is there for by-laws and regulations to be enacted for designated groups of off-road vehicles, snowmobiles being one of those designated groups. So I believe we have met the concerns that have been voiced, and the regulations and by-laws that are enacted in the future will certainly be reflective of that.

QUESTION put, MOTION carried.

Bill No. 4, The Re-enacted Statutes of Manitoba, 1987 Act;

Bill No. 5, An Act to Repeal Certain Statutes Relating to Education and Other Matters;

Bill No. 12, An Act to amend The Highways and Transportation Act;

Bill No. 15, The Crop Insurance Act;

Bill No. 17, An Act to amend The Municipal Assessment Act (2);

Bill No. 19, An Act to amend The Limitation of Actions Act and The Highway Traffic Act and to Repeal The Unsatisfied Judgment Fund Act;

Bill No. 20, The Crime Prevention Foundation Act;

Bill No. 21, The Family Law Amendment Act;

Bill No. 22, An Act to amend The Water Resources Administration Act and The Real Property Act;

Bill No. 30, An Act to amend An Act to incorporate "Pine Ridge Golf Club";

Bill No. 31, An Act to amend The Community Child Day Care Standards Act;

Bill No. 33, An Act to amend The Registry Act;

Bill No. 34, An Act to amend The Real Property Act;

Bill No. 36, An Act to amend The Religious Societies' Lands Act;

Bill No. 44, An Act to amend The Coat of Arms, Floral Emblem and Tartan Act;

Bill No. 50, An Act to amend The Consumer Protection Act;

Bill No. 54, An Act to Validate By-Law No. 3678 of The Rural Municipality of St. Andrews;

Bill No. 55, An Act to amend An Act to incorporate Southwood Golf and Country Club; and

Bill No. 63, An Act to repeal Certain Statutes relating to Hospitals, Hospital Districts and Nursing Unit Districts and other matters, were each read a third time and passed.

MADAM SPEAKER: The Honourable Government House Leader.

HON. J. COWAN: Madam Speaker, will you please call Report Stage of Bill No. 47; but before you do, can I please indicate that the amendment that is being distributed now is the same as the amendment that was distributed a few moments ago except for a change in the French version of the title.

REPORT STAGE

BILL NO. 47 - THE HUMAN RIGHTS CODE

MADAM SPEAKER: Shall the report of the committee on Bill 47 be concurred in?

The Honourable Member for St. Vital.

MR. J. WALDING: In view of the fact that there is another amendment to be introduced to this bill similar in intent, I would seek leave if it is needed to not introduce this particular amendment.

MADAM SPEAKER: Does the honourable member have leave to withdraw his amendment?

The Honourable Member . . .

HON. J. COWAN: Not introducing it.

MADAM SPEAKER: . . . not introducing it. Okay. I understand that the honourable member does not need leave to not proceed.

The Honourable Member for St. Vital.

MR. J. WALDING: Madam Speaker, it was a matter of courtesy that I phrased it that way.

MADAM SPEAKER: Right, thank you.

The Honourable Member for Lac du Bonnet.

MR. C. BAKER: Thank you, Madam Speaker.

I move, seconded by the Member for Swan River, THAT Bill No. 47 be amended by adding thereto, immediately after subsection 9(4) thereof, the following subsection:

No condoning or condemning of beliefs, etc.

9(5) Nothing in this Code shall be interpreted as condoning or condemning any beliefs, values, or lifestyles based upon any characteristic referred to in subsection (2).

And the French version as printed, Madam Speaker.

MOTION presented.

MADAM SPEAKER: The Honourable Member for Lac du Bonnet.

MR. C. BAKER: Thank you, Madam Speaker. I will not take a great deal of time.

I think, Madam Speaker, throughout the course of the debate on the bill, we on the government side tried to point out that we were mainly interested in giving rights. I think that, throughout the debate, there has been the feeling - protecting rights - I'm sorry, Madam Speaker, protecting rights. Throughout the debate, I think there was the erroneous feeling upon many people, and perhaps justifiably so because sometimes we get carried away on the debate that, somehow or another,

we were on behalf of the people of Manitoba saying that we were condoning or promoting some certain lifestyles.

I hope, Madam Speaker, that this amendment should clear that up once and for all.

Thank you, Madam Speaker.

MADAM SPEAKER: The Honourable Member for Pembina.

MR. D. ORCHARD: Madam Speaker, I appreciate the sensitivity with which the Member for Lac du Bonnet and the Member for Swan River introduced this amendment because their constituents want no part of the sexual orientation amendment. If they think that moving this simple amendment is going to get them out of the political trouble in their constituencies, they're dead wrong.

Madam Speaker, what is already established is the condoning of homosexual lifestyle by the very fact that Bill 47 has sexual orientation as one of its provisions. Now by this amendment, we've got the very worst of both worlds, Madam Speaker, in that now the government has condoned it by including it in Bill 47, and now by this amendment no one can condemn it.

That's what we've got now is the very worst of both worlds because, by edict, it says in this act: "Nothing in the Code shall be interpreted as condoning or condemning." No one can condemn what you have passed in sexual orientation in Bill 47, and if you think that satisfies the people of Lac du Bonnet, the people of Swan River, don't count on it, gentlemen. You're in deep trouble on this one, you know it. This will not get you out of that kind of trouble.

MADAM SPEAKER: The Honourable Member for Brandon West.

MR. J. McCRAE: Madam Speaker, just briefly to what the Honourable Member for Pembina has said, I'd just like to remind also the Member for Brandon East that this meaningless amendment will make absolutely no difference to the people in our part of the province with regard to this government's attitude toward immoral behaviour in this province.

I need only remind the members of this House and the people of Brandon that it was the Minister of Employment Services and Economic Securities Department which made a donation of money through the Careerstart Program to the young gay and lesbian youth in Winnipeg, which has been involved, Madam Speaker, not condoning but promoting homosexual behaviour. So by this amendment, these members aren't fooling anybody.

MADAM SPEAKER: The Honourable Member for Morris.

MR. C. MANNES: Madam Speaker, I rise too to protest against this amendment. Quite frankly, I am shocked that the Member for Lac du Bonnet, seconded by the Member for Swan River, would sponsor this amendment. We're well aware that members opposite, some of them, have been wrestling with this particular aspect of the bill.

Madam Speaker, we thought the amendment would have come out possibly saying that nothing in the Code shall be interpreted as condoning any beliefs. But, Madam Speaker, condemnation was one of the major issues discussed during all of the presentations made to the committee.

As my colleague, the Member for Lakeside, posed in question to somebody, those of us who were voting against this bill, we're not voting against what we considered to be the sinner, but we were more concerned with the sin. Madam Speaker, what this amendment does, it does not condemn what in the minds of many of us, and indeed in the minds of many presenters, a presentation that it is a wrong lifestyle to practise.

Madam Speaker, if the Member for Lac du Bonnet and the Member for Swan River believe that this amendment can extricate them from the position they find themselves with their constituents, who many - and a large number - believe very strongly in our views, but also in the words spoken by the former Premier of that party, particularly the Member for Lac du Bonnet, if that member feels that this amendment extricates him from the political situation he's going to find himself in, it fails miserably.

Madam Speaker, I'm shocked that the members opposite would see fit to bring forward an amendment in this fashion.

MADAM SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: Madam Speaker, on Second Reading, I tried to make it very clear what I was voting for. I've also appealed to members of this House, members of the Opposition to vote with their conscience, but to be fair and not to misrepresent what is being said.

Madam Speaker, that didn't do too much good because the members of the Opposition talk about what could be perceived to be in the bill. They were assured repeatedly that the bill only talked about no discrimination to individuals, the same people quoting the Bible and talking about religion and so on. How can they say, yes, you can discriminate against people because they're sick or whatever. That's what they believe, Madam Speaker.

So now they're trying to - first of all, everything was political, talking about the member, make sure they're trying to involve the Member for Brandon or these members, instead of searching their conscience and that have had some concern. Madam Speaker, if we read the Opposition, it isn't quite convenient to say - it says, no condemning. It says nothing in this code - not individual. "Nothing in this code shall be interpreted as condoning or condemning any beliefs, values or lifestyles based upon any characteristics . . ." "referring -(Interjection)- please let me -(Interjection)- yes, I know I've got it, but do you know?

Madam Speaker, what does this say? It says that this bill has nothing to do with that. Individuals might condemn it. It doesn't prevent them. Individuals can condone. That won't change anything, but the bill is not there to do that. The bill is not enshrining any act; the bill is not encouraging or discouraging anybody.

The bill is saying don't discriminate against any group in society.

Madam Speaker, I felt comfortable in voting on the Second Reading, and I feel more comfortable now because it is plain, it is clear, as much as we can, what we're doing.

Thank you.

MADAM SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Just a few words, Madam Speaker.

The Human Rights Act, now The Human Rights Code or soon to be The Human Rights Code, is in itself an educational instrument. In fact, the Human Rights Commission, in its report every year, sometimes every second year, prints and publishes the whole act because of its educational value and because, during the course of the debate surrounding this bill, there has in our view been both misunderstanding and, to some extent, misleading views that suggest that human rights acts are about the promotion of values or the giving of special rights.

It was deemed especially important in that context to make a statement that affirms what is well-known at law but has to be seen clearly in the act itself which, as I say, is an educational instrument.

For the members to say, as the Member for Morris said, that he's shocked, indicates that they in fact are dismayed at the unity that they see on our side. That's really where the sense of shock comes from.

But, Madam Speaker, this and other amendments to follow will go a long way to clarify some of the muddy waters which have been created around this debate, sometimes I think inadvertently, and it is for that reason that we advance this amendment and we do so in good conscience.

MADAM SPEAKER: The Honourable Member for St. Vital.

MR. J. WALDING: Thank you, Madam Speaker.

I had put down on paper a proposed amendment that I hoped to bring to the bill at this time. I'm sure members have a copy of it and I'm sure that has been what they were expecting. This comes instead.

My clear impression of what people have been saying on this side and all of the lobbying and people who have been coming before our caucus on the matter of homosexuality is that they want to have the matter of discrimination against homosexuals in accommodation and in employment prohibited. That's simple to say, but we don't see that in the bill, and I believe that is what is required.

There is another aspect to that as well, but all the people who have been phoning me - and I've had dozens and dozens and dozens since last week, people who have phoned me. I've mentioned to them that there are two aspects to the bill, one which deals with the human rights of people and one which has to do with homosexuality itself.

As far as the human rights of people are concerned, I favour that. As far as homosexuality is concerned, I condemn that. It's offensive to me, and I don't think that it is normal or acceptable by the vast majority of people. That was the basis or the reason for that

amendment being drafted and put forward. There was a technical problem in that another amendment was proposed along the same lines of a similar nature which would come in immediately before mine and that I had a good idea would pass, which would make mine redundant in that it said more or less the same thing.

I had considerable negotiation this afternoon with people responsible for that amendment and, after those discussions, we came to the wording of this particular bill -(Interjection)- amendment, pardon me.- (Interjection)- I'm sorry, I cannot hear what the honourable member is saying. He'll have his opportunity to get up and . . .

MADAM SPEAKER: Order please, order please.

The Honourable Member for St. Vital.

A MEMBER: Madam Speaker, could you do something about the gallery please?

MADAM SPEAKER: May I remind all the members of the public in the gallery that they are not to participate in any way in the debate nor throw things down, or they will be evicted from the gallery.

MR. J. WALDING: Thank you, Madam Speaker, for reminding people in the gallery that they are here to listen and to observe and not to take part in any of the proceedings of the House or to interfere in any way with the discussion on the floor.

I've been convinced, following discussions with different members, that this particular amendment is not quite what I would have desired and not what I introduced notice of in the House, but it does substantially the same thing. Members who object that it uses the word "condemning," no, that doesn't affect individuals and members opposite might wish to condemn homosexuality. I would too, and a very distinguished man said the other day that he was opposed to abuse against homosexuals and that he considered homosexuality abnormal and that he would not like to see it promoted in our society. I believe that is a position held by the majority of people. I can't believe that this amendment does it. In fact, I believe it does exactly the opposite and it tells people that, the human rights aspect apart, this says that we don't like, don't accept homosexuality.

MADAM SPEAKER: The Honourable Member for Burrows.

MR. C. SANTOS: Madam Speaker, this amendment puts to rest once and for all the claim that the amendment to the Human Rights Code . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MADAM SPEAKER: Order please.

MR. C. SANTOS: . . . will implicitly or unintentionally promote any particular lifestyle. According to Chief Justice Duff (phonetic), in referencing Alberta, he said: "The statute contemplates a Parliament working under the influence of public opinion and public discussion. There can be no controversy that such institutions

derive their efficacy from the free public discussion of affairs, from criticism and answer, and counterclaim, from attack upon policy and administration, and defence and counterattack, from the freest and fullest analysis and examination from every point of view of political proposal."

This is what we have done, Madam Speaker, within the framework of the institutions and the discussions that have taken place, until we arrived at this consensus.

Thank you.

MADAM SPEAKER: The Honourable Member for Thompson.

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

I will be supporting this particular amendment, because I think it reinforces what I have always felt to be the basic principle behind this particular bill and human rights legislation in general.

I believe, Madam Speaker, that protection of human rights is a matter that is about people. It is about people, Madam Speaker, and it is about protecting people against discrimination. It is not about condemning or condoning any particular belief, and I must say I've been distressed to see that in this debate we've concentrated on one particular aspect of the bill without pointing out, for example, that the bill does not condone or condemn political views, any political views, but it does protect people who hold particular political views from discrimination.

I hope that will be the spirit we will treat this amendment in, Madam Speaker. If it makes that clear, if it makes it that little bit much clearer, I think that's important. I would hope that, as we wrap up this debate, we would try and end it on an appropriate note. I've heard references today about this amendment not extricating people from political situations in their constituency.- (Interjection)- Well, if members want to talk about politics, Madam Speaker, certainly this is the place to do it, but I think there has to be a time when we address the basic principles of legislation.

The basic principle of this legislation, Madam Speaker, is people. It's protecting people against discrimination. It's nothing more, and it's nothing less. Surely, if there is one thing that all members of this House could agree on, Madam Speaker, it's that basic a principle. It's a principle enclosed in this amendment.

So I would strongly urge everyone in this House to support this amendment and the basic principle of this bill.

MADAM SPEAKER: The Honourable Member for Lakeside.

MR. H. ENNS: Madam Speaker, I am pleased with the amendment before us because I believe it does put to rest the fact that, along with the mover who moved it and every single member of the present NDP government, there's not one who condemns the abhorrent practice of homosexuality - not one.

SOME HONOURABLE MEMBERS: Oh, oh!

MADAM SPEAKER: The Honourable Member for St. Norbert.

MR. G. MERCIER: Madam Speaker, this amendment before us, which states that nothing shall be interpreted as condoning or condemning indicates the true nature of this government. They have no morals or no values whatsoever, Madam Speaker, and it starts and ends with the Premier's Office. He sits idly by while the Minister of Employment Services funds a gay youth group and the Minister of Culture funds a gay group, and they turn down a family life group, and he allows that to happen, Madam Speaker.

HON. L. EVANS: On a point of order, Madam Speaker.

MADAM SPEAKER: The Honourable Minister of Employment Services on a point of order.

HON. L. EVANS: On a point of order, Madam Speaker, I can advise the Honourable Member for St. Norbert that we did not turn down a family planning group. The Teen Aid Winnipeg Incorporated was approved, when they refused the approval. So you should know that . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MADAM SPEAKER: Order please, order please.

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

Does the Honourable Member for Brandon West have another point of order?

MR. J. McCRAE: Well, you've ruled the member's point out of order. I just wanted to point out, Madam Speaker, that his point had nothing to do whatsoever with what the member said.

MADAM SPEAKER: Order please.

The honourable member did not have a point of order. The Honourable Member for St. Norbert.

MR. G. MERCIER: Madam Speaker, it starts with the Premier's Office, because he sits idly by and allows the Minister of Community Services to remain in office while our child welfare system deteriorates. He sits idly by while the Minister of Finance spends this province into ruin and debt . . .

MADAM SPEAKER: Order please.

Could we please keep the debate limited to the amendment?

MR. G. MERCIER: Yes, it's on the morals, Madam Speaker. A complete lack of morals and values are contained in this amendment. He sits idly by while the Minister for MPIC hides information from the public. He sits idly by while the Minister formerly responsible for MTS loses \$27 million for the taxpayers.

MADAM SPEAKER: Order please, order please.

MR. G. MERCIER: There are no values in this government, Madam Speaker.

MADAM SPEAKER: Could we please keep the debate limited strictly to the amendment, as the rules call for. The Honourable Member for St. Norbert.

MR. G. MERCIER: Madam Speaker, what this amendment is saying is that this government has no morals and has no values. I'm just citing, Madam Speaker, that is exactly what has happened with this government over the past number of years. They sit idly by while millions are lost in Workers Compensation. They sit idly by, watching all of this happen.

They've watched health services deteriorate; they allow the Attorney-General to reduce police services in this province, while they fund their own priorities. They place their political hacks in every department, as we found out today with the Minister of Co-op Development. Madam Speaker, this government has no morals and no values. That's why this amendment is here.

MADAM SPEAKER: The Honourable Member for River East.

MRS. B. MITCHELSON: Thank you, Madam Speaker.

I want to just comment on this amendment that's been introduced by this government, and say that I challenge the Member for Rossmere, Madam Speaker, to stand up and put his thoughts on the record and justify to his constituents and to those who belong to the churches in his area who have called me indicating their non-support for Bill 47, and justify to his constituents now so it's on the record once and for all why or how he can support legislation giving special rights to homosexuals.

MADAM SPEAKER: The Honourable Member for Arthur.

MR. J. DOWNEY: Madam Speaker, I think it's important to speak to this amendment and, as Native Affairs critic, I had the opportunity today to meet with a special group of people from the Native community.

A MEMBER: A couple of P.C. candidates.

MR. J. DOWNEY: Well, the member says a couple of P.C. candidates. Madam Speaker, it's somewhat different than approving \$150,000 loan for a former colleague from Thompson, as the Minister who is speaking out did.

SOME HONOURABLE MEMBERS: Oh, oh!

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

Would the honourable member please direct his remarks to the amendment?

MR. J. DOWNEY: Yes, Madam Speaker, I'm speaking to the amendment, because my colleague from St. Norbert indicated how immoral and how bad this government is, and this amendment just absolutely proves it. But I want it on the record, very loud and clear, Madam Speaker, that the Minister responsible for Native Affairs is not representing in any way, shape or form the Native community in supporting this kind of an amendment or the legislation.

MADAM SPEAKER: The Honourable Minister of Northern Affairs.

A MEMBER: Where do you stand?

HON. E. HARPER: I'm standing right now.

I can honestly say that over many years and centuries here in Canada, we have been discriminated against by governments, by institutions and by people. I've had two people come to my office today, two Native people, to approach me not to support this bill, and the two people were two defeated Conservative candidates.

SOME HONOURABLE MEMBERS: Oh, oh!

MADAM SPEAKER: Order please.

HON. E. HARPER: You know, we've been for hundreds of years, and we will continue to be around.

I remember a situation in Brandon where two or three Native people were discriminated against and the human rights legislation didn't stand up in a sense. The judge said that, legally, discrimination could be tolerated. And this is what this does. This Human Rights Code would not allow discrimination to exist. This is what people are opposing to, to say that discrimination can exist against Native people and to misrepresent what we're trying to do here. I accept their opinions. I hope they accept mine and the people who I represent.

You know, after many years, trying to justify injustices that are done for Native people, for once, specifically in the legislation provides that no discrimination should be made against any individual, any human being. I personally don't support the activities of certain individuals, but they are human beings. If they come to me and say they were starving or then denying, I cannot say that I cannot help. A human being is a human being and that's why I support this bill.

MADAM SPEAKER: The Honourable Member for River Heights.

MRS. S. CARSTAIRS: Thank you, Madam Speaker.

In the religious tradition in which I was raised and the one shared certainly by many of the presenters, I believe the overwhelming message is love one another. It is loving one another that I believe teaches me tolerance for one another. Tolerance does not mean that I understand their lifestyle or indeed that I even accept their lifestyle. After all, I tolerate a lot of people in this House who do not share any of my beliefs.

But, Madam Speaker, what this amendment says very clearly is that a human rights code does not promote anything. A human rights code guarantees tolerance to our brothers and to our sisters, and I support the bill and I support this amendment.

MADAM SPEAKER: The Honourable Leader of the Opposition.

MR. G. FILMON: Madam Speaker, I'll be brief.

I have spoken at length to this particular bill, so I'll confine my comments to the particular amendment that is before us.

Madam Speaker, this amendment has obviously been prepared in an effort to try and reach some common ground with a couple of members on the other side. Madam Speaker, this amendment does not address

the issue. The mere fact that sexual orientation has been included in the new human rights act is an acknowledgement on the part of the government that homosexuality and heterosexuality are to be considered equivalent lifestyles.

Madam Speaker, nothing within this amendment addresses that particular issue - absolutely nothing. In fact, saying that we neither condemn nor condone is asking people to accept that homosexuality is equivalent to heterosexuality, and it isn't. In the minds of the vast majority of Manitobans, it offends against their religious and moral beliefs and values and nothing within this amendment changes that or addresses that particular issue.

Madam Speaker, as I indicate, saying that we neither condemn nor condone either or any sexual orientation is a cop out. It puts them all on an equal basis which is what the intention of the legislation is to begin with and nothing has changed and. Madam Speaker, I don't believe that the vast majority of Manitobans accept that and for that reason I will not support the amendment.

MADAM SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Madam Speaker, I guess I'm not surprised, but one can't help but be, by the sense of hate that one feels from across the way, that one feels the sense of intolerance. Madam Speaker, I agree with the Member for River Heights that I believe that, in the attempt to establish better understanding, better tolerance in our society, that is done by way of greater caring, greater concern, by love and not by hate.

Madam Speaker, that's what human rights legislation is all about. That's what it was about in the late 1950's in the civil rights battles in the Southern United States. That's what it was about when the earliest Bill of Rights was introduced provincially by T.C. Douglas in the Saskatchewan Legislature. It was about that when Diefenbaker introduced his Bill of Rights for Canada as a whole.

Madam Speaker, what this amendment states to Manitobans, when it comes to the basic essential services of being able to obtain a room, of being able to obtain a job, of being able to obtain a meal, there is in the Province of Manitoba no Class A citizens and no Class B citizens. We are all Manitobans, entitled to equal access, to the basic essential services of this province.

For it to be suggested by honourable members across the way that some way or other this does anything else, that it pronounces a particular view, then I say to the honourable members that what they're engaging in is the worst kind of political opportunism and I believe, Madam Speaker, that sooner or later that kind of attitude is seen for what it is.

Madam Speaker, this is not a time when we deal with human rights for other than understanding, tolerance and recognition in our society. It is a pluralistic society, a society of many different views, colours, races, religions and lifestyles. You don't have to necessarily agree; you don't have to necessarily condemn. But what you can do, Madam Speaker, is not to say that there are lower kinds of Manitobans and better kinds of Manitobans, and therefore some Manitobans should

receive greater basic rights than other Manitobans or special privileges. It's a question of equal access, not special privilege.

I would wish, Madam Speaker, that we could reflect and understand that. This is important, forward legislation, equal access legislation.

MADAM SPEAKER: The Honourable Minister of Labour.

HON. A. MACKLING: Madam Speaker, I want to briefly put on the record my support for this amendment and the bill as amended.

I heard presenters before the committee, I've heard arguments, and I've heard and I respect those who, out of religious conviction, have concerns about positions taken by government to protect rights. But, Madam Speaker, I'm reminded of the fundamental principles of Christianity in our society, those who profess to be Christians, and the greatest commandment of all was to love thy neighbour. That was an unstinting love and the best example of that was the example of the Good Samaritan, who didn't question whether the man who he was helping was a homosexual, a married man, a single person, whatever, he wasn't of the same faith, he wasn't of the same tribe, but he gave unstintingly. And that is the message, to tolerate, at least tolerate your neighbour, not to discriminate against your neighbour on the basis of race or sex or sexual orientation. That's what this world cries out for, Madam Speaker, is tolerance and not intolerance.

When you look around the world and see all of the confrontation between groups of people, violent confrontations, and we from a distance say, why are they fighting, why are those people who appear to share a common heritage, why are they fighting. We don't understand. Maybe we begin to understand when we see intolerance, even to people in our society who, for no reason of their own, are different. Can we not tolerate them? That's not endorsing or approving, and that's why this amendment makes clear that what this provision in this act does is to protect rights, fundamental rights which we all take for granted, protect those rights, not to condone particular beliefs but to protect everyone from discrimination. That's the essence of this bill; it's the essence of the amendment and I heartily approve of it.

MADAM SPEAKER: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: I'm rather surprised at what I just heard, Madam Speaker, and I'm surprised at what I've heard all evening from the members opposite.

I'm really surprised that they think that they can fool the people of this province by saying or making the presentation that this bill is human rights and rights for people. Nobody has ever argued that we don't have human rights in this province. Everybody in this province has the same human rights, but sex orientation in this bill says that a man who sleeps with a man is no different from a man who sleeps with a woman, and it says it's no different than if a woman sleeps with a woman.

He talks about the Good Samaritan who picked up the beggar on the highway. He could have loved him,

he could have liked him, he could have thought he needed help, but he gave him help, but was he talking about sex behaviour? No, he wasn't. When you love thy neighbour, you can love thy neighbour with all his good or bad habits. Are we talking about sex behaviour? You are legislating sex behaviour in this bill.

You gentlemen on the other side believe that you are God. You think that you can, by legislation, make one sex act the same as another and you people aren't gods, and you'll find that out. Madam Speaker, that's the fundamental of this bill. You have put sex orientation in it.

The Member for Rupertsland talks about discrimination among his brothers. Yes, discrimination, we disagree with. It never has been said that we didn't on this side, never have we said that, never. But I will tell you that, within your community, you are a nation that is called a minority. Now you have, as I said before, you've got a minority within a minority. A homosexual Indian, what is he? He's a double minority, is that it? You know, you laugh at it, but you're not talking race, creed or colour in this bill, any one of you. You believe that you can legislate sex behaviours and you can say which sex behaviours are right in this province. Well let me tell you that this legislation, put through by this weak-kneed Premier and this government, is changing the whole social structure of this province that it was built on and will change the morals, the principle of morals that this province was built on.

This government will have to stand and face somebody some day and be very ashamed of what they've done. They'll have to tell their children they believe that, in sex orientation, the sex act between woman and man is the same as two men, explain it. I've said that before.

Well, I heard the gentleman say over and over, he doesn't like to hear the facts, that's why. We heard a presentation, one of the presentations that were made for this legislation. The gentleman read a letter from another gentleman, not using the name. He said in this letter that, wouldn't it be nice if this person didn't have to hide, couldn't he come out of the closet, was what he said. He said he travels to another city and gets in his jeans and meets a friend. That's the only way he can enjoy his feelings. He said he wouldn't dare do it at home because he would be condemned. Shouldn't he? Can a person of that, a man thinking that way, leave town and go and visit another man? Do you think - when it's absolutely wrong, when most of you would think that a married man who left town, walked into another city and visited a house of ill repute or picked up another woman, you'd condemn him. But you seem to think that a man coming out of the closet, going to another town, doing those things is proper. That's what you actually believe. That was said in that committee.

Madam Speaker, they're not saying it. They believe sincerely, and I think they've had the wool pulled over their eyes by several members over there who have reason to present this bill for their reasons - and I will maybe explain that later on tonight when we get further along in the bill - but don't get any idea that this amendment does anything more than they say, that you all agree with sex orientation in this bill and you're legislating sex habits.

MADAM SPEAKER: The Honourable Minister of Finance.

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

There are times being in politics, many times, when members have to make very difficult decisions, and they have to make decisions which are not necessarily popular with a majority of people or even significant minorities of people. Sometimes you have to look at issues, not only from your own personal beliefs or how you may perceive certain things, but you have to look at it in terms of the broader good for the public.

I think what we're seeing tonight, Madam Speaker, is an interesting situation. We're seeing, on one side, where there's supposedly a free vote, where people can vote by way of their conscience about how they personally feel, and yet they're not doing that, Madam Speaker.

On this side, the members are suggesting that all members are bound and being forced to vote which is not true. As you are well aware, Madam Speaker, the members do have the right to vote if they feel otherwise, notwithstanding the fact that it is a caucus decision. Yet it's members on this side who have taken the time to think through this bill, to think through the various aspects of it and to come to the kind of conclusions that have been reached and been expressed by members on this side, who may hold very strong personal beliefs about some sections of this bill but they're able to rise above the particular situation and make decisions for the broader good.

It's interesting that the first members who got up when members on this side spoke in favour of this amendment, they're saying this is not going to go down well in Lac du Bonnet; this is not going to go down well in Swan River. We heard the Member for St. Norbert say we are going to get them in the next election, we're going to go to those ridings. What's obvious, Madam Speaker, that they're doing that for crass political purposes. They know that maybe the wind, the majority wind in this province may be blowing in a certain direction at this point in time, and they want to exploit that, not dealing with the particular issues and concerns of this bill - and we've heard that - not dealing with the facts of this bill and the facts of the situation but rather how they perceive the political climate and how they can exploit that. That is not leadership, that is not the reason we are put here, Madam Speaker, as legislators. That's not why we're here Madam Speaker, to make laws that protect Manitobans, and we've seen members opposite trying to find ways around this bill to suggest that they're not in favour of discrimination.

We had the Leader of the Opposition just speak, moments ago, saying that this bill legislates some form of equality between certain sexual acts. We had that reinforced by the Member for Sturgeon Creek that nowhere in this bill does it say that. In fact, the opposite has been ruled by the courts, that people in that circumstance do not have any protection against discrimination in a very narrow sense as defined by this bill. That is what reality is, and all this bill does, Madam Speaker, is to ensure that those people are not discriminated against.

By the members' actions opposite, they are arguing the opposite, Madam Speaker. I've been very distressed listening to debate in this House, and I think the debate, particularly from members opposite, proves that this law is needed.

MADAM SPEAKER: The Honourable Member for Fort Garry.

MR. C. BIRT: Thank you, Madam Speaker.

I sat and listened to most of the speeches on this bill before it went to committee. I sat through the 27 hours except for a few odd moments when people were making their presentations before the committee, and not once did I hear the word "hate" used. Throughout this process, I have attempted to listen, to struggle, to come to grips with the issues that were either in the legislation or the human emotion that was coming before our committee. Towards the end, it was almost as if there were two solitudes talking, but there was no cross-reference.

When it was over, I made a series of amendments to the act. Two were accepted and they are going to be dealt with later on. I have attempted to make this a better bill as I see it. I have attempted through all of this process to try and understand the concerns of the community and the rights for legislation. I have not condemned anyone's position on that side of the House or on this side of the House. I have not condemned anyone who appeared before our committee, yet I take great exception to the Premier lumping me with hatred. I do not promote nor do I support hatred. Because I have a point of view that is different than the Premier's, I'm advocating hate. Well, it's strange.

We're introducing a bill and, because I don't agree with the Premier, we're ensconcing principles to try and make a better society but, on the very first test of this bill on Third Reading, because I disagree with the Premier, I'm spreading hate. Well, I take great offence to it. I was elected to do a job and, if I can't express my opinion without being accused of spreading hate, then I think you, Sir, should go back and discover what you should be doing, because I don't agree that I'm spreading hate.

I have stayed away from some of the comments that have been made by people. I don't want to get involved in the derogatory comments that have been said inside and outside of the House. I think people have come and tried to honestly express their concerns. They've tried to persuade you to change your opinion. If I'm spreading hate, they're spreading hate and, Sir, I think you did yourself a disservice, your party a disservice, in the intent to establish this bill by saying people who disagree with you, because I've got a different personal point of view, I'm spreading hate.

Quite frankly, I am very disappointed in you, Sir.

MADAM SPEAKER: The Honourable Member for Kildonan.

MR. M. DOLIN: Thank you, Madam Speaker.

I just heard the Member for Fort Garry, who I consider a reasonable man, who I think has always attempted to listen. I spent 28 hours sitting across the table from him at those hearings, and I saw him paying attention to both sides. Unfortunately, the Member for Fort Garry seems to imply or impute or infer from the First Minister's statements that those remarks were directed towards him. I do not think they were. I do not think they were intended for him or the people who reason on the other side of the House.

I would, however, suggest that I am somewhat envious of the cacklers that I am hearing now and in the backbenches from the other side. I am somewhat

envious because they seem to have a monopoly on the absolute truth which is something I do not have. It's something I do not see any of us, as parliamentarians - because we are not theologians, we are parliamentarians. We do not have the monopoly and the absolute truth. What we must judge is those who come before us, the 160 people who the Member for Fort Garry and I and the others who sat in that committee and heard them defend their true beliefs. Some of them said what they considered the absolute truth to us and we, as members of this Legislature, must judge what is the balance between truths, different truths, and we must make a decision. The decision we must make is not based on absolutes. It's based on a balance between majority rule and minority right.

What we are judging here and what we are legislating here is the rights of black people to enter a nightclub in Winnipeg, the rights of Indians to rent a motel room in Brandon, the right of women to work in a job place without being sexually harassed, and the rights of homosexuals to rent an apartment. That's what this bill is doing, that is our intent. It is nothing more, it is nothing less. We are not talking about hate; we are not talking love. We are talking about fair and balanced legislation to defend the rights of all Manitobans. The prayer that Madam Speaker reads at the beginning of each Session talks about all Manitobans. That means black, white, male, female, heterosexual, homosexual, Catholic, Protestant, Jewish, all Manitobans.

What this legislation is doing in our feeble attempt as legislators who are not theologians and do not have this monopoly on absolute truth, what we are doing, Madam Speaker, here is attempting, in our simple human way, to create that balance. What I hear from the other side is a pointing of fingers, a yelling. I heard one member shout to a member on this side, your church will get you. Well, God in heaven, I hope I never see a church that will get anybody. Churches are supposed to be built on foundations of love and equality and fairness.

What I say, Madam Speaker, what we're attempting to do and, if I heard less talk of absolutes from the other side but more recognition of their roles and responsibility as legislators, I think we would see more reason, as I have heard to some extent from the Member for Fort Garry, from all members from the other side in trying to create a fair and equal society, where all people in this province have an equal and fair opportunity to housing, to jobs, and to the basic public services. Madam Speaker, I hope the tone lessens on the other side, and the thought level goes up.

MADAM SPEAKER: The Honourable Member for Swan River.

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

I am pleased to second this amendment to the bill, a bill which has been controversial and a bill which I have found it difficult to participate in, in some respects. It has been difficult for me, I want to make clear at the outset, not as a political issue. I think it is important to address from that point of view. As the Member from Kildonan said, we should have purposes in our role as legislators to look beyond what will be best for us in the next election. If we were to perceive our roles

only in that regard, I think then we really do not deserve to serve in that role.

Madam Speaker, in speaking to this bill, I want to mention briefly that, as a newcomer to politics and to this process in this Chamber, one of the goals that I had set for myself was to see whether, in fact, I could make a contribution to the quality of life. I think this bill does address the issues of quality of life. It does address the questions of discrimination of various sorts. Many of us have experienced discrimination. I have experienced discrimination, and we can look at society as we have lived it and see it unfolding. The forms of discrimination that were fairly prevalent at one time, thankfully, are less prevalent today. They are disappearing.

I make reference to discrimination on the basis of ethnic background. I make reference to discrimination on the basis of gender. I make reference to discrimination on the basis of religious affiliation. There has been progress in those respects. We see much less of that.

This bill does nothing more than to deal with those issues and to ask, to incorporate one other area which makes most of us somewhat uncomfortable, and that is on sexual orientation. It is a difficult issue, not only for us in this Chamber but it is a difficult issue for the churches. We've seen in the representation in committee, and I have had discussions with members of different church groups. They have indicated their concerns and we see between the different Christian churches - and I am sure others exist - that there are differences of opinion on this matter.

I've had discussion with the leadership of my church. I am a practising Catholic. I am a practising Catholic. I've recognized that, for the Catholic Church, there is a matter of concern, clearly not wanting to discriminate against people on the basis of sexual orientation. That is clear. What has been indicated is that we have to treat those people, because of that orientation, with love and respect and help them deal with the circumstances within which they will find themselves and the pressures to which they will be subjected.

It is somewhat unsettling for me to hear some members from the opposite side suggest that what we are doing by way of this bill is to suggest that homosexuality and heterosexuality are equivalent. We are putting matters on the scale and weighing them, and we say that one is equivalent to the other, one is more deserving than the other. That is not any more true, Madam Speaker, than to suggest, as others have this evening, that to be a Conservative is more deserving than to be a New Democrat or a Liberal, or to be a Catholic, as I am, is more deserving than being a member of the United Church or in fact a group that is not a Christian group.

It is not for us to weigh these and say that one is deserving of respect and the other is not deserving of respect. Each of them have their value and we should be treating them with respect. I reject categorically the suggestion that has been made from the other side that, by way of this bill, we will be attaching values to certain kinds of orientations and certain kinds of relationships.

Further, I would like to add, Madam Speaker, that I think it's regrettable that, for some of the members opposite, when they look at relationships between

people, they would narrow their focus to sexual gratification. In relationships between people, there is much, much more than the act of sexual gratification, regardless of how it is experienced by different groups. I am heterosexual in my orientation. I love my wife, I love my father, I love my mother, I love my brothers, one of whom is in this Chamber, I love my children, some who are female and one who is a male. I love them all.

I think it is regrettable that, when we look at relationships between people where we speak of loving and caring relationships, we could only focus or perhaps focus so narrowly only on sexual gratification. If we look at our relationships with people, the majority, the far bigger portion of the time is spent in relationships other than a relationship of sexual gratification.

I want to point out, as well, and without wanting to be too specific to the Member for Sturgeon Creek that when he suggests that, by supporting this bill, I will have to account to my family some day, my family is fully aware of what I am doing. Let me suggest to you that we, as members of society, will be faced by pressures of various sorts, and they are not going to be pressures that are addressed only by this bill. There will be various pressures, which we will have to contend with, and various pressures which my children will have to contend with.

But, Madam Speaker, I would like to suggest - and I hope that time will prove that I am right - that my children and the children of others will be much better able to deal with those pressures that they will face if we have in society an atmosphere of love and charity and understanding.

But if what we choose is to have a society of intolerance, I would rather be criticized for having been part of a group that tried to bring forward these measures in that spirit of love and understanding, rather than having ignored those and fostered an atmosphere of intolerance recognizing that, as we move forward with these considerations, there will be pressure for us as individuals and there will be pressures for institutions, the church not to be excluded from that.

In conclusion, Madam Speaker, what I would like to say in response to those members from the opposite side who suggested that somehow my participation in seconding this amendment was motivated by my desire to secure a political future in the constituency of Swan River, let them rest assured that I have issues, other than to be elected to this House, which will motivate me. My position on this bill and on other matters will be judged by the people of Swan River. But I too have to address the larger community and my conscience, and I will not do it simply on the basis of what is politically expedient.

SOME HONOURABLE MEMBERS: Oh, oh!

MADAM SPEAKER: The Honourable Minister of the Environment.

HON. G. LECUYER: Madam Speaker, let me begin by saying that I could not express my true sentiments any better than the Member for Swan River has just put them on the record. I fully and truly share all of those sentiments.

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Some members have stated in this House on the opposite side that this bill gives special rights or additional rights. Other members have stated, you can not legislate rights. I don't know which of the two it is. I even heard one member say, governments only take away rights.

Madam Speaker, in the very early stages of the development of this bill, I had grave concerns. I read it very carefully, I read it with others. I discussed it with others whose fate I share. I discussed it with friends. I came to fully understand and believe that there was also a role that government could and should play, and that is to protect rights.

Madam Speaker, just like you cannot legislate rights, you cannot legislate behaviour, even if that's what the Member for Sturgeon Creek says we are doing. Madam Speaker, there is no bill on this earth that can do that, just like you cannot legislate beliefs.

I say, Madam Speaker, that we should not be so quick to judge. I don't think there's anybody here who is perfect. I certainly don't believe I am perfect. I believe that I probably have done, many times, things that I should not have done, and I suppose others have as well. If for those, Madam Speaker, I should have been discriminated against, judged, deprived of services, deprived of services, deprived of lodging or home, if someone is of a different colour, of a different belief, a different religion, could be discriminated against for those reasons, just imagine how far back this would put our civilization.

Madam Speaker, we should be able to progress. We should be able to say there is no one who needs protection against discrimination because that is something that doesn't exist in our society. We're not talking about protecting some illegal practice; we're not talking about granting special rights to a behaviour which we do not share. Madam Speaker, there have even been amendments brought to this legislation to make sure that it could not be interpreted that way.

The Bible has been quoted many times on this particular bill but I don't know, not having been here all the time when it was debated or not having sat on the committee, that perhaps the story in the Bible of the publican and the pharisee was quoted in that context. And, Madam Speaker, we should not judge ourselves to be so white, so pure, so perfect, and the others all to be so imperfect.

Madam Speaker, we should not judge ourselves to be so superior, and that's what the pharisee was being accused of. I wish there was no need to protect people against discrimination because I wish there were no discrimination. The fact and the reality is, Madam Speaker, there are people who are black, who have different political beliefs, who do not consider themselves heterosexuals who, having said that perhaps, Madam Speaker, do not seek inordinate sexual gratification, but still they need to be protected.

I think they deserve to be protected. I think they deserve to be recognized as all other Manitobans, as truly a part of the society that we are in. It's been said, there is a saying that says that, above all, be true to thyself. Madam Speaker, that says, be true to your conscience. I will support this amendment in order to be true to myself.

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

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

I rise in support of this legislation. I would like to associate myself with the speeches of the Member for St. Boniface, both the one made several weeks ago and the one made tonight. I'd like to thank the Member for St. Vital for the effort and work today in terms of reaching a solution in terms of the amendment we're discussing here.

I don't pretend that I fully understand homosexuality, but that doesn't mean that I have the right to discriminate against homosexuals. Every homosexual, it's trite to say, is someone's child, someone's friend. I must admit I hope that my children will grow up heterosexual, but we all know people who haven't. We all know people who haven't. Whether it is something social or genetic or whatever that makes them different in terms of sexual orientation, I don't know. But what I do know is that I do not have the right, nor does the Member for Sturgeon Creek or any other Manitoban, to say to someone with a different sexual orientation, because of that, you don't have the right to housing; because of that, you don't have the right to a job; because of that, you don't have the right to services. That is something that I don't accept, and I think there's a bit of a belief out there on that side that there is no discrimination. They'd like to think there is no discrimination in society today against homosexuals.

I would remind members opposite who are opposing this bill now, the Member for Niakwa, think of what the chairman of the Human Rights Commission of Canada, Gordon Fairweather, a long-time Progressive Conservative Member of Parliament was saying just the other day, there is discrimination, and it is not fair and it is not right.

We've heard a lot of comments from the other side about churches and how they're going to do people in on this side, incredible things about the church. I want people opposite to know - and I certainly agree with the Member for Kildonan that that is an interesting perspective on churches if they're out there to zap people. But I suppose there are those who believe that the Christian church or other churches do have some kind of a purpose other than the spreading of love and decency, humanity. That is, I suppose, why we had the Crusades, why we had in the German language, "Gott mit uns," in war and, in the English language, "God on our side," and that sort of thing, and God supposedly fighting on both sides in battles where thousands and thousands and thousands of people over the last 2,000 years have died on behalf of Christianity.

I want to say to the members opposite that churches in my area were the very first to contact me to tell me that they were in support. The United Church contacted me and said they were in support. I have talked with Mennonite pastors; I have not talked with one who was in opposition. I did talk with one Conservative Mennonite pastor who told me that a government that was prepared to deal with homosexual rights couldn't be all bad. A government that was prepared to deal with an issue as important as this must have some conscience.

I say to the Member for Sturgeon Creek, Madam Speaker, that I believe the view of religion in my part of the city must be quite different from his because, in my part - and he referred to these people on this side condemning people who were adulterers. I remind

him of the founder of the Christian religion, Jesus, who said . . .

POINT OF ORDER

MR. F. JOHNSTON: A point of order, Madam Speaker.

MADAM SPEAKER: The Member for Sturgeon Creek on a point of order.

MR. F. JOHNSTON: I would hope that the honourable member would not like to leave something on the record that I did not refer to. He said I referred to it; I don't recall referring to religion. I do not recall referring to adulterers, and I would make that very clear.

MADAM SPEAKER: As the honourable member knows, a dispute over the facts is not a point of order.

HON. V. SCHROEDER: Madam Speaker, either the memory of the Member for Sturgeon Creek is just as far off as his white sheet is right now, or else he doesn't refer to adultery as being a married man visiting a cathouse, I think he referred to it.

MR. F. JOHNSTON: A point of order, Madam Speaker.

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

Would the Honourable Member for Niakwa please come to order.

The Honourable Member for Sturgeon Creek has the floor on a point of order.

SOME HONOURABLE MEMBERS: Oh, oh!

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

If honourable members want to have a private discussion, they can do so elsewhere and we will continue the business of the House in an orderly fashion.

The Honourable Member for Sturgeon Creek has the floor on a point of order. The Honourable Member for Sturgeon Creek, please state your point of order.

MR. F. JOHNSTON: Madam Speaker, I regard the member's statement of a white sheet as reference to a relationship or believing in the Klu Klux Klan.

Madam Speaker, I regard that as an insult to my integrity; I regard that as an insinuation . . . (Interjection)-

MADAM SPEAKER: Order please.

The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: . . . as an insinuation and I want that withdrawn, Madam Speaker, or explained further please.

I wonder if the honourable member has the guts, rather than laugh about it, to explain further.

MADAM SPEAKER: Order please, order please.

MR. F. JOHNSTON: I wonder if that smart aleck would explain further.

MADAM SPEAKER: Would the Honourable Member for Sturgeon Creek please come to order now?

The Honourable Member for Sturgeon Creek has the right to rise on a point of order if he feels that an honourable member has cast aspersions upon him. It does not, in return, give him rights to use unparliamentary language like "hasn't the guts."

Now, let's deal with one at a time.

The Honourable Minister of Industry, Trade and Technology would please clarify that he was not casting aspersions on the Honourable Member for Sturgeon Creek.

The Honourable Minister.

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

I am not sure that I could say that, but I am prepared to withdraw the comment. But I would ask the member to read over the transcript of his speech, and he will find out that I was not inaccurate in terms of what he said.

MADAM SPEAKER: Order please. One at a time. Order please.

The honourable member has withdrawn the reference to the white sheet.

Now, the Honourable Member for Sturgeon Creek - order please.

Order please in the gallery.

The Honourable Member for Sturgeon Creek will withdraw the unparliamentary language accusing another member . . .

MR. F. JOHNSTON: I withdraw the word "guts" because he did withdraw the "white sheet."

MADAM SPEAKER: Right, thank you very much.

Now, the Honourable Minister of Industry, Trade and Technology to continue his remarks on the amendment . . .

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

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

We do not need threats in this House either from one member to the other. If honourable members do not want to participate orderly in the debate, they can discuss their . . .

SOME HONOURABLE MEMBERS: Oh, oh!

HON. L. DESJARDINS: But he can say anything, he can say anything about us.

MADAM SPEAKER: Order please.

The Honourable Minister of Health can come to order, too.

Order please.

Now, I know it is getting late and I know we have had a long week. Now, would members please contain themselves and discuss the issue in an orderly fashion and, if they want to discuss it in any other manner, they can do so elsewhere.

The Honourable Minister has the floor to continue.

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

I just want to, after that interruption, point out to members and the gallery and the people of Manitoba that the Premier was referring to hate.

I would just ask people to recall the looks and the anger on the faces of people opposite and the statements made in the House. They have been referring to us as people with no morals. We're supposed to sit here. We're human, but they expect us to take all of those remarks of theirs quietly without ever reacting angrily. I admit that sometimes I react angrily and I should not do that.

I want to get back to that story, because it seems to me that it is relevant. The Member for Sturgeon Creek referred to a married man going to a house of ill repute or something like that in a neighbouring town, and he said that people on our side would condemn that person, people on this side would condemn that person. Maybe that's a wrong act. It's something that shouldn't happen, but the founder of the religion which they purport to be upholding in opposing the basic dignity of homosexuals when confronted with a situation precisely like that, except that in those days people were stoning adulterers, said, "Let him who is without sin throw the first stone." That person escaped without having one stone thrown. I would ask people on that side and on this side to be a little more tolerant and a little more understanding and support this legislation which does not promote any lifestyle, does not promote any sexual orientation.

It says very specifically, Madam Speaker, "Nothing in this code shall be interpreted as condoning or condemning any beliefs, values or lifestyles based upon any characteristics referred to in subsection (2)." Those values, beliefs, lifestyles, characteristics in subsection (2) include political beliefs. They include all kinds of other characteristics and values and lifestyles and so on. This does not mean what they would like to believe so that they could use it for their small, petty political purposes of some people who come out here tonight and name individual members and suggest that, if we vote according to our conscience, somehow the churches, as I believe the Member for Portage said, would get us. I would ask them for a little more tolerance.

MADAM SPEAKER: The Honourable Minister of Culture, Heritage and Recreation.

HON. J. WASYLICIA-LEIS: Thank you, Madam Speaker.

Madam Speaker, I'm honoured to have the privilege to rise in this Chamber in support of this amendment and the bill as a whole. Like many of my other colleagues, I am distressed and saddened to see some of the hate and venom and personal attacks that are coming from members opposite.

Madam Speaker, the Member for Fort Garry has suggested that there is no hate in this Chamber. The Member for Morris is now questioning whether there are personal attacks going on in this Chamber. Madam Speaker, I for one have been a victim of such a personal attack in this Chamber and in the committees of this Chamber.

Madam Speaker, it was in one of the last committee meetings in fact that a couple of members opposite -

I think the Member for Brandon West and another member - questioned my integrity and suggested that, wasn't I worried because I had a son and what was I going to do about the welfare of that child.

Well, I want to say to members opposite, Madam Speaker, that the greatest responsibility that I have as a parent in bringing up that small child into this world to become a full participating member and contributing member of our society is to be able to teach him the concepts of justice and tolerance and lack of hatred for any individual because of personal characteristics or cultural or racial characteristics.

The greatest responsibility I have, Madam Speaker, as a parent, is to pass on the upbringing that I experienced from my parents as I grew up, an upbringing that focused on a principle of not judging anyone, not hating anyone, and not mistreating anyone on the basis of personal characteristics or physical attributes or cultural traits.

Madam Speaker, the greatest responsibility or the greatest challenge that I will ever face as a parent is if my son ever comes to me as he grows up and says to me, I am a homosexual.

SOME HONOURABLE MEMBERS: Oh, oh!

MADAM SPEAKER: Order please.

I am having difficulty hearing the Honourable Minister. The Honourable Member for Sturgeon Creek and the Honourable Minister of Health have both had their opportunity to speak on this bill. The Honourable Minister now has the floor.

HON. J. WASYLICIA-LEIS: Thank you, Madam Speaker. I appreciate your intervention in this matter, and I shouldn't have to speak up if the Member for Brandon West would just keep his remarks to himself.

I was saying, Madam Speaker, that the greatest challenge and the greatest responsibility I will ever have to face as a parent is if my son, as he's growing up, comes to me and says, I am a homosexual. Then it will be my responsibility in the true spirit of this legislation to be able to say, I love you as my son, I love you as a human being. I think that, Madam Speaker, is the greatest challenge for all of us, and the greatest reason for the necessity of this legislation.

Members opposite have continually - Madam Speaker, the Member for River East has suggested that a statement about loving one's son is a stupid statement. Madam Speaker, I don't find it stupid whatsoever. I think I'm enunciating a principle that is at the very heart of this legislation, and one that has motivated all of us on this side of the House.

Madam Speaker, on a number of occasions, members opposite have justified their position by saying that the people of Manitoba are behind their position. Well, Madam Speaker, I don't know exactly what the public opinion polls show. Our position has not been determined on the basis of public opinion polls. It's been determined on the basis of a principle of justice and fairness for all people in our society. It was really the same kind of situation that faced women back in 1929 when they first became persons, when it was really a small group of women and a few political leaders who fought hard to dispel the notion that women were

lunatics and were, in fact, persons in the full sense of the word.

Madam Speaker, I think the fundamental task facing all of us as legislators, no matter what political philosophy and no matter what political party we come from, is to ensure that basic rights for all human beings are extended. That means the right to subsistence, something that members opposite seem to be prepared to deny in the case of homosexuals, and the right to live. Madam Speaker, the right to decent housing, to good health, to secure jobs, are very much a philosophy and point of view of members on this side of the House, and one that we are all proud of.

This legislation seeks to ensure that the right to provide and the right to live by all members of our society must be maintained and adhered to at all costs, and for whatever reasons and under all circumstances.

Madam Speaker, I hope that this day will be a proud and historic day in our history.

MADAM SPEAKER: The Honourable Member for Charleswood.

MR. J. ERNST: I wonder, for a moment, if we've forgotten what we're debating. We're debating, Madam Speaker, the human rights act.

Presumably, those human rights confer upon all Manitobans, including those in this Chamber. Madam Speaker, if the members opposite wish to condone homosexuality, if they wish to introduce legislation that condones homosexuality, if they wish to introduce legislation that equates homosexuality and heterosexuality, that is their right. Madam Speaker, that is their right to do that, if that is their belief.

But, Madam Speaker, the members on this side have a right as well. We have a right to what we believe in. We have a right to say and put on the record and debate, Madam Speaker, the kinds of beliefs that we have. We happen to think it's wrong. We happen to think homosexuality is wrong. We happen to think what the government is doing is wrong, and we have a right to say that. Madam Speaker, we have a right to say that without being accused by the Minister of Finance of some form of political opportunism.

Madam Speaker, we have a right to say that without having the Premier calling us hatemongers. We have the right, Madam Speaker, to debate this issue, to put the thoughts on the record of what we believe in without the Minister of Culture indicating that we hate and that we have a lot of venom towards this issue. We have those rights.

We have the rights to say what we believe. We have the rights to say what we think is right for the Province of Manitoba, but ultimately we're not going to be the judges. None of us in this Chamber will be the judges. The people out there in Manitoba will be the judges. They will determine who has done right and who has done wrong. They will determine if it's good legislation or bad legislation. They will determine whether they condone homosexuality or do not.

MADAM SPEAKER: The Honourable Minister of Education.

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

I intend to speak only for a few moments, but I did want to add my comments to the record. I don't think my comments could be any more eloquent than those already spoken by the Member for Swan River and the Member for St. Boniface.

But I did want to indicate that I find something sadly lacking in the comments that come across from members opposite. I've seen that particular bent, that lack of understanding of the principle of The Human Rights Code in other forms from members opposite. I think perhaps it was reflected in the thinking that was enunciated by the Member for Sturgeon Creek when we were discussing another topic on another occasion, Madam Speaker, and that was the question of the nuclear weapons-free zone.

The members opposite seem to have a difficult time distinguishing between principles. Madam Speaker, the principle that is being enshrined in this legislation is the principle that discrimination based on race, creed, political belief, sexual orientation and a whole series on other grounds is to be prohibited. That is all - nothing more, nothing less.

Madam Speaker, I think it would be instructive if members opposite considered why human rights legislation is necessary and how it evolved over a whole series of governments and years. Madam Speaker, this government was not the first to introduce human rights legislation. It was the first in 1969 or 1970 in Manitoba, but certainly not the first, because governments over the years have understood the necessity to protect the rights of individuals, to protect against the tyranny of the majority. Successive governments have done that.

What concerns me is the kind of comments you hear from the Member for Brandon West about, what do your constituents think; not what is right in this instance when we're talking about human rights, but what do your constituents think.

Madam Speaker, I remind the honourable member what the Romans thought as the Christians were devoured by the lions. I ask you: What did the plantation owners and the representatives of the plantation owners in Georgia and Alabama, what did they think when they were talking about emancipation of the slaves? Madam Speaker, what did the representatives in the Third Reich think while Jews were being tortured and murdered? What did they think? Were they representing their constituents?

Madam Speaker, what did representatives from any number of states in the southern United States think when the civil rights leaders were marching for their human rights? Did they say, no, we have to protect the rights of our constituents? Who was standing up and saying what is right and what is wrong?

How do we balance, as the Member for Kildonan suggested, the rights of the majority with the rights of the minority? How do we make sure that there is some fairness in the way we behave as a society? How do we make sure that people aren't discriminated against? How do we make sure that every individual, regardless of whether we approve of their lifestyle or their beliefs, is entitled to the same services, the same protection from the public, as any other individual?

Madam Speaker, when the Leader of the Opposition was mumbling, saying that this was trying to suggest that all people should be equal, I remind him that there are other people. "And it is written that all men were

created equal," and that's the principle. If legislation is required to ensure that all people are treated with respect, then that should be done. And it has been done by other governments in other times, on other occasions.

Madam Speaker, we have seen a progression, a growing list if you will, of characteristics that are included in human rights legislation. Perhaps one of the first was the understanding that you shouldn't discriminate on the basis of race. Then there was the understanding that you shouldn't discriminate on the basis of gender. In Canada, when did we learn, when did we finally decide that women were equal and that they should vote?

So, Madam Speaker, we have seen the progression. Individual characteristics, individual categorizations have been added to human rights legislation as people understood that people out there were being discriminated against on that basis.

I don't hear anyone denying. I certainly hope that people who sat on the committee and listened to the heartfelt presentations from gay and lesbian young people and people in our community who described the kind of discrimination they'd experienced, I hope no one is saying that discrimination doesn't exist.

This bill says it isn't right, not that we're condoning or not condoning, but that discrimination is not right. That's the principle. No one on that side has addressed that. You're addressing your own particular view, but not the question of principle. Is there no one over there who is prepared to address the question of principle?

I think that all of my colleagues have addressed it. Do you know what I think, Madam Speaker? I believe that the Member for Fort Garry, who didn't want to be lumped together with other members of the Opposition, perhaps understands that there is a principle here. Let's see if he stands up and votes for it.

SOME HONOURABLE MEMBERS: Oh, oh!

MADAM SPEAKER: The Honourable Minister for Community Services.

HON. M. SMITH: Madam Speaker, I have been sitting here listening as I did for all but the first night of hearings on the bill and, again, casting about for just why I felt so strongly about this human rights bill, indeed about the whole development of the human rights thrust in Canada and in other countries.

I was thinking about one side saying, well, there are rights government can't give them, and then our side saying, well, there have been patterns of discrimination, there have been evils, and our view of government is that government should lead and that government should not always do what the majority want. They should pay attention to how people think and feel, but they should also, at the right time, have the courage to stand up for minority rights as well as majority rights.

I was sitting through the hearings and was deeply moved by the passion, the sincerity, the variety of presentations to those hearings. But I was also struck with the fact that the basic thought patterns or beliefs were really splitting in two. There was one group who believed very fervently that homosexuality was inherited, that there was little choice in it and that it was incumbent

on society to acknowledge that and accept the lifestyle that flowed from it. Then I heard the other points of view, the people who said, it's wrong, it's a sickness, it's a deviation and, with help from the rest of the community, they can change. They can leave that aberration behind.

Madam Speaker, as I was wrestling with those two points of view, I said to myself, well, what do I believe? What do I really believe about it? The truth is, I don't know for sure. I sympathize very much with the Member for Seven Oaks who said, we don't know for sure; we can't know for sure.

(Mr. Acting Speaker, M. Dolin, in the Chair.)

We could quote biblical scripture, but a great many quotations can come from the Bible. Many women of course have grown up with the traditional view of us as lesser beings. It's a perspective that I think we've had to struggle with, to develop some insight into, but we've triumphed over that view. We believe we are equal and we also appreciate the role that government has played through such devices, certainly not only human rights codes, but they're a very important tool to advance our sense of ourselves being equal and to help us in the day-to-day struggles as we try to overcome.

Again, looking at the two beliefs, I honestly believe that we don't know and probably never will the final answer as to whether homosexuality is inherited and therefore not a matter of choice, or whether it's a result of family experience and cultural conditioning, because in human experience those things are so intertwined. Because we can never run a human being through one pattern and then take them back to Square One and run them through another, we simply, as human beings, don't know.

But what we do know is the reality of people who tell us of their experience. Some say they've been homosexual and changed and they're glad they've changed. Some say they've been homosexual and tried to change but couldn't. Others have said they are homosexual and have come to believe it's good, and that they're not evil because they have those feelings.

In my looking at morality and certainly as it's applied to sexual behaviour, since that seems to be the element of the new code although there are many other important elements, but that's the element we seem to be focusing on, I must find that what I find evil, if we have to talk about good and evil and get theological, is abuse and violence. What I find good is caring and tenderness and communication.

I don't care whether it's between man and man, man and woman or woman and woman. That's the way I break it down, but I also say that given, people who believe and think differently, I respect their right to believe differently. I might argue with them. I might try to be persuasive with my point of view. I hope I would listen to their point of view and see if they had something to contribute that I didn't know about, and that is what we're talking about, difference and our attitude to people who have deeply felt different beliefs and values and human experience.

That, Mr. Acting Speaker, is why I feel very saddened when I hear the debate in this House, not a deep searching for what is the best way to build a tolerant

and a fair and a hopeful society, but I hear accusations that, because we have a different set of perspectives and views of things on this side, we have no morals. Mr. Acting Speaker, I feel deeply saddened at that type of debate that's gone on in this House.

My hope is -(Interjection)- I do hear from the other side the Member for Portage tossing out the question, "Have you any morals," and somehow I'm trying to run a quick fix. Now what do morals mean to him? Is it the mechanics of sexual behaviour, or is it the whole broad set of values and choices that I make and that he makes in his daily life: what's important to us; how we treat one another; how we feel about sharing the wealth of our country; what kind of decision-making power do we want people to have; how do we relate to our families, to our friends, to our community groups; how do we treat one another here in this House? Those are moral issues, because the values behind those kinds of issues, do we show respect, openness and understanding.

(Madam Speaker in the Chair.)

Madam Speaker, that's my definition of morality. I'm quite happy to acknowledge that other people differ, but what I ask for is equal respect for my views and for the views of all those people who came and presented us their perspective. This law, this Human Rights Code stands up for the right of people to find their own way through life, their own way to deal with their sexuality and their behaviour and it says that we, as a government, are not in a position to judge whether it's good, bad, worse or better. We're here to see that their basic rights are protected and then find other ways to work with one another, church, community, family, to work through our values.

So, Madam Speaker, I feel saddened that this code is being debated in a very narrow and shallow sense, and call on all members to try to see the underlying spirit and meaning of this particular code, not so much to those of us for whom it hasn't been a personal dilemma, but try to imagine and empathize with our brothers, sisters, children and so on for whom it has been a very major issue.

MADAM SPEAKER: The Honourable Member for Niakwa.

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

Madam Speaker, I rise this evening, not on a political basis at all, but to speak from the heart and to express my feelings towards my fellow men. I have been accused of being discriminatory; I have been accused of being insensitive to Natives; I have been accused of many things that I really don't want to get into this evening, Madam Speaker. But I listened to the Honourable Member for Swan River who stated to the House that he had a special feeling towards his fellow man. No more than I, Madam Speaker. I love my fellow man, I love my family. I love men, women, members of the Opposition, members of the government, homosexuals, lesbians. I have no bad feelings towards any of them.

I speak from what I feel is a sense of morality when I get up this evening, Madam Speaker. I'm not going to try and change anybody's attitude as to their feeling, and I hope that they're not going to change my attitude

towards the feeling that I have, my love for my fellow man. I cannot in all sincerity accept that one group should be treated any differently from another group, more or less, and I cannot in all sincerity, Madam Speaker, support this bill.

I am not really going to prolong the discussion on it. I felt very badly that this bill has brought about the accusations that have flowed back and forth. I felt very strongly about the remark made by the Member for Rossmere, which was withdrawn, and I'm not going to repeat it because it really isn't worth repeating. I'm not disappointed in the manner in which some of the members have expressed their views. It's their views, Madam Speaker, and they're entitled to their views as I am entitled to my views.

I hear all kinds of discussion about discrimination. People who discuss discrimination in this House don't know what discrimination is about. I've been there, Madam Speaker, I know what discrimination is about. I'm not asking for any sympathy, but I've been there and I know what the people who are discriminated about, discriminated against are going through.

Madam Speaker, I am not about to give special consideration to any group. I will treat everybody on an equal par and I will be voting against this bill.

Thank you, Madam Speaker.

MADAM SPEAKER: The Honourable Member for Inkster.

MR. D. SCOTT: Thank you, Madam Speaker.

During the debate on Second Reading, during Committee Stage, the many presentations that we heard both for and against this legislation but in particular those people who were speaking against the legislation, spoke against the legislation in many instances because they thought that, by including sexual orientation as a ground upon which discrimination could not be undertaken for the purposes of employment, services or accommodation was somehow or other condoning the practice of homosexuality.

I would have thought and I give thanks to the members on this side who have worked over the last few days to be able to develop this kind of an amendment to the legislation to clarify very clearly that nothing in this bill condones that practice. Nothing in this bill condones any particular religious belief or creed, nor does it condone any kind of political belief or practice. By not condoning, therefore, it cannot promote.

I would have thought in the spirit of the Member for Fort Garry where he spoke yesterday making amendments to improve this bill, I believe that this amendment is one of several that we're going to be dealing with tonight that improves this bill and makes it acceptable to me and to all members on this side. I had hoped that you, ladies and gentlemen of the Opposition, would have been able to see that this particular amendment answers many of the fears that you had in opposing the bill and that I had in questioning the bill earlier, in that the bill somehow or other accepted and condoned the practice.

This amendment very clearly shows that it does not and, because of that -(Interjection)- it says it does not condone. And that, my dear friend, is the difficulty that

the members here have with the members opposite, when they try to take the bill as condoning a practice, when it says that nothing in the code shall be interpreted as condoning - nothing in the code shall be interpreted as condoning.

Now, I am not here to play God, as some of the members opposite seem to have this evening. I'm not God, and I don't pretend to be, and no one in this Chamber certainly should ever begin to pretend to be. But let us stand in judgment of our fellow man on the basis of their contributions as individuals in society and not simply on the basis of a characteristic that is listed as in line 2 here.

I would hope that members opposite, some members opposite at least - and I respect most of the members opposite in their questioning of this bill, because I shared many of the fears that they have on the moral grounds of this in any way of condoning or promoting that practice. This amendment, I believe, states essentially and very clearly that it does not, and thus is acceptable to me.

Thank you, Madam Speaker.

MADAM SPEAKER: The Honourable Minister of Housing.

HON. M. HEMPHILL: Thank you, Madam Speaker. I'm pleased to add a few comments to this very, very important debate tonight.

I think the first thing I wanted to comment on is not so much initially what is being said about this bill in this Chamber tonight but what isn't being said, Madam Speaker.

We have a bill before us that, when it is passed, will be one of the most progressive pieces of human rights legislation in the country. That is something that we should be very proud of. Unfortunately, what we're concentrating on and what the members opposite are concentrating on is a very small, very narrow segment of the bill, and we're ignoring a great deal of the rest of the bill which is very, very important for their constituents and for the people of Manitoba.

I'm going to start out with a premise that the members opposite, as they said, many of them in their speeches, do not believe in discrimination. I'll accept that, and that they do not accept discrimination and that they want to have a province that does not allow discrimination of any Manitoban for any reason. Now I'm going to accept that. I'll accept what they say, but I want to then ask them a question. That is, if that's what they want and that's what they believe, I'd like to know how they think we're going to achieve it? How are we going to get it because we don't have it right now, and everybody in this Chamber knows that we don't have it right now.

We have discrimination every day in Manitoba, in every community, on every street, by people who are Native, who are in the minorities, and we know that. So what do they want to do about it? They're not happy with what we're trying to do about it, but I'd like to know what they would do about it instead. Because, you know what, Madam Speaker? We know that what we have today isn't working. That's why we're bringing in this bill. We would rather not have to do this, not because we don't have the courage or the will to do

it, but we would rather that it were not necessary, but it is because the education that we have tried, the education program - that's one of the things we tried, education. It has not worked. We have a Human Rights Act and a Human Rights Commission, and they are doing their best with the existing act and it is not working because we still have discrimination on a daily basis.

So we have decided that we have to go farther, because we want to take our responsibility, as legislators, and do whatever is necessary to make sure that those people who are being discriminated against today, yesterday, the day before and will continue to be tomorrow, cannot be discriminated on basic rights. They have the right to housing, they have a right to all of the basic things and they don't have it today. So if you want them to have it, how do you think they're going to get it if we don't make some changes in the law? We have to make changes in the law.

When we stand here, I think that we have responsibilities more than just legislators, and I think the Member for Swan River said it when he said that one of the reasons he ran for election and that he was standing in this Chamber was to do what he could to improve the quality of life for people in Manitoba. I think that's something that we all want to do. We want to make - I bet everybody in this Chamber wants to make this a better place to live for their children and their grandchildren, a better community, a better province, a better country and a better world, and that's why we're all here.

The most difficult and important thing that we are dealing with in today's society and the one that is leading us to potential destruction of the globe is lack of tolerance and understanding of people and people judging people that they don't know, that they don't understand and that they don't know anything about, because of their clothes, because of their colour, because of their habits, their behaviour, a million little reasons that make them look and appear different than they are and different than their life experience tells them, and they are making those judgments.

So what I would like to be able to say, as a legislator and a mother and a brand-new grandmother, is that, when we finish the job here, there is going to be a better quality of life, and that we're going to do what we can to make sure that the tolerance and the understanding of all people in Manitoba is at a higher level than it was when we came into this Chamber and into this government.

MADAM SPEAKER: The Honourable Minister of Urban Affairs.

HON. G. DOER: Madam Speaker, I would like to speak briefly to the amendment of the bill and offer the support that I would have personally for the amendment and the bill before the House.

I don't think I could add anything to the words of many members in this House, particularly the Member for Swan River, who I think very eloquently stated the case for the amendment, the case for this bill, notwithstanding the political realities that presents to him and other members who will support this bill, because of the emotional nature that it's somehow and sometimes viewed as.

Madam Speaker, I think the amendment is symbolic and, for that reason, it may be important for those who believe that we need to articulate the fact that this bill does not promote any of the features in terms of discrimination in the bill. I happen to personally believe it's not necessary, only insofar as it's symbolic for those who believe it's necessary.

Madam Speaker, I have found the emotion to be extreme on this bill and I guess it can be predicted. It was the same way in Ontario, I understand, although I know that the - and it was of course in the Yukon - bill, of course, or a similar bill with some similar rights has been in Quebec for a number of years, and the ability to be protected in the area of discrimination on the basis of housing, occupation and public services has been in that province for a number of years and has not caused the moral decay of society within that province. Quite frankly, Madam Speaker, when one looks at the facts of this bill and the facts of the proposal and the necessities of this bill, I do not believe that will happen in Manitoba in any way, shape or form, and that's why I can support it.

Madam Speaker, I used to work in a former career at a place called the Manitoba Youth Centre, and I was younger than many of the people who would come to the Youth Centre as parents dealing with very, very serious and for-the-first-time situations, where they're aware of the fact that their children may or may not be involved in a homosexual life was one of the most painful things that many people, of all walks of life, of all political persuasions, of all ages, I think, had to go through in that child welfare system. It's a very, very difficult issue, Madam Speaker, and I believe it's a very difficult issue for any individual in our society with the violence that takes place and the other stigmas that take place for people who are homosexuals.

Madam Speaker, I believe this bill gives basic protection for those individuals. It doesn't promote the lifestyle because of basic protection in housing, in terms of occupation and public services. Madam Speaker, the pure facts are that this bill can really be supported, I believe, by all members in the House, but I certainly intend on voting for the amendment and for the proposed human rights act.

Thank you very much, Madam Speaker.

QUESTION put, MOTION carried.

MADAM SPEAKER: The Honourable Opposition House Leader.

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

MADAM SPEAKER: Call in the members.

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

YEAS

Ashton, Baker, Bucklaschuk, Carstairs, Cowan, Desjardins, Doer, Dolin, Evans, Harapiak (Swan River), Harapiak (The Pas), Harper, Hemphill, Kostyra, Lecuyer, Mackling, Maloway, Parasiuk, Pawley, Penner, Plohman, Santos, Schroeder, Scott, Smith (Ellice), Smith (Osborne), Storie, Walding, Wasylcyia-Leis.

NAYS

Birt, Blake, Brown, Connery, Cummings, Derkach, Downey, Ducharme, Enns, Ernst, Filmon, Findlay, Hammond, Johnston, Kovnats, Manness, McCrae, Mercier, Mitchelson, Nordman, Oleson, Orchard, Pankratz, Rocan, Roch.

MR. CLERK: Yeas, 29; Nays, 25.

MADAM SPEAKER: The amendment is accordingly carried.

The Honourable Member for Emerson.

MR. A. DRIEDGER: Madam Speaker, I was paired with the Minister of Agriculture. Had I voted, I would have voted against the amendment.

MADAM SPEAKER: The Honourable Member for Fort Garry.

MR. C. BIRT: Madam Speaker, I move, seconded by the Member for Morris,

THAT Bill 47 be amended by deleting the words "sexual orientation" where they appear in subsection 9(2) of the bill.

MOTION presented.

MADAM SPEAKER: The Honourable Member for Fort Garry.

MR. C. BIRT: Thank you, Madam Speaker.

As I indicated earlier in debate, I sat and listened to most of the speeches, in particular the one given by the Attorney-General when he introduced this bill, also the one given by the Member for St. Boniface and a series of others. I also listened to those who appeared before us at public hearings.

We heard a great deal of personal anguish sometimes, personal stories, comments by parents who had children who had to make a choice, and they spoke eloquently. In fact, I was impressed by the level of debate and speeches given by all parties during those proceedings.

What I was looking for is the justification for the inclusion of these words in the bill. There was no evidence to support this particular phrase by the Attorney-General. He went to great lengths to say where it didn't go or where it didn't apply, but he did not give any justification for it, as if it was just a matter that we put into place and it's okay but, to protect certain areas, we're just going to define where it doesn't apply.

When we heard the people making their presentations before the committee, we heard personal stories of how people had to make a choice, and how they chose a certain lifestyle and how they chose a partner. It was a difficult choice for some. Some went through a lot of anguish, a lot of personal soul-searching, but they made a decision. I'm not passing any comment on their choice or their lifestyle. What I am concerned about is that in passing they said we've been discriminated against. Yes, we've been denied jobs or rental accommodations or services, but it was almost as if it was a throwaway phrase.

I don't mean to denigrate those who came before us. What I was looking for - and I was hoping the

government, the Human Rights Commission or the people coming before us would build the case for the inclusion of this in the code. I'm afraid they haven't done it.

When we met with various groups when we were being lobbied prior to this Session, we were told that there was a fear amongst some of them about loss of jobs, if it was found out what their sexual orientation was. But they were afraid to defend themselves under the current labour laws or employment laws or contract law. They said they were afraid to become a martyr.

When we dealt with the question of rental accommodation, they said they didn't go to the Rentalsman's Office. They didn't take advantage of the law relating to landlord-tenant or any of that, the same with contract law. Granted they had a fear in their mind and they were trying to say, do something to alleviate that fear. What difference does that make if they will not initiate the matter on their own, if they're asking the commission to do the same thing for them, because they will have to come to a public hearing. There will have to be an examination of the issue, so where is the difference? Granted, one could argue that at least someone else is carrying the ball for them, and I won't dispute that. But I again ask: Where is the evidence to support the inclusion? The odd private conversation I've had with one or two people said, yes, there is some evidence, but it was never given to us.

We heard about the physical abuse, the gay bashing, and it's totally unacceptable, totally unacceptable to myself, to everyone. But this bill will not stop that. But it was being pleaded to us to introduce it almost to stop that. We were at one presentation that said, if you allow this code to go through, this will allow the partners to consent for medical treatment of their other partner, but this code will not do that.

Another area argued that it would permit a parent who was of homosexual choice or lifestyle, they could use that to protect themselves from loss of child. Well, this section will not deal with it. The issue of whether that parent is an acceptable parent is a matter that's adjudicated under the Family Law section in the courts. There were a number of other issues that they kept saying, those who wanted it in the code, that it was going to solve a great deal of concerns for them. Well, it isn't going to.

Some concerns I have because, in some respects, the underpinning of this particular act is the Charter of Rights, and we know that is being constantly tested in the courts. We also know that this act will be adjudged by an adjudicator, and it's his finding of the facts and the law as it applies to a particular matter. Ultimately, it will go to the court on a question of law, if someone so chooses.

I am not convinced in my own mind that the barriers that the Attorney-General said to some particular elements as it related to those who have certain beliefs of their church, that they could still guarantee that those beliefs and their schools would carry on, because I think there's an argument that can be made in the Charter and under this act that some of those things, especially that the Member for St. Boniface was concerned about, could be struck down. The Catholic Church could in fact be found to be discriminating in their refusal to take women into the church or their question of certain beliefs.

I'm not totally convinced, like the Minister is, that this document will guarantee this far and no further because we've found, in the interpretation of the existing code, that certain things that were always believed to be in the act were not there, for example, sexual harassment. The Court of Appeal said it isn't in the code. If you want it, specify it.

So I have some concern with some of the things that have been put in here, and I don't think it gives the protection that they anticipated is there. I also think that there's a good argument - and one day it will be made - that a spouse of one of the homosexual partners can apply for their status as a full partner to receive benefits. So I don't think the Minister wants this, but it's there.

What we saw clearly, at least to me, was that there is a lifestyle that's in conflict with the general public's attitude as it relates to this portion of the community, and I don't want to get into the debate of whether there were 10 percent or 1 percent. That, to me, is where the anguish was coming from. That's where the pain and the problems were coming from and, as one or two indicated, a number of them couldn't be there today speaking openly if this matter had been held 10 years ago. But that's an issue that we can't solve with legislation, so I believe that a case has not been made for the inclusion.

Then we come down to that issue of whether or not they're getting some special rights or their equal rights. I don't think the government has made a case for inclusion in the code. I can sympathize, I can appreciate there are concerns and some problems, but I feel that this legislation will go towards legitimizing a lifestyle, a lifestyle I have personally some difficulty accepting but I'm not going to condone (sic) anyone for that. So I object to inclusion in a human rights code of a lifestyle. What is the next lifestyle that we'll be including? Therefore, I think it's a dangerous precedent to be establishing this type of legislation.

For those reasons, I am urging on this Chamber the adoption of this motion.

Thank you.

MADAM SPEAKER: The Honourable Member for Morris.

MR. C. MANNES: Thank you very much, Madam Speaker.

I'll make some brief comments on the amendment. First of all, I consider it a privilege to second the particular amendment.

Madam Speaker, I want to pay special credit to my colleague, the MLA for Fort Garry, who I know not only has sat through all of the discussions but who also has given an awful lot of objective thought and consideration to this whole matter. I'm most pleased with the manner in which he's put many of our views forward.

Madam Speaker, I'm going to give you my impressions very quickly of Bill No. 47, and with the committee hearing. I saw a lot of presenters, a lot of them young people, old people, all types of people who made very strong presentations. Although I didn't have the opportunity to be present in the committee throughout all of them, I can tell you I found those hours when I was there one of the most stimulating

times that I've spent in this Legislature, because I saw spirited presentations built on strong convictions on both sides.

Madam Speaker, as again my colleague said earlier, I never did hear the word "hate." I never did hear the word "white sheets"; I never did hear those words at those presentations. And I think that's maybe why I enjoyed them.

Madam Speaker, many people came to that public committee to make a presentation who have never spoken in public before, I dare say probably on both sides of the issue, and that's again another reason I enjoyed that process. But there were two or three points that were made that struck me. They may not have struck other people.

Some people said that government does not address the sin, but just the sinner, and I made the comment before, Madam Speaker. I know there's an intention with the amendment that just has been passed by this House that we be silent on the whole issue of homosexuality. Madam Speaker, the witness at that time said that Bill 47 does pass judgment on the sin; it says it's okay. In spite of the amendment that we've passed, I tell you, I believe that.

Madam Speaker, another presenter said, if the law provides a net benefit to society, then it is good; if not, then it should not be passed. Honestly, it is my belief that this law does not provide a net benefit to society, and I'll say why I believe that in just a few moments.

Madam Speaker, there were two basic issues. They've been touched upon here tonight a number of times and I'll just mention them. I think they fall into this area. Does the new code promote a lifestyle? Does it go beyond the simple areas of discrimination in the areas of jobs and then with residency? Madam Speaker, that's a key issue to this debate. Many people have said that, and of course members opposite fall on the other side of the issue to those of us on this side.

The other issue: Is homosexuality in-born or acquired? And I listened carefully to members opposite. I listened to the Member for Kildonan, the Minister of Finance make some reference to absolute truths. I mean, we don't really know for sure; we don't know for sure. In my view, it's something that is not in-born, something that is acquired but, nevertheless, I can't go to an absolute truth to determine that.

But, Madam Speaker, there is something that is missed by members opposite when you cannot go and find an absolute truth. Where does one go to do that? Madam Speaker, one either has to accept the doctrine of going to humanity itself, people, or they go to a higher calling. That person is considered to be a higher calling in their life. Madam Speaker, to me, the Constitution of our land tells us where the higher calling is. The first sentence says: "Whereas Canada is founded upon principles that recognize the supremacy of God and the rule of law." To me, we're a God-fearing nation. That says, when we can't find those absolute truths on issues such as this, we go to the belief as a God-fearing nation as is written in the Constitution of the land, as set out by human beings, no doubt, as the spoken word of our God. That's where the absolute truth exists for me, Madam Speaker, and the member says, which one.

Madam Speaker, I don't know of a religion that exists that countenances homosexuality. I don't know of one.

So, Madam Speaker, I just put that on the record. I know that it will have no weight with members opposite, but I do agree that there are no absolute truths as we can find within our common intelligence as mere mortals, Madam Speaker, and that's the only point I'm trying to make.

Going on quickly, Madam Speaker, I know there are a lot of other people who want to speak. I was impressed too with the comments from the Member for Swan River who talked about the universal atmosphere of love. Madam Speaker, that speech, I'm sure, was given by the Greek philosophers 3,000 and 4,000 years ago, something very similar to that, and yet why are we here today debating a law? What makes civilizations such that the law of man does not withstand the test of time? Well, Madam Speaker, I think I can tie it into the comment from the Minister of Community Services who talked about tolerance. Madam Speaker, tolerance does exist in this nation. There is no doubt in my mind it does.

Members opposite of course would say, well let's build in a little more tolerance in a statutory form so that we'll treat each other even better. Madam Speaker, we treat people as well as we do in this nation because we're relatively well off. We have means. We hurl these comments back and forth because we can leave here and we all have a home to which to go and we all have food in our stomachs. Madam Speaker, tolerance can exist when you live in a society such as ours.- (Interjection)- Well, Madam Speaker, I'm not going to be taken down in an economic freedom argument, but I say that's the reason we have so much tolerance.

Well, members will say, what are you trying to get at, and I'll move to that in a little bit, Madam Speaker. But there's something else that the Member for Flin Flon said when he talked about the evolution of human rights codes, how basically 20 years ago they didn't exist but, through an evolution, they've come to cover more and more deemed and real areas of discrimination. He's correct. So it is evolutionary but, Madam Speaker, I say we've now crossed the bounds into a new fertile area, and that is in the area of lifestyle. Madam Speaker, nobody on the other side has ever suggested that this is the end, because I have to think that there are other lifestyles that are going to want the guarantee as provided under this code. Members on our side on many occasions have set them forward. Members opposite to some degree have trivialized them, but I still think there would have to be more that are added to this. This does not exhaust the whole area of discrimination, as believed by members opposite.

So, there are many more to come, and I guess the point I'm making is that, if you're going to multiply, two, or three, or tenfold those people who are not covered at this point in time but should be covered in due course, then quite frankly I don't know if The Human Rights Code can exist. I'm not talking about next year, I'm not talking five years, I'm not talking ten years. I'm talking 30 or 40 years from now when legislators, with all good intentions, try to add on and add on and wondering and really working towards an end, in my view, which is self-defeating.

Madam Speaker, it's in this regard that, when the Member for Burrows said, this amendment - and he's talking about the one we just passed - will put the issue

to an end once and for all, I can't believe an individual, who I believe understands human nature like he does, could make that statement. I'm sure most of us know that can't be true, Madam Speaker. The philosophers 3,000 years ago told us how to live, but I don't see where we're living an awful lot better today.

Madam Speaker, the code is fine, but I say we have opened up the code to all lifestyles. The barrier has been crossed. In my view, the state is now supreme. It's telling me what morals I must accept. It's crossed the barrier in some respects.

In closing, Madam Speaker, let me say I'm overjoyed with the fact that members on this side, given an opportunity to express our thoughts in a free-vote sense by our leader, all of us - and I know members opposite may not believe that, but we have been - but in spite of that, have come down totally on a side opposite to the government on this issue.

Madam Speaker, I say in closing that, in principle, I feel so strongly about this issue that, within the context of my political party, I will endeavour over the series of months and, if indeed necessary, over the years to convince our party to work towards a policy that, once we come into government, will repeal section 9(2) because we either have to do that or we have to add on a whole host of other lifestyle areas. In so doing in my view, we've weakened the basic good part of The Human Rights Code.

Thank you.

MADAM SPEAKER: The Honourable Member for Riel.

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

First of all, I rise in support of this amendment that's been put on the floor by the Member for Fort Garry. I have sat around this Chamber for the last three weeks or four weeks and tried to listen to the very many views on both sides of the House.

I have been called shallow, racist, hatred, discriminated against, but I still will cast my views on this particular important bill. I will, however tonight, hold my remarks on the proposed amendment to Bill 47. I did not take the opportunity to discuss the original bill. However, I feel that I must put a few words on the record to explain my position to the people of Riel, especially their position should also - and regardless of the poll that was recently taken in the spring, showing that almost 80 percent of the people in Riel did not support such a bill.

Madam Speaker, I was pleased and I purposely waited until members, who I believe are of the same faith as I am, spoke briefly in regard to this, the last amendment. I heard briefly from the Member for Swan River, the Member for St. Boniface, and the Member for Radisson. I respect their views and their belief. I believe that, after hearing them speak on the last amendment, they should have trouble supporting this particular amendment. If their views are such that they do not support that type of sexual orientation, they should allow this particular section to be deleted.

Madam Speaker, I've listened and read the Hansard of the members who have got up and spoken. I was particularly pleased when our own leader gave us the option to have a free vote, and the members have been able to do that. Madam Speaker, I was really impressed

by the speech from the Member for Emerson, who was probably one of the first people to speak. I know members on the opposite side expressed that they appreciated his belief and where he is coming from. He expressed in his particular belief what I feel, that this particular moral issue should not even be on the floor of the Legislature. That's why I, originally, was not even going to discuss this particular type of clause.

I'd feel the same way if someone put the issue of abortion on the floor, and I believe that members of my same faith would believe the same as myself. I would probably abstain instead of voting against my party, but at least abstain on that type of vote.

Madam Speaker, I particularly was taken by the Member for Rupertsland who spoke about discrimination. Most people who know me know that I do not have a discriminating bone in my body. I guess that goes back to my father, who was of French-Canadian descent, and I know the Member from St. Boniface will probably vouch. I remember him telling me stories in Manitoba early, when the school inspector was coming and they had to hide the French books away in the closet. That's what I call discrimination. I do not think that this particular bill - I think this particular bill will probably move us back into that type of era.

Also, I was taken by the Member for . . . when he first spoke, earlier in the bill, on this particular bill. I guess it goes back to when I, as a young man, used to attend what we called a Pea Soup Supper in St. Boniface. At that particular supper, we met all the gentlemen from St. Boniface. Everyone looked up to Mr. Desjardins. I'm sorry to say today that's when the Catholic community looked up to Mr. Desjardins.

Madam Speaker, I know . . .

MADAM SPEAKER: Honourable members refer to each other by their proper titles.

MR. G. DUCHARME: . . . the Minister of Health.

Madam Speaker, the Catholic Church, I know, did not participate in the hearings. However, I believe it's time that someone else put a couple of quotes for the record, so that we will be able to show people later on that the Catholic Church did have some say on this particular topic.

I would like to, first of all, quote from the "Pastoral Care of Homosexual Persons." It was a letter to the bishops of the world, from the Congregation for the Doctrine of the Faith. It reads, and I'll read one paragraph into the record:

"In assessing proposed legislation, bishops should keep as their utmost concern, the responsibility to defend and promote family life," says the instructional letter to the world's bishops from the Vatican's Congregation for the Doctrine of Faith. The letter is dated October 1 and was released on October 30, 1986, with the approval of Pope John Paul II. It was signed by Cardinal Joseph Ratzinger, Congregation Prefect and Archbishop Alberto Bohun, Congregation Secretary, and I quote: "The church's ministers must ensure that homosexual persons in their care will not be misled by a point of view that is profoundly opposed to the teaching of the church.

"Increasing numbers of people today," the letter continues, "are bringing enormous pressure to bear

on the church to accept the homosexual condition, as though it were not disordered, and to condone homosexual activity." It states that, "in recent discussions of homosexuality, an overly benign interpretation has been given to the homosexual condition itself, some going so far as to call it neutral or even good. Although the particular inclination of the homosexual person is not a sin, it is more or less a strong tendency ordered towards moral evil. Thus, not only homosexuals' actions, but the inclination itself must be seen as an objective disorder."

The letter instructs bishops and clergy to see to it that no authentic pastoral program will include organizations in which homosexual persons associate with each other, without clearly stating that homosexual activity is immoral.

If I would have spoken earlier, I could give you lots of different quotes that I did my research on, and people who I talk to in my church. One that caught my attention, and I'll quote: "Therefore special concern and pastoral attention should be directed toward those who have this condition, lest they be led to believe that the living out of the orientation in homosexual activity is a morally acceptable option. It is not."

Madam Speaker, to the members, "The church," I quote, "obedient to the Lord, who founded her and gave to her the sacramental life, celebrates the divine plan of loving and life-giving union of men and women in the sacrament of marriage. It is only in the marriage relationship that the use of sexual faculty can be morally good." It goes on to read: "A person engaging in homosexual behaviour, therefore, acts immorally."

Madam Speaker, a member earlier remarked that this debate was carried on in Ontario. The Ontario bishops did participate in that particular discussion. In that particular discussion the Ontario bishops, and I'll quote again: "Ontario bishops, homosexuality, not acceptable."

Madam Speaker, they go on to say when they were in their bill: "Much in this bill is good and quite acceptable. However, section 18," and it goes on to mention the different sections, "prohibiting discrimination on grounds of personal, person's sexual orientation is unacceptable." Such was the response of the Catholic bishops of Ontario.

Madam Speaker, in closing, some quotes, I'll read one more quote. In this particular presentation that was made by the Ontario bishops at the time of the bill, I'll quote: "Finally, let us recall the words of Pope John XXIII, and I quote: "One must not confuse error, even matters of religion, immorality with a person who errs. The person himself must always be treated according to the lofty dignity that is his as a human being, keeping in mind that God may enlighten him at some future time."

Madam Speaker, I did have the usual speech prepared. However, I know that there are other members tonight who have probably lots more to say. There's lots been put on the record. But I believe that, without the amendment proposed by the Member for Fort Garry on this, Bill No. 47 in the present form will have the social impact of promoting the recognition of homosexual unions as in marriages, and also seriously restrict the freedom of churches, government, societies, businesses and schools, to set criteria of conduct for their employees.

Madam Speaker, I've mentioned and I've tried to talk on what I believe is my religious belief. I know it's my religious belief. I felt that someone should talk in regard to that faith. I, as a Catholic, recognize that persons of homosexual orientation need a place to live. They need a place to be loved and a place to work as the rest of us do, but it is never legitimate to satisfy these needs in ways that threaten the common good.

Madam Speaker, just as other persons with histories of sicknesses are not admitted to sensitive educational or government posts, so neither should persons of homosexual orientation be admitted for employment in day care centres, schools, hospitals, especially day cares, youth clubs and so on, in which the promotion of their lifestyle would be detrimental to the natural development of our young people.

Madam Speaker, it is no more correct to enshrine in our legislation particular privileges for homosexuals than it would be to grant special status to other individuals. I feel it is my moral obligation to stand up and be counted at this time, when the very fabric of the family is being threatened. Homosexuals in Manitoba have those legal rights, identical to those of other citizens. However, homosexuals want public acceptance of their lifestyle. They are presenting themselves as an oppressed minority and want the human rights bill amended in their favour, or this particular bill in their favour.

Madam Speaker, in my opinion, the reason they want public acceptance is because they are guilt-ridden and want the highest human authority in our land, which is ourselves and the courts, to say that their lifestyle is acceptable. I cannot agree with that, and it is not legitimate for the rest of society to defend itself against abnormalities.

Madam Speaker, this legislation, without the amendment, would make it illegal for any group or person to protect themselves or their organizations against homosexual behaviour. Christian schools, churches, as I said earlier, day cares and organizations which understand homosexual behaviour to be immoral would no longer continue to have their rights protected by law. Madam Speaker, I ask the government and the members who got up earlier, on both sides, to support this particular amendment.

MADAM SPEAKER: The Honourable Member for Rhineland.

MR. A. BROWN: Thank you, Madam Speaker.

I will be speaking very briefly on this bill; the hour is getting late. I would just like to say that it seems to me that we are trying to get rid of the tremendous heritage that we have inherited in this great country of ours. This country was built on Christian principles, and during the presentations that we have heard from many, many ministers and private persons is that the Bible certainly does not condone homosexuality in any form. I would just like to say that I am very pleased that some members of my constituency came out to speak on that particular issue and they did an excellent job and I wish to thank them for their presentation. I don't think I have to dwell any further on that, because the committee has heard many, many presentations as to why the Bible and the basis upon which this country

was founded, really that they do not condone that activity.

I think that we should remember one thing when we are within this building. We should look back at the heritage that our forefathers gave us. Over there, we have Moses with the Ten Commandments and over here we have Solomon, who was the wisest of all kings in coming down in judgments. We should never ever forget the heritage that has been handed down to our forefathers, and we should base our principles and our beliefs on the heritage that our forefathers have left us. Why we want to deviate from that path, I do not understand, and I greatly appreciate the amendment that the Member for Fort Garry has brought forward.

However, today I would like to say why this bill makes me very uneasy, and why it makes many employers very uneasy. Up till now, I never ever have given homosexuality any concern when I hire an employee because, if he was going to do a good job or whatever, there was no discrimination there and the thought never ever entered my mind, Madam Speaker, that I was not going to hire a person who was going to be willing to do a good job. All of a sudden, though, Madam Speaker, I am concerned.

I am concerned for this reason, that if I hire somebody of that particular persuasion and he does an absolutely lousy job and I want to get rid of that person, I know very well that I will be taken to court for discrimination. Madam Speaker, that scares the living daylights out of almost any employer who we have within Manitoba today. They know exactly what is going to happen in order to try to get rid of a bad employee.

I've been talking to a number of persons who own apartment blocks, and they never ever really have given this any consideration when they were renting out their suites because, to them, if a person paid the rent, behaved themselves, if they did not disturb other apartment dwellers, then there was no problem.

But now, all of a sudden, they find themselves faced with the fact that, if one of these persons is going to be able to get an apartment and they decide to throw wild parties and the rest of the apartment dwellers object to it, they will have great difficulty evicting this person because, again, they will have to do this through the courts, because that person is going to say, sure as shooting after this bill is passed, that they are being discriminated against, and they will have to fight that battle in court.

That's good for lawyers, Mr. Attorney-General, that's good for lawyers, that's going to create extra work for lawyers. It's going to create extra expenses all the way through. So with those remarks, I would like to leave those thoughts with you tonight, Madam Speaker, and I would like to say that this bill puts discrimination into the community where no discrimination existed.

Thank you.

SOME HONOURABLE MEMBERS: Oh, oh!

MADAM SPEAKER: The Honourable Member for Virden.

MR. G. FINDLAY: Thank you, Madam Speaker. We've got to lighten the atmosphere up once in awhile with a little bit of fun.

Madam Speaker, I rise to put a few comments on the record about this bill and speak in favour of the amendment that the Member for Fort Garry has so effectively introduced. If this amendment is passed, and I know that all members on this side support that amendment and if members on the other side see fit to support it, it will change the context of the bill so that we will look at it quite differently.

Madam Speaker, I was quite interested in the comments of the Minister of Natural Resources, the Member for Swan River. He spoke very well. He presented his opinions very well, Madam Speaker, and I respect him for his opinions, as I do all members over there because, very clearly, I don't believe in discrimination. I believe that, under 9(2), "Applicable Characteristics," I can believe in all 11 characteristics that are there, except 9(2)(h), "sexual orientation."

Madam Speaker, I had occasion to live in different parts of the world, and I've seen discrimination that the Member for Swan River mentioned. I know what he's talking about. It certainly did exist in the past, but I found it unfortunate that he went so far as to say he does not want to live in an intolerant society. I will say to the member, and I'm sure if he reflects on that statement, that society in Manitoba and Western Canada is an awful lot more tolerant now than it was 20 years ago. I think all society in North America is becoming much more tolerant because of the laws and the attitudes that have evolved, because of our education and our understanding of different characteristics that people are born with, and that is very good.

I think we can continue to move in that direction but, as the Member for Rhineland just said, sometimes you can go too far. You can draw attention to characteristics that we'd never thought about discriminating on and, all of a sudden then, as we become aware of a person's sexuality, we may start discriminating on something that we never even gave thought to.

I will say, certainly in my own mind, that I didn't give thought to considering a person's sexuality in terms of judging him until we started to hear some of the presentations and see some of the literature that was brought forward by individuals in the committee stage, Madam Speaker.

So we are treading in dangerous ground, and I don't believe that we should be destroying or minimizing the moral characters that we have built our society on in Manitoba and Canada, and indeed around the world. I think we've got to be very careful about what we're doing by allowing these two words to stay in this particular bill. Madam Speaker, like I said earlier, the rest of the bill is acceptable if those two words are removed.

Madam Speaker, I've always believed in the family unit. Our society is built on the family unit. Heterosexuality leads to reproduction and, in order for a species to continue to exist, that must occur.

Madam Speaker, I've heard various statements about the homosexual community, and certainly I think it's true to say from what we've heard that recruitment is their method of expanding what they believe in. Madam Speaker, I don't think that our young people, our adolescents, should be given the opportunity to be influenced by people who have what I have to call an immoral lifestyle.

Madam Speaker, I've had many people talk to me. I've visited some fairs earlier this week and, when you mention to them what we are considering here as major legislation, they are a little bit aghast. They can't believe that we are prepared to condone a lifestyle where these people can be involved in giving health care, in teaching, being ministers. They are quite appalled that we will allow this to happen in this society.

Madam Speaker, they're concerned about the logical extensions of what will happen once we pass this bill. Madam Speaker, they have said very clearly to me and wrote me letters. They do not want ministers to be homosexual, they do not want teachers to be homosexual, because teachers are role models for our young people in the schools. They do not want these people to eventually come forward and ask for special rights in terms of being able to have a marriage ceremony and adopt children. They don't consider that to be moral and responsible, and they don't want it as part of our society.

But, Madam Speaker, the one issue that I don't understand why members on the other side don't address - and it's something we can no longer put our head in the sands and ignore - and that is the issue of AIDS. It is something that's on everybody's lips when they hear about homosexuality and condoning that kind of lifestyle, Madam Speaker. Everybody knows that AIDS leads to death, because there is no known cure.

There's been a very good book put out, called "The Aids Cover-Up." One of my constituents wrote me a letter and pointed out some of the key phrases in there that he feels I should be aware of, and I would like to just read two or three of them into the record here so that people in the House in general are aware of the kind of work that's been done in the United States by over 150 doctors.

They go on to say: "We don't have to worry about getting zapped by atomic bombs. The AIDS virus will get us before that."

Madam Speaker, this government, in this Session, is introducing a bill to prevent the transportation of radioactive waste into this province for storage or disposal. I will challenge any member on the other side to tell me how many people have died from radioactive exposure in Canada since World War II. I believe the figure is zero, Madam Speaker. I stand to be corrected. But how many have died from AIDS, even in the last year? So, therefore, we have a much more serious threat in AIDS than we do in terms of radioactivity.

But they rose and spoke as if this was a great threat to our society in Manitoba if we allowed the disposal or transportation of radioactivity here. But, AIDS, they make no mention of it. - (Interjection)- One person? How many died of AIDS? I would ask the member. - (Interjection)- Yes, quite a few. I asked that last night at the committee stage and the Minister of Co-op Development, his answer was "too many." That is exactly right, too many.

These doctors go on to say that 70 percent to 90 percent of all homosexuals in New York and San Francisco carry the AIDS virus. That's a lot of people, Madam Speaker. "Fifty percent of the reported cases of syphilis in the United States occur in homosexual men. The social behaviour of these people has been a major factor in the aggressive and very rapid growth of AIDS and other virulent diseases."

Madam Speaker, they say at this point in time in the United States, 4 million people carry the AIDS virus, and their prediction is that it doubles every year. Madam Speaker, that is a scary statistic. AIDS, as I say, leads to death; there is no cure.

Madam Speaker, as I said at Second Reading, this government would be a lot better served if they were to come forward and be advocating additional research to find a cure, a solution to this deadly disease, rather than promoting or allowing the promotion of or the freeing up of the attitudes of people so that homosexual activity can be at a higher level and, therefore, the AIDS spread can be a more serious problem to the young people and anybody in our society. We don't know all the means by which this virus can be spread, whether it's through transmission in blood, or through sexual activity, or maybe it's transported in food service activities. If it's found in insects, it could be spread that way, Madam Speaker.

I was just very appalled when the highest member of the government in this House stooped to the lowest level I've heard anybody in any debate since I have been to this House by using the word "hate." Madam Speaker, that is going about as low as any high Minister can go in this House. Nobody on this side is condoning hate. We don't believe in discrimination. We just have a moral problem with these two words in this act, Madam Speaker.

I will tell the Attorney-General that we can legislate all we want, but we cannot legislate attitudes, Madam Speaker. Until we can, by education, develop attitudes that have a higher level of tolerance, you'll never legislate people to behave in a responsible matter on a moral issue, Madam Speaker.

With that, I conclude my comments, and say that I know that I have strong support from the people who voted me into this House. I have great sympathy for the people who are afflicted with this problem. I wish we had a cure and an answer for them, but legislation of this nature is going to chip away at the very root of our basic ingredient in this society, and that's the family unit. Madam Speaker, I cannot put up with that. Therefore, I ask all members to consider, very seriously, supporting this amendment to remove the two words, "sexual orientation," from this bill.

Thank you, Madam Speaker.

MADAM SPEAKER: The Honourable Member for Roblin-Russell.

MR. L. DERKACH: Thank you, Madam Speaker.

I rise to put a few words on the record in regard to this bill, and I must indicate at the outset that I fully support the amendment that has been proposed by my colleague, the Member for Fort Garry.

Madam Speaker, over the last several days, we have heard a great deal of debate on this particular bill. We have heard presentations given in committee on both sides of the issue. I must say, Madam Speaker, that I appreciated hearing the argument on both sides of this particular issue. I did not, in any way, ridicule or think of ridiculing either one side or the other when they made their presentations before the committees. Although I didn't hear all the presentations, I must say, the people who presented them did it in sincerity

because they believed in a particular aspect of this issue. But, Madam Speaker, after listening to all the debate and after listening to all the presentations, I have not been able to change my mind on this particular issue.

I don't believe in discrimination, Madam Speaker. I have lived with people who are not of the same ethnic origin as I am. I lived with a black person for several years who was my classmate in school, and I didn't feel that I was discriminating against him or vice versa. I learned to live with people of other ethnic backgrounds as well.

So, Madam Speaker, I don't think that I am one who discriminates against people. If we have people who live a homosexual lifestyle, then I will treat them as individuals. I will treat them as human beings. I will treat them as people who are equal to myself and who deserve a piece of this earth as I do, and a place in this particular province. I have no problems with those kinds of things. If a homosexual comes into my home, I will treat him with respect, just as I would any other human being.

But, Madam Speaker, one thing upset me in the presentations, and that was a pamphlet that was handed out which promoted a gay-lesbian lifestyle of life. In that brochure, in the advocating of a homosexual lifestyle, there was an impression left that the heterosexual lifestyle was abnormal. Madam Speaker, when we see that kind of material circulated around, it disturbs me. It makes me uneasy, because what it does is make me think about my family. Is this the kind of literature, is this the kind of information that I want handed out to my family, to my children and to the young people of this province?

Madam Speaker, this province was built on Christian principles. This country was built on Christian principles, and the family unit is the foundation of this province. It is the strength of this province, and we have to protect it. Madam Speaker, we cannot see the destruction of a family unit. That is why I will never support that kind of flaunting of a lifestyle, of a behaviour, because it's a behaviour, Madam Speaker, and it's a deviant behaviour.

Madam Speaker, although that individual displays a deviant behaviour, I still accept him as a human being. I still accept him as an equal person to myself, and he has those same rights that I have on this particular planet. But I don't believe that it is the responsibility of any government in this country to state that now we will give you special privileges, based on your sexual orientation.

Now we will tell people that they cannot condemn that kind of behaviour. We heard the Minister of Health stand up in this House and call homosexuality an illness, he called it an illness. Madam Speaker, he also indicated that he would not have his children taught by anybody who was a homosexual, and I don't want anybody to teach my children who is a homosexual. By infringing this particular section in this act, what is happening is rights are being taken away from people like myself, people who don't believe in that kind of a behaviour and that kind of a lifestyle.

I listened to the Member for Swan River, Madam Speaker. The Member for Swan River talked about love. He talked about it as though only members on that side understood what love was. Well, Madam Speaker,

I have a wife, I have children, I have parents, I have brothers and sisters-in-law, and I love them all. I love people.

But then we heard the other expression, and who was it expressed by, Madam Speaker? None other than the Premier of this province, who used the word that I have never heard used in this Chamber before, the word, "hate." We had the Member for Swan River talking about love, talking about getting along with people. I don't hate anybody on that side of the House. Maybe I don't approve of the kinds of things that they do and they stand for, but that's understandable. We may make comments across the House to each other, and that's fine. But I don't hate anybody on that side of the House and I have no reason to, but the Premier of this province stands up and uses that kind of word in this Chamber, Madam Speaker, that is disgusting.

Madam Speaker, members on that side of the House have told me that they're a little squeamish about this legislation, but they say, but we'll never allow it to go any further. This is it, this is all they get, vroom that's it, no more. Well, Madam Speaker, that is interesting, that is very interesting. If they don't believe in this and if they are squeamish about it, then why don't they stand up and say that? Because they are not free to do that, Madam Speaker, because the Attorney-General who has introduced this legislation has ridden roughshod over the entire caucus and said, "Thou shalt vote the way I say you shall vote."

Madam Speaker, I don't think members on this side of the House would object to this legislation if this particular section were taken out. We believe in human rights on this side of the House. We believe that people have a right to a place to live, they have a right to a meal in a restaurant, they have a right to live and share the things of this planet that we all share.

Madam Speaker, all people have a responsibility, a responsibility of respect for one another, and they have a responsibility to live in accordance with the laws of the land. I don't know anywhere in the world where that includes the flaunting of a behaviour like is mentioned in this particular piece of legislation.

So, Madam Speaker, with those remarks, I will conclude and indicate that I will support this amendment and, if this amendment passes this Chamber, is voted in favour of by members of this House, then I am sure I will have no problems in supporting the bill.

Thank you very much.

MADAM SPEAKER: The Honourable Member for St. Vital.

MR. J. WALDING: Thank you, Madam Speaker.

I have a particular concern about this particular phrase, and I will try to restrict my remarks to the phrase which is the intent of the amendment itself.

Just before I get into that, I should tell members that I went to see the Attorney-General just recently, as recently as this morning, and made a suggestion to him that sexual orientation be taken out of section 9(2), and that the intent that I'd heard from a great number of people and that is that discrimination should be prohibited for homosexual in the areas of employment and accommodation be put into some other part of the bill, partly for the reason that, if you look down in

line 2, sexual orientation stands out like a sore thumb. It is really nothing like any of the other attributes of 9(2).

For example, we all, I believe, accept that there are people of different ancestry and different colour and different race in this society. We recognize and approve of the fact that there are different religions within this society, that source of income, there are different family statuses in this society. Those are all things that we can all approve of, in my opinion. But there are the sections in here which clearly refer to 9(2), which would be most acceptable if the area of "sexual orientation" were taken out and the word "homosexuality" used in another section to do exactly what we are told that this bill will in fact do, prohibit that discrimination in those particular areas that everybody says that they want to do. I'm afraid that I was not eloquent enough in persuading the Attorney-General or that there were other reasons that it shouldn't be done.

However, when this bill first came out, I had a particular problem with this phrase till it was pointed out to me that there was a definition. The definition there said that it didn't apply to children, didn't apply if there were no consent involved, and didn't apply to acts contrary to the Criminal Code. It didn't satisfy me entirely, but it did as far as those particular parts were concerned. I think I spoke at Second Reading the objection that I had that that particular phrase equated homosexuality with heterosexuality. That was the problem I had with it.

It was taken out, as members know, at committee stage and I believe, along with that and as a companion clause, 9(4) was inserted there which says to the effect that nothing can be extended to any conduct prohibited by the Criminal Code. I have spoken to one or two people who say that, yes, that takes care of that particular problem, but the fact that we've taken out the definition of the section still leaves it in line 2.

(Mr. Deputy Speaker, C. Santos, in the Chair.)

So ultimately, it will be up to the courts to say what sexual orientation is. If you go to the commission or the directorate or whatever it is, it will ultimately go to the court or several courts, even up to the Supreme Court, in my opinion, and the judge will be asked to decide what is or is not a sexual orientation. It is not what a person does, it is what a person is.

The judge will reason that it is not against the law to be a bank robber but it's against the Criminal Code to rob banks. It's not against the law to be an arsonist but, if you set fire to a building, that is against the law. And he will say, if a heterosexual is sent to a prison where presumably he's not in a position to exercise his heterosexuality, he doesn't become any less a heterosexual because of that. He still has that orientation. Therefore, I believe that a judge would say, it doesn't matter whether it's opposed to the Criminal Code or not. It is what that particular person's orientation, proclivity, predilection, whatever you want to call it. That does not mean just heterosexual or homosexual. It can include a lot of other things, such as child molesting, such as rape, such as bestiality, and etc., etc., a whole lot of perversions, in my opinion, which could clearly come under the heading of sexual orientation. It will occur sometime that

somebody's refused accommodation or that their job is terminated or they're not hired because of their particular orientation.

They molest children - I'm sorry, not that they do it - but their orientation is towards the molesting of children or their orientation is towards rape, none of which are conduct contrary to the Criminal Code and therefore they wouldn't come under this. It would therefore be up to the judge to say, yes, this is an orientation. We might not like it and, if they carry it out, it might be opposed to the Criminal Code, but it would not come under the heading of Criminal Code if they did not do it, but it would be under the heading, in my opinion, of sexual orientation.

I can just see that there would be lawyers who would just delight to have such a case and would be overjoyed to make that particular argument before a judge. I will forecast that it will happen some time in the future and that some judge will say, yes, I read what is in the bill, not what the intent of the members were when they passed this and not what any statement was of what it would do or would not do. The judge would say, I read the words on the page and this is what they say, sexual orientation. Whether it's within the Criminal Code or not, that is the person's orientation and I believe that's what they would find.

I made that particular appeal to the Attorney-General and it didn't get me anywhere because I was told that there are reasons why it is not that way and the Criminal Code would, in fact, cover it, and that there is a certain jurisprudence over the number of years which said, no, sexual orientation means this, not this, a whole range of things.

I don't like to argue law with a lawyer. I'm not a lawyer, but I can read and it's my belief that's what it says. That is the reason why I said take out sexual orientation, put in homosexuality, that's what it means. That's the simple thing to do, and I would prefer to see things done simply, worded simply, rather than in a convoluted or very abstruse manner.

I'm inclined to support the amendment on those particular grounds, Mr. Deputy Speaker, although I rather feel that it wouldn't make any difference to the final vote, whether I vote for it or against it. But then again, I supported quite strongly that amendment that we dealt with just a few minutes ago, stating all of those parts in 9(2) and this is in fact one of them, so it would be something like voting against something that I had already approved. I'm not sure whether that makes a great deal of sense.

MR. DEPUTY SPEAKER: The Honourable Member for Minnedosa.

MR. D. BLAKE: Thank you very much, Mr. Deputy Speaker.

I want to just put a few words on the record in support of the amendment brought forward by my colleague, the Member for Fort Garry. I haven't had an opportunity to speak on Bill 47 before. I missed a good part of the debate, being out of the province, and I missed a lot of the presentations before the committee, although I did hear quite a number of them.

But, Mr. Deputy Speaker, this particular section of this bill is the offending part of it to members on this

side of the House. It's been stated many, many times by my colleagues that we're in favour of human rights, and many, many parts of this bill are certainly acceptable to this side of the House and we would have no problem with it. It's section 9 and the term "sexual orientation" that is causing members on this side of the House some concern.

When we're elected to this Chamber, we're sent here supposedly to represent the people who elect us and to represent their views, and the Member for Inkster will know all about that. I did a poll in my community awhile ago, asking them if they were in favour of including sexual orientation in the human rights act, and it was something like 90 percent, Mr. Deputy Speaker, that returned with a negative comment. I'm sure if the First Minister polled his constituency, it would be roughly the same.

The Member for Rupertsland expressed his views, as many members did, and I respect their right to do so in this Chamber, but some of the messages coming to us from that particular constituency would indicate that, by voting in favour of the bill, maybe he is not representing the majority of interests in his constituency.

I know the Member for Inkster conducted a poll in his area and that, I think, is the message he got that gave him some concerns and, I know, had members on that side a little edgy on which way he was going to vote on this particular bill. I see now that they have got him back in the fold, and the bill will probably survive if they don't accept the amendment put forward by the Member for Fort Garry, which I think would tidy up the bill and make it much easier for members of this side of the House to deal with the other particular aspects of the bill.

But, Mr. Deputy Speaker, I listened to quite a number of the presentations, and it was very enlightening. There were impassioned pleas on both sides of the story. Those who came out and made the presentations in favour of the bill, I know it was a difficult task for them to do.

But this particular section of the bill, "sexual orientation," and this particular lifestyle is not maybe as important in the rural areas as it is in the City of Winnipeg. In fact, I think rural people are a little embarrassed to even discuss it in mixed circles and open debate. I think it's an embarrassing situation for them although I realize, in this day and age, these things have to be faced because they're with us and they do affect employment and things of that nature. But I don't think this bill is going to eliminate that, Mr. Deputy Speaker. It may even drive some of it underground. That's a fear that I have. I don't want to single out any particular profession, but the teaching one comes to mind which has been mentioned many, many times, that they don't want homosexuals teaching their children. I think, if this situation were to come to light, that teacher may be let go in some way with a strong recommendation as to his qualifications, but there may be a phone call also follow it. Those are some of the fears that I have on ways that may be used to end the employment of someone who they didn't feel is desirable in certain situations.

I've had strong representations from Reverend Don Bain from the Covenant Church in Minnedosa, who has one of the largest congregations in my area - I think the Premier got a letter from him - urging me to oppose

this particular section of this bill as strongly as I possibly could. He's representing the views of his constituents, of his congregation, and the lifestyle that they particularly represent.

It's a lifestyle, Mr. Deputy Speaker, that is repulsive to me, it's abnormal. It's something that I have been brought up not to accept, not that I don't accept the people involved. If they carry out their duties and live their life as good citizens as we all have to do, I have no problem with that whatsoever. But if they start flaunting that particular lifestyle in front of my children or my family, then I do have a problem.

I think that's one of the reasons, Mr. Deputy Speaker, that you see a great number of new lights put up around this building and gates put up at the end of our building here is to control some of the activities that have become pretty familiar and pretty common to this particular building. I'm sure there are no members on this side of the House or on that side of the House who can condone the goings-on around this particular Legislative Buildings and around this particular area.

Those are some of the reasons, Mr. Deputy Speaker, that I support the amendment as strongly as I can and, if that is not accepted by members opposite, I'll have no other alternative but to oppose the bill in its entirety, because that is the message that I receive very, very strongly from my constituency. I think it is something that members opposite are going to have to live with, because that message is going to get out there - there's no question about it - that this government brought in this particular type of bill. Regardless of the reasons they may try to explain it away, the perception is going to be there that they are condoning a homosexual lifestyle, which is opposed to the lifestyle and the family life that we have all grown up in and enjoy and want to see our children enjoy. We don't want to see that infringed on in any way whatsoever, Mr. Deputy Speaker. It's contrary to the Christian upbringing that we have had, and I don't want to see that destroyed.

Thank you.

MR. DEPUTY SPEAKER: The Honourable Member for Thompson.

MR. S. ASHTON: I want to speak on this proposed amendment and indicate very clearly from the start that I plan on opposing it.- (Interjection)- I would appreciate it if I could have the same courtesy that has been extended to all members. I think it's an important debate. It may be a late hour, but it's a very vital question that we're dealing with and I hope that we deal with it appropriately.

What I'd like to say, Mr. Deputy Speaker, is that, throughout this debate, we've heard various things and, quite frankly, I despair of trying to dispel many of the myths that have been put forward in this debate, because we've seen just tonight how they continue to exist even after they've been proved conclusively to be inaccurate.

We've heard members, for example, during the debate on this amendment, make reference to this section of the act promoting or condoning certain lifestyles, when we just passed an amendment that said that nothing in this act either condones or condemns any particular lifestyle or belief or view.

We've seen clearly, time and time again, pointed out in the act that the concerns about special privileges being extended to any particular group are clearly not the case, that all that is being extended to everyone is the most basic of human rights, that people still wish to cling to that myth. We've seen time and time again talk of promotion of lifestyles when there's a section in the act, Mr. Deputy Speaker, which clearly says that this act will, in no way, lead to the promotion of any particular view or lifestyle.

We've heard, time and time again, the suggestion that the adoption of this section will somehow lead to further consequences, Mr. Deputy Speaker, further consequences that members seem to pick at random, which have clearly been proven time and time, after discussion and debate, after reference to the act and legal opinions and the whole history of human rights legislation, to be totally inaccurate, but they still cling to those myths.

What I want to do is just deal very briefly with a couple of clear and evident facts, which I don't think anyone can dispute. The first is, I think, clearly that there is discrimination in society and, yes, that there is discrimination based on sexual orientation. I don't think anyone who sat through the hearings, as I did with part of them, listening to the presentations, could deny that is the case. I don't think anyone who has bothered to talk to people who have personally experienced discrimination on the grounds of sexual orientation could dispute that.

So let's make it clear that there is discrimination. Let's make it clear, as well, Mr. Deputy Speaker, that there is a clear indication of what will happen if we adopt the section that we're debating, not the amendment which would delete it, but the section. It's been in place in the Province of Quebec for nearly 10 years, and virtually every single one of the myths that members opposite have clung to throughout this debate have clearly been proven in practice not to be the case.

It has not led to the disruption of Quebec society, Mr. Deputy Speaker. It's led to people having greater protection against discrimination, and it's been accepted by many people in that society, as indicated, I think, quite clearly by the fact they had a change in government recently. The new party that came in, the Liberals, who did not bring in the particular section we're debating now, have not moved to take it out. I think it's been clearly accepted by society there.

I want to deal on a personal note with something that really bothers me, Mr. Deputy Speaker, and that is those opposite who throw insults across the way to members on this side of the Chamber, making reference to morality. I want to say, Mr. Deputy Speaker, that I respect their views, I respect their moral views, and I hope they will respect my moral views as well.

I want to indicate that one of the reasons I'm supporting this bill is because I think discrimination is immoral. Above and beyond anything else, Mr. Deputy Speaker, discrimination is immoral. I am not aware of any religious or moral or ethical code in this world that supports discrimination. I think every single one of them, that I am aware of, condemns discrimination.

(Madam Speaker in the Chair.)

So I will respect the views of members opposite, but I hope they will respect that my view, in my mind, is a moral view as well.

But I despair of logic and facts, Madam Speaker. Perhaps as a final appeal, I will ask the members who are proposing this amendment to consider its implications. You know, in debate today, in debate on Second Reading, in committee, everybody has said the same thing, that they're against discrimination. I haven't heard one member yet today get up and say that they're in favour of it. I take them at their word, Madam Speaker, that they are against discrimination. I ask them to consider what the implication of their amendment would be. I don't mean in a legal sense, just think in a personal sense.

We have members of the public here, there are people out on the street. Go and talk to anyone, look them straight in the eye and say, yes, you're protected against discrimination in the human rights act. Yes, you are, yes you are, but no, you're not, because that is what you say if you vote for this amendment. You're saying that it's not okay for discrimination on any of the other grounds in the act but, if someone is a homosexual, someone can deny them a job or accommodation or service. That is the clear implication of this act. What you're saying is you're against discrimination, but there are exceptions. I say, I'm against discrimination, period, there are no exceptions. When we discriminate against one, when we violate the human rights of one, I believe we violate the human rights of all.

I want to say that there are fears that I see, there are fears that I heard expressed in committee by people, the fears I've heard expressed here. I wish people would open their minds on this issue, and open their hearts and recognize that all we are saying is that we respect people, that people are equal. We're not saying that lifestyles are to be judged; we're not saying that political views are to be judged; we're not saying that religious views are to be judged; we're saying that people are equal, that everybody is entitled to basic services, accommodation or jobs in this province.

I want to say one final thing, and particularly in speaking to this amendment. I've heard reference tonight to the views of the people of this province. What I want to say is that I've discussed this issue with many people in my constituency and many other people, and I've seen the same sorts of fears expressed. But I have talked at some detail with people, and I have found that, when you go further than the fears, you find that they say the same thing I referenced earlier in my comments, that they are against discrimination. You know, I find it, particularly with young people, people of my own generation, that they are willing to accept people for what they are.

But you know, Madam Speaker, I find increasingly people of all generations saying the same thing. I've had people say to me, specifically, that they don't understand what the fuss is about on this particular bill, and my own constituents. I've heard people say I have my likes and dislikes. I don't like certain lifestyles, certain political views, certain religious views, but I always thought, in this province, in this country, that we respected the rights of others. So long as we do that, then I am in favour of that.

I want to say that is the response I've received from many people in this province, and I guess it shows maybe a difference in view. I guess Conservatives, traditionally, have been pessimistic about human nature, right from the beginnings of the Conservative Party

and the Conservative philosophy. I'm a bit more optimistic. I believe that we can overcome fears; I believe that we can overcome intolerance, and we can overcome discrimination. I believe fundamentally that, if we're to do that in this bill, we cannot say you are protected, you are protected, you are protected, but you are not. We have to say, you are all protected. You are all equal as Manitobans, as Canadians. We respect your rights as a fundamental and basic principle.

That is why I plan on voting against this amendment and supporting the inclusion of sexual orientation in the bill, along with the other 12 items which, I think, provide the most strength and protection against discrimination in this country and will make this bill, as a whole, the best human rights legislation that we have seen in Canada today.

Thank you, Madam Speaker.

MADAM SPEAKER: The Honourable Member for Brandon West.

MR. J. McCRAE: Thank you, Madam Speaker.

I'm glad that the tone of the debate is more subdued. I'm glad that the insults have died down. As you will attest, Madam Speaker, I myself indulge in that kind of activity on occasion, but I'm glad that the debate has taken on a different kind of tone. I appreciate the views that I've heard tonight from honourable members opposite. I have been waiting for a while to hear them, and I was glad to hear them tonight, and to hear them given, in most cases, in such a sincere way. I appreciate that kind of debate too, Madam Speaker.

I see people in the galleries tonight who I saw when I attended the committee hearings for some 26 hours, and listened to many of the people in the galleries tonight at that time. Some sent me a little message tonight that perhaps some of my views weren't appreciated by them. Well, let me be the first to apologize to the people who feel offended by anything I might have said about them, that they have construed to be a personal insult, because none of my comments were ever meant to be that way, Madam Speaker.

I hope that's understood also by honourable members opposite. We play a game of politics in this room, Madam Speaker, and it sometimes gets to be a rough game because we feel strongly about the positions we take, and so sometimes the language we use is pretty tough. I would be the first to admit that I'm involved in that political game that's played in this room, so I hope honourable members will accept my comments this evening with the sincerity that I feel when I make them.

A few years ago, Madam Speaker, the previous Premier of this province and the Honourable Member for St. Norbert, representing the Government of Manitoba, were involved in a very important exercise for our country. It had to do with the Charter of Rights and Freedoms which was proclaimed in 1982. My honourable friend and colleague, the Member for Morris, referred earlier to the very first words that are found in the Constitution. I referred to that in my speech at Second Reading.

There are other sections in that fundamental law of our country that need to be considered as well. I believe the previous Premier of this province and the

Honourable Member for St. Norbert took part in a very, very important and fundamental exercise when it came to putting together the Constitution of our country. Now I believe what I am seeing on the part of some Provincial Governments is to try to get their name in history, too.

I think that's what I'm seeing, Madam Speaker, because the Charter of Rights and Freedoms can, I am sure, be improved on. But I am suggesting that the human rights legislation in the provinces would be superseded by the Charter of Rights and Freedoms, and that the best way to ensure rights for people in this country is for the First Ministers of this country to get together, with the support of the people they represent, to protect the minorities and others in our country.

Section 15 of the Charter of Rights and Freedoms says that: "Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination." The Honourable Member for St. Norbert and the Government of the Day in Manitoba supported that section in the Constitution, "every individual" - and this is the argument we've been hearing from honourable members opposite - that somehow some individuals are different under the Constitution. It's just not so, Madam Speaker, "every individual."

Madam Speaker, then we go back to section 1, which deals with what the Charter of Rights does. It "guarantees the rights and freedoms set out" - later on in the Charter, it guarantees those rights, "subject only to such just and reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society."

So then I take you back right to the beginning of the Constitution again, which refers to the supremacy of God, which brings me to a fundamental problem, Madam Speaker. That is that I cannot accept that the behaviour of certain people with certain orientations, I cannot accept that's right.

The Honourable Member for Inkster at Second Reading, told us that there is right and there is wrong; in this debate, there are shades of grey. Madam Speaker, that's not how I was raised, with all due respect to the Honourable Member for Inkster. What is right is right; and what is wrong is wrong. I cannot talk myself into the proposition that the practice of homosexuality is right. In my heart of hearts, Madam Speaker, I cannot bring myself to that conclusion.

So we get back to the argument we heard by so many that we don't hate the sinner, we hate the sin. I have to look also, Madam Speaker, at the intentions of the government when I see the legislation before us. As I said a little while ago, every single human being in this country is equal under the laws, and is entitled to the benefits and protections of the laws that we have.

But, Madam Speaker, who is bringing this legislation forward? I can judge people, I can judge governments, and judge has been a word that's been used, and we're not supposed to do that. But as an Opposition politician, Madam Speaker, it's my job to make judgments on the performance of this government, and to try to steer them in the directions that I think are better, with the help of my colleagues and with the help of the people I represent. That's what I'm here to do.

So I judge the Government of Manitoba, not on the high-sounding words we hear all the time; I judge the

government on its actions, Madam Speaker. It wants to help people who are not being treated fairly in certain circumstances, which is a whole other issue. Black people, Natives and women and men, and others in our society are still being discriminated against for one reason or another, perhaps having to do with their colour, race, religion, creed, perhaps for some other reason. Perhaps it's the way they look; perhaps it's because they're not very attractive people; perhaps it's because they're obese. We're all the same, Madam Speaker, that's what the Constitution says and I believe in that concept.

For us to start setting out a whole lot of conditions, what we end up doing, Madam Speaker, is limiting the freedoms that we have. I'm a believer in the fact that, fundamentally, we are born with rights, inalienable rights. Governments can't give rights to people, Madam Speaker, governments can take away rights from people and they do it all the time. Governments, Madam Speaker, don't give people rights. Governments can try to protect people who are oppressed. - (Interjection)- Correct, that's why we have a Constitution.

Now we're bringing in something into Manitoba which tries to improve on something that can't be improved on. Section 15 says it all, Madam Speaker. So here we are trying to do this. I'm sorry, the matter of politics was brought up, that's what we've got, politics, that's what this exercise is all about, because who's bringing this forward? A government wants to protect a certain group of individuals but, when I raise in this House the plight of a very small minority of religious objecters when it comes to union membership, they don't listen to me, Madam Speaker. There's no sympathy on the part of honourable members opposite for those people, and there should be. Those are people, too. They don't want to hurt anyone; they don't want to condemn anyone; they don't want to be involved in confrontation, Madam Speaker, which as the honourable members on the far side in this room will tell you, is part of the union movement. At some times, there is confrontation; it's inevitable sometimes. You have a strike situation in Winnipeg. We have people trying to get into grocery stores and they're being called "scabs," and they're being insulted, Madam Speaker, and they don't have

MADAM SPEAKER: May I remind the honourable member that we are discussing Bill 47?

MR. J. McCRAE: Thank you for the reminder, Madam Speaker. With all due respect, that is precisely what I am doing, and I will try to make you believe that very quickly.

People are entitled to walk into a store and buy groceries. I don't care if they're black, white, whether they're homosexuals, whether they're men, whether they're women. Surely, they shouldn't have to be subjected to ugly calls of "scab" and "scab shopper". That's a kind of discrimination too; those people have feelings. Who do we see walking around this building today with red-and-white badges that say "scab busters," "scab busters," Madam Speaker? Some of the very honourable members who would like to tell us that they're going to provide protection for some of the people we see in the gallery and for others in

our society. Madam Speaker, it's hard for me to understand that.

The First Minister talked about hatred tonight. And the word "tolerance" has been used a lot too. Madam Speaker, we're talking about providing a protection for a group of people who, for their sexual conduct, are committing acts which, in many situations, would be illegal acts, certainly if they're under the age of 21 for some of the acts that are indulged in, Madam Speaker. They want to provide protection for those people on that basis. That's wrong; that is wrong. I cannot see it any other way. Tolerance does not mean that anything goes. That's why we have laws. Are we being intolerant when we say it's against the law to take the life of another person, or that it's against the law to steal somebody's money? Are we being intolerant? No, we're protecting society, Madam Speaker, that's what we're doing.

We can judge the people who are bringing forward these amendments and this particular amendment by their actions, which speak so much louder than their words. The Honourable Minister of Culture, Heritage and Recreation talks about discrimination, as have so many others. The Honourable Minister of Culture, Heritage and Recreation denies me her friendship, Madam Speaker. Is that a discrimination? Yes, it is, of course it is.

When my daughter goes out for an evening, I say: Who are you going out with? I don't always use that tone of voice, but I say that. I say: Who are you going out with? And is it that fellow we talked about last week? Yes it is, Dad. Well, I don't think you should, that's my opinion. I'm discriminating against that person, am I not? Is that not discrimination?

The Minister of Culture, Heritage and Recreation denies me her friendship, because I criticize her for some of the things she says, Madam Speaker, and for some of the things she does. We talk about actions speaking louder than words. We talk about condonation and promotion. Madam Speaker, this comes right down to it. Honourable members opposite are pretty sensitive about this issue of condonation and promotion. But the Minister of Culture, Heritage and Recreation recently, through her department, provided money for a Gay and Lesbian Film Festival.

Madam Speaker, I ask you, what is promotion or condonation of a lifestyle, if it's not providing funding for a Gay and Lesbian Film Festival? Honourable members opposite cannot tell me by their amendment, that they mean what they say. Honourable members, by their amendment, cannot make me believe what they say about condonation and promotion because of their actions.

Most recently, Madam Speaker, my own neighbor, the Honourable Member for Brandon East, his department provided money to the Winnipeg Gay/Lesbian Youth Group, and honourable members opposite have seen the pamphlets these people put out. The Premier himself, I sat here yesterday, Madam Speaker, and watched him and the Honourable Member for Brandon East looking at the pamphlet. The Premier was disgusted, Madam Speaker; he won't admit it, but he was disgusted. That pamphlet clearly promotes - it goes much further than condoning homosexuality and the behavior that goes with it - it promotes, Madam Speaker. The First Minister knows that, the First Minister

is in a spot now, he can't withdraw this legislation because it's gone so far. Honourable members opposite would dearly like to see this thing go away, Madam Speaker, because they can do that, safe in the knowledge that everyone in Canada is entitled to equal treatment.

And don't ever fool yourself - I ask the Honourable Minister of Natural Resources - don't ever fool yourself about discrimination. Discrimination has always been with us, and always will be. And the things that we do and the examples that we show as legislators and as people and through the kind of legislation passed through the Charter of Rights, which is more than just mere legislation, through all those things, we educate a society into a more tolerant attitude toward all. But don't deny me the opportunity, Madam Speaker, to be discriminating when it comes to the raising of my daughters.

MADAM SPEAKER: The Honourable Member for Portage la Prairie.

MR. E. CONNERY: Thank you, Madam Speaker.

I'm not going to take a long time tonight. I think we've heard most of the arguments on this bill. But, Madam Speaker, I must say that it's a bill that I've agonized over very sincerely and very deeply. I have friends that are homosexual. They are friends of mine who are welcome in my house at any time.

But, Madam Speaker, there are two groups of people who - and I have tried through the whole time of the hearings, and there was very little of the hearings that I didn't have an opportunity to listen to, outside of a coffee break or something, I listened to all of the presentations - but there are two groups of people that we're discussing. And I believe this, there are those that are born homosexual or, very early in life, had that tendency implanted in them; and secondly, there are those who have attained or obtained that homosexual desire or the desire to be a homosexual person. And so there's a difference. When we talk about people who are born homosexual, I have a deep concern because, to me, they're an unfortunate group of people who are born that way. It's a lifestyle that's not normal, it's not healthy, and it's not moral. But if they're born that way, I have a deep sympathy for them.

But we've also seen through all of the hearings, Madam Speaker, the testimony of people who got up and said, many of them, that it was an acquired lifestyle, it was a choice lifestyle; and, I cannot accept homosexuality as a choice.

If one person opposite, who has any religious conviction, says they're prepared to accept anybody to make a choice to be homosexual, and they want to enshrine in legislation that option, then I say "shame".

So, Madam Speaker, I have a real concern for this legislation, and I support the amendment that has been put forth by the Member for Fort Garry.

The Minister of Community Services says that we should stand up for minorities and we should respect their right to believe that they should be different. Well, this Minister of Community Services is one of the greatest oppressors of minorities because the mentally handicapped have been oppressed by this Minister.

She has people living in a facility at the Manitoba Developmental Centre that is sub-human, and she's

forcing others to go into the community before the services are there, and also we see many children dying because of the actions of this Minister. And she says she is standing up for the rights of minorities. Madam Speaker, I can't believe that.

Madam Speaker, they say that the rights of minorities should be respected but, when somebody drives down the highway drunk, do we respect the right of that person? No, we take that right away, we throw them in jail. If somebody is a kleptomaniac, do we say: Well, they were born that way so we'll respect that lifestyle and we'll enshrine it in legislation. So, Madam Speaker, I can't accept that.

The Member for Inkster had some fleeting glimpses of morality when he thought maybe he could support our position that this was an immoral bill. But, you know, the Minister got to him - I'm sure the First Minister got to him - and convinced him that what he was doing was wrong and that he should support the bill.

All I want to say is that, while I have a deep concern for those who would be born this way - and they should be able to have a job. Madam Speaker, I can say, with no problem, that lesbians and gays have worked on my farm, and I knew that they were lesbian and gay and there was no discrimination. If there was one living in an apartment block in the suite next to me, that would not create a problem but, if I lived in a duplex and they wanted to move in next door, that would create a problem because I think there are some exceptions, and we, as individuals, have the right to protect our morals as the way we see them.

But members opposite - and the Minister of Health has very connivingly figured out a way that he could support this bill, even though he knows that it's against his church's position. Adam Exner said it is wrong, and the scripture says it's wrong. And the Minister from Rossmere, I don't know how he's going to explain to the Mennonite community that he is supporting this bill when he saw them all there, they were opposing this bill as it was not a moral bill. So I don't know how this member is going to face his community, and I'll face my community.

One of the things that bothers me most in this whole bill is the fact that the United Church of Canada came out supporting it, and I'm a member of the United Church of Canada. When I asked one of the ministers who came to that particular hearing, Reverend John Oldham, and John Oldham married two of my children - and I like the man as an individual, but he's supporting this bill - I said: "Did you contact the people of the church on this issue?"

A MEMBER: He must be immoral.

MR. E. CONNERY: Yes, that man is immoral on this issue, and I'll say it publicly. But they did not contact the members of the church to know what they believe, because I believe that the vast majority of the members of the United Church oppose this bill.

When I asked him why he was doing this, he said, I was elected to lead. But, Madam Speaker, before I made a strong position on this bill, I went to my people, the constituents who I represent, and I said, what do I do on this bill, I have a real concern. I said, personally I'm opposed to it. How do you feel? They said, we're opposed to it and we're strongly opposed to it.

The questionnaire that we put out to the people of our constituencies, in the area of the high 80 percent and 90 percent, said they were opposed to granting these rights to homosexuals.

So, Madam Speaker, I will say that I support the amendment that we put on this bill, and I'm opposed to the inclusion of sexual orientation for people in Manitoba.

Thank you.

MADAM SPEAKER: The Honourable Member for Turtle Mountain.

MR. D. ROCAN: Thank you, Madam Speaker.

I rise in support of the amendment brought forward by my colleague, the Member for Fort Garry.

Madam Speaker, in order to start out, I would just like to say that I discriminate. I'm not ashamed of it, Madam Speaker; I've discriminated more than once. On several occasions, I've had beggars come to my door, a beggar with a cup in hand, either wanting a meal, a place to sleep. On some occasions, Madam Speaker, I've given them that meal and that place to sleep; on other occasions, I have turned them away. I have discriminated.

I look around the gallery. I don't see anybody up there wearing a sign which says, "I'm homosexual, I'm a lesbian." No, I don't. I hired numerous people, and I've never hired them based on whether they were homosexuals, straight, whatever, no. And it doesn't show on them, Madam Speaker, it doesn't show, because they're not wearing this sign. I may not hire that person, maybe I don't like him wearing earrings, maybe I don't; maybe I don't like his hair up in a spike, whatever, I don't. But I discriminate, because I will not hire him if he's wearing an earring. You can ask my son. I told my son, if I ever catch you wearing an earring, I'm going to cut your ear off. That's a fact, Madam Speaker.

Madam Speaker, I often refer to a Mack truck when I talk about homosexuals, Lesbians, and when I refer to this truck - I used to drive highway - and we had a sleeper in the truck and I thought it was up to me to hire whoever I wanted to who was going to sleep in the bunk. Yet, Madam Speaker, I still say the men, and many of them whom I hired never, ever wore a sign that said "I'm a homosexual."

So when I look around this building and then I look and, like I say, this building, Madam Speaker, last week during committee, when committee was sitting on this bill and, if you want to talk about discrimination, again I'll say, I was going out for a smoke because they discriminate against me in the committee room, they won't let me smoke. So I went out in the hallway, I went to have a smoke, fine; but at the east end of the hallway, I opened the window and let some fresh air in for everybody else because I'm smoking and, while I'm standing there, Madam Speaker, a car pulls up. Now this car, I'm not going to say that they picked up somebody who was soliciting or whatever he's doing standing on the building, that I don't know. I don't know where you pick them up, Madam Speaker, but when I listen to the Member for River Heights - and this is what brings this to mind - she says you know we have to love one another. But while I'm standing there having

my smoke, what I saw, Madam Speaker, was disgusting, was disgusting right outside that window.

Madam Speaker, I can't say that I love those two guys who were down in their cars. I can't say that. It was just disgusting. So, I could not love either one of those two fellows. And this is the sort of lifestyle that this government is promoting. And I can say, Madam Speaker, that they are promoting because we do know that the Careerstart Program did fund the coordinator for the Winnipeg Gay/Lesbian Youth Organization.

Madam Speaker, this evening I received a letter from the Minister responsible for Employment Services and Economic Security. It was to do with teenage Winnipeggers. He was saying that they were accepted for Teen Aid. This, Madam Speaker, is a group that teaches family life and sex education through abstinence. He says they weren't turned down but, granted, this evening he proved to me they were. There was an approval for 360 hours of funding or \$1,782.00. But he might as well have given them \$20,000, approved \$20,000, because they had no way to get access to that money. A non-profit organization, they didn't have any money in the kitty at all, Madam Speaker. For that reason, staff advised the Teen Aid Winnipeg program that a guarantee of funding was not possible. So Madam Speaker, in my mind, he did turn them down. So on one hand, we have them funding the gay/lesbian community, turning down Teen Aid.

And then we have the Minister responsible for Culture and Heritage. She promotes the Gay/Lesbian Film Festival, Madam Speaker, and yet she is another one who turns down Teen Aid Winnipeg. She turns them down. Members opposite, there's a conspiracy there, Madam Speaker. There is a conspiracy. If you are straight you don't get funding. A gay group, no problem.

Madame la présidente, je veux dire un few mots à mon ami, le Ministre de la Santé.

C'est dur que je parle en français à vous, mon chum. Mais tu es le seul sur ce bord que j'ai la confiance, que j'avais la confiance, que tu pourras, d'une manière ou une autre, parle à tes compatriotes qu'ils changent leurs idées.

Je t'avais dit un soir qui j'avais écouté à ton discours sur un tape. Je l'avais écouté dix fois au moins. Je l'avais écouté avec ma femme. J'ai été écouter, ce même tape, avec les curés à St-Boniface. Puis à toi, je voudrais dire un couple de mots, toi pareil.

English translation of the above.

Madam Speaker, I want to say a few words to my friend, the Minister of Health.

It's hard for me to speak French to you, my friend. But you're the only one that side I have, or rather had, confidence in to talk to your colleagues and somehow get them to change their minds.

I told you one night that I had listened to your speech on a tape. I listened to it at least 10 times. I listened to it with my wife. Then I went to St. Boniface and listened to that same tape with the priests there. And I'd like to have a few words with you, too.

A MEMBER: Just keep your mouth shut for awhile.

MR. D. ROCAN: Dis-le mon chum tu vois, autrement on va prendre soin. Mais quant même je pensais que

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. . . J'avais assez confiance en vous, en vous j'avais assez confiance que . . .

English translation of the above.

You tell him, my friend, or else we will. But anyway, I thought that . . . I had enough confidence that you . . .

A MEMBER: God damn you, Schroeder. Shut up.

MR. D. ROCAN: Toi, as-tu fini?

English translation of the above.

Have you finished?

A MEMBER: Vic is making an awful lot of noise, Madam Speaker. Tell him to shut up.

MADAM SPEAKER: The Honourable Member for Turtle Mountain.

MR. D. ROCAN: Merci, Madame la présidente.

C'est de valeur que je n'y ai pas pensé avant, autrement, j'aurais demandé pour l'avoir traduit. C'est de valeur. Je voulais juste dire un couple de mots.

English translation of the above.

Thank you, Madam Speaker.

It's too bad I didn't think of it before, otherwise I could have asked for translation. That's too bad. I just wanted to say a couple of words.

But anyway, Madam Speaker, as I was saying to the Minister of Health, I would have thought that he would have been the one person on that side who I would have had enough confidence in that he would have been able to change these fellows, but no.

This 9(2)(h), as far as I'm concerned, is a direct attack on the morality of the people of Manitoba. I polled my constituents, almost 90 percent of them were against special legislation for the protection of the homosexuals. I am appalled at this government for promoting this type of lifestyle.

Madam Speaker, again I want to state that I support the amendment brought forward by my colleague, the Member for Fort Garry.

Thank you.

HON. L. EVANS: Madam Speaker, on a point of order.

MADAM SPEAKER: The Honourable Minister of Employment Services on a point of order.

HON. L. EVANS: Perhaps I'll speak briefly on the topic.

MADAM SPEAKER: Order.

HON. L. EVANS: Okay, on a point of order, I'll speak on a point of order.

Madam Speaker, as I came into the Chamber, the Member for Turtle Mountain said that we turned down the application and that is simply not correct. This is not a disputing of the facts, but the honourable member is stating something that is false. It was approved, and the fact is that the organization did not want to accept the offer of that one position.

MADAM SPEAKER: Order please.

HON. L. EVANS: And I invite the honourable member across to my office . . .

MADAM SPEAKER: Order please.

The honourable member does not have a point of order . . . - (Inaudible) - secondly, the time to raise a point of order is when it happens, not at the end of a five-minute speech.

HON. L. EVANS: Madam Speaker, I rise to speak on this subject.

Madam Speaker, there are a lot of issues of principle involved here, and I think that many of my colleagues have well expressed the views of this side of the House. We've had some excellent speeches, speeches pointing out very basic principles, speeches relating to the essence of the question of human rights and I'm not going to attempt to repeat that. But I must say that I'm very disappointed in some of the remarks made by members opposite. I don't think they dealt with the essence of the question and I do detect - I'm going to be charitable - some misunderstanding.

With reference particularly to the Member for Turtle Mountain, who continues to get up, who got up a few minutes ago and stated something that was simply not correct, and I explained to him earlier this evening, in writing, that the Government of Manitoba approved a Careerstart grant for this particular organization.

A MEMBER: What organization was that?

HON. L. EVANS: Teen Aid Incorporated, the organization the Member for Turtle Mountain is concerned with.

The fact of the matter, Madam Speaker, is that particular organization, like many non-profit groups, was cash short, and we try to help these organizations by providing them with a letter of recommendation, a letter indicating that they are entitled to so many dollars under the program, and many, many non-profit organizations are able to go to their banks, the credit unions and get a cash advance. For whatever reason, this organization was not able to do that and they came back to our staff and said they did not want to accept the grant that was made to them. They did not wish to accept it.

They withdrew and, as I said to my honourable friend before from Turtle Mountain, if he doesn't believe me, I would invite him to bring that individual, that group to see me tomorrow. He can come, we'll have our staff and we'll explain it again if he doesn't understand it. But hundreds of organizations have been assisted by a letter of reference to enable them to get cash flow but, if an organization decides that they don't want to do that, that is their matter, that is their problem. Nevertheless we did approve it and, as I explained, Madam Speaker, earlier today, there are hundreds of organizations in the ridings of the honourable members opposite that have been assisted under this particular program.

To get back to the subject, Madam Speaker, I know the evening is getting late. Madam Speaker, I must say one thing that some of my colleagues have expressed

tonight that I appreciate, and the fact is that for the last several months we have been barraged with a lot of personal attacks, a lot of name calling, which I think is demeaning of this place. I've been here 18 years and, I must say, well particularly with the Member for Arthur, I would like the Member for Arthur's constituents to hear the Member for Arthur some time because he may not be here next time either if they heard.

Madam Speaker, I know the night is growing late. My friends are telling me time is of essence, so I would sit down and urge members to think about this matter very carefully. Well, Madam Speaker, we could give you a longer speech if we wished, but the fact is the evening is very late. Madam Speaker, I have no problem whatsoever in this matter.

MADAM SPEAKER: The Honourable Member for Ste. Rose.

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

I wish to rise to support the amendment, which we have been debating for some considerable length of time already. I will keep my remarks brief and to the point.

I would, first of all, like to say that the Member for Swan River, in opening the debate, tried to take the high road, and made one of the best speeches that I've heard him make since he came into this House. I came in, I must admit, at the same time, greenhorns. But I also believe that he and the Member for Lac du Bonnet, in speaking at this stage on the bill, are perhaps indicating some of the concerns that have been brought forward from the constituency, not only their own constituencies but from across the province.

We have been exhorted to talk on the basic principles of the legislation. Let's talk about the basic intent behind the act was what we were exhorted by the government. Well, Madam Speaker, that is one of the problems that we have on this side of the House and that is why we brought forward this amendment, because there simply are no grounds to say that we on this side would want to discriminate. We would not discriminate. The examples that the member on the other side would want to talk about, if he wants me again to give him the same speech about their racist actions towards the Indian and Metis people in my constituency, I'll give it to him.— (Interjection)— That's not why I rose to speak, Madam Speaker.

I want to talk about why I myself, particularly, and I believe many of my fellow members on this side of the Legislature, have risen to speak in support of this amendment. It's not as the members opposite, I'm sure, are going to tell the public and have tried to tell the public of Manitoba. It is not that we are against human rights. But we do have concerns that we have expressed in this amendment, concerns that are very real, concerns that have been just as seriously thought out as the speeches that came from the government side.

The government, frankly, while they would have us believe otherwise, does not have a stranglehold on the truth, does not have a stranglehold on moral values in this province. The concerns that we expressed on this side - and I'm extremely proud to say that our leader has allowed us a free vote, that my fellow caucus members have allowed all of us a free vote - but we

have struggled with this. As I said in my speech earlier on Second Reading, the background from which I approach this bill is very simply the fact that I have a great deal of concern about the example that we are setting to many of the young people in this province.

Madam Speaker, we can make all the speeches we want about the fact that the simple phrase "sexual orientation" has no other ramifications other than a very small interpretation within this bill, but I am not convinced and obviously all the members on this side are not convinced that is so. There are innumerable examples of other legislation where we passed legislation and raised questions. Only in my brief period in this Legislature, I have already seen too many examples of where we put something in legislation that looks so innocent, but we don't realize the ramifications of what we're doing when it's extrapolated to the extreme, when it comes to a court case perhaps or when regulations are applied to it.

One of the Ministers opposite talked quite eloquently about her concerns, about her children, and how she was prepared to take that responsibility and wanted to provide an example for her children, and I too want to be able to say with an equal amount of pride that I would like to set an example for my children. In fact, that's why I rise to speak on this amendment, because of my concern for the young people, because of the concern that we set an example through the enshrining of a lifestyle, rather than an identifiable minority with The Human Rights Code. That is where the problem lies.

We have said it innumerable times on this side of the House; we have said it many different ways. I know that we're not going to change the government's stand, but I want to clearly put my position on the record, Madam Speaker, and I want it made very clear that I've come to this position because of a serious discussion and because of a very strongly held feeling and conviction that I have, as many other members have expressed.

Madam Speaker, do I speak on behalf of the majority of my constituents? In my opinion, I believe I do. But you know, I don't have a lengthy detailed poll to try and decide how my constituency feels. About my church, I'm in opposition to what the leadership of my church has said. Members opposite feel that they've been unfairly treated about standing in opposition to what the churches that they belong to may feel and may say and may support. But, quite frankly, I am prepared to put my principles on the line and say that my feelings do not coincide with my church on this issue.

We now have enshrined a lifestyle, a lifestyle that I do not appreciate, a lifestyle that I am prepared to allow them to function in their lifestyle, and I certainly have no intention of either myself being discriminatory or allowing anyone in our society to be physically discriminated against. But many times tonight, we've been exhorted to be true to ourselves or we are nothing.

Frankly, I hope that I have laid out my feelings, my concerns, my reasons for supporting this amendment clearly enough so members of the government, the members of my constituency and the public of Manitoba will know why I'm voting in favour of this amendment, why I have these concerns. I believe that now is the time for us to be very serious about the future that we are setting as an example for our young people.

A MEMBER: Question.

MADAM SPEAKER: The question before the House is the amendment . . .

All those in favour, say aye; all those opposed, say nay.

The Honourable Opposition House Leader.

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

MADAM SPEAKER: Call in the members.

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

YEAS

Birt, Blake, Brown, Connery, Cummings, Derkach, Downey, Ducharme, Enns, Ernst, Filmon, Findlay, Hammond, Johnston, Kovnats, Manness, McCrae, Mercier, Mitchelson, Nordman, Oleson, Orchard, Pankratz, Rocan, Roch.

NAYS

Ashton, Baker, Bucklaschuk, Carstairs, Cowan, Desjardins, Doer, Dolin, Evans, Harapiak (Swan River), Harapiak (The Pas), Harper, Hemphill, Kostyra, Lecuyer, Mackling, Maloway, Parasiuk, Pawley, Penner, Plohman, Santos, Schroeder, Scott, Smith (Ellice), Smith (Osborne), Storie, Wasylcia-Leis.

MR. CLERK: Yeas, 25; Nays, 28.

MADAM SPEAKER: The Honourable Member for Emerson.

MR. A. DRIEDGER: Madam Speaker, I was paired with the Minister of Agriculture. Had I voted, I would have voted in favour of the amendment.

MADAM SPEAKER: The Honourable Minister of Finance.

HON. E. KOSTYRA: Thank you, Madam Speaker. I move, seconded by the Minister of Community Services

THAT Bill No. 47 be amended by striking out subsection 16(2) thereof, and substituting therefor the following subsection:

Exception for private residence, etc.

16(2) Subsection (1) does not apply to

- (a) the choice of a boarder or roomer for a private residence by the occupier of the residence; or
- (b) the choice of a tenant for a unit in a duplex by the owner of the duplex, if the owner occupies the other unit in the duplex.

MOTION presented and carried.

MADAM SPEAKER: The Honourable Minister of Finance.

HON. E. KOSTYRA: Madam Speaker, I move, seconded by the Minister of Cooperative Development

THAT Bill No. 47 be amended by striking out clause 29(3)(b) thereof and substituting therefor the following clause:

- (b) recommend that the Minister commence a prosecution for alleged contravention of the Code.

MOTION presented and carried.

MADAM SPEAKER: The Honourable Minister of Finance.

HON. E. KOSTYRA: Thank you, Madam Speaker. I move, seconded by the Minister of Health THAT Bill No. 47 be amended

- (a) by adding thereto, at the end of clause 50(1)(b) thereof, the word "or"; and
- (b) by adding thereto, after clause 50(1)(b) thereof, the following clause:
- (c) there is an error of law on the face of the record of the proceedings in respect of which the decision or order under review was made.

MOTION presented and carried.

MADAM SPEAKER: The Honourable Minister of Finance.

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

I move, seconded by the Minister of Culture, Heritage and Recreation

THAT Bill No. 47 be amended by striking out subsection 50(5) thereof and substituting therefor the following subsection:

Powers of court.

- 50(5) Upon hearing the application referred to in subsection (1) and reviewing the decision or order, the court may affirm, vary or set aside the decision or order or may direct the adjudicator to continue the adjudication in accordance with the decision of the court.

MOTION presented and carried.

MADAM SPEAKER: The Honourable Minister of Finance.

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

I move, seconded by the Minister of Urban Affairs THAT Bill No. 47 be amended by striking out subsection 51(3) thereof and substituting therefor the following subsection:

Consent to prosecution.

- 51(3) No prosecution for an offence under this Code shall be commenced without the written consent of the Minister.

MOTION presented and carried.

THIRD READING

BILL NO. 25 - THE DISCRIMINATORY BUSINESS PRACTICES ACT

HON. E. KOSTYRA presented, by leave, Bill No. 25, The Discriminatory Business Practices Act, for Third Reading.

MOTION presented.

MADAM SPEAKER: The Honourable Member for River Heights.

MRS. S. CARSTAIRS: Thank you, Madam Speaker.

I just want to put it on the record this evening that, while I will be supporting this bill because I think it's better than anything that we have to date, I still have grave difficulty with what I believe to be the discriminatory provisions of this particular bill.

I have checked with legal counsel in Ontario this morning, and they assure me that their act does not discriminate. I believe that our act does. Since they are not concerned with constitutional challenges, I do not know and do not understand why we should be, and I believe that we should go further than we have with this legislation. But I will still agree with the principle of the legislation and support it.

QUESTION put, MOTION carried.

Bill No. 24, The Corporations Act;
Bill No. 26, The Environment Act;
Bill No. 28, The High-Level Radioactive Waste Act;
Bill No. 35, The Child and Family Services Act;
Bill No. 37, The Liquor Control Act;
Bill No. 38, The Law Society Act;
Bill No. 40, The Human Tissue Act,
by leave, were each read a third time and passed.

BILL NO. 42 - THE CONSTRUCTION INDUSTRY WAGES ACT

HON. R. PENNER presented, by leave, Bill No. 42, An Act to amend The Construction Industry Wages Act, for Third Reading.

MOTION presented.

MADAM SPEAKER: The Honourable Member for Pembina.

MR. D. ORCHARD: Thank you, Madam Speaker.

Madam Speaker, I spoke in opposition to this bill and Her Majesty's Loyal Opposition is still in opposition to this bill.

All the Minister did in proposing amendments on Tuesday night was to remove the Lieutenant-Governor-in-Council's powers to add to the list in definitions and in the sector. But the new definitions of construction and sector are still there, which still gives this Cabinet enormous powers to control private sector, non-unionized firms throughout this province. Indeed, by Lieutenant-Governor-in-Council, even though they can't change the definition, they can still determine the type, the class, or the size of project on which this act will apply.

That is still an enormous amount of power for this very union-motivated and union-guided Cabinet to have. It will not be good for the construction industry, and therefore, Madam Speaker, even though the Minister admitted he was wrong in having those Lieutenant-Governor provisions in there, in terms of adding to the definition "construction" or "sector," he's still wrong

by leaving in the Cabinet powers to determine what type, class, or size of project fall under this act.

The example still exists that you can move to Steinbach, or you can move to another area of the province where one of your union friends is concerned about being outbid on a housing development project by a firm which is not unionized, and you can have that firm come under this act and force them to pay substantially higher wages, which neither the employer nor his employees desire.

So this bill is bad legislation, and we oppose it, Madam Speaker.

QUESTION put, MOTION carried.

MADAM SPEAKER: The Honourable Opposition House Leader.

MR. G. MERCIER: On division, Madam Speaker.

MADAM SPEAKER: On division. (Agreed)

Bill No. 46, The Charter Compliance Statute Amendment Act, 1987, by leave, was read a third time and passed.

BILL NO. 47 - THE HUMAN RIGHTS CODE

HON. E. KOSTYRA presented, by leave, Bill No. 47, The Human Rights Code, for Third Reading.

MOTION presented.

MADAM SPEAKER: The Honourable Member for Pembina.

MR. D. ORCHARD: Thank you, Madam Speaker. I wish to speak on this bill.

I didn't have the opportunity to speak in Second Reading, and I wish to address some comments to it tonight.

Many people on the government side have indicated that this bill is an issue of fairness and equity. I suppose when you're trying to pass something that you truly don't believe in, that is the hat you hang your arguments on. Madam Speaker, I hope to be able to persuade at least some members opposite that even the amendments proposed have not done anything to remove the basic problem with this bill, namely the inclusion of sexual orientation in The Human Rights Code. Madam Speaker, if anybody thinks that this bill has not been extremely divisive amongst the people of Manitoba, I simply ask them to think twice.

Madam Speaker, I have something for the Premier. Recall the divisive debate during the French language issue where Manitobans, 80 percent of Manitobans, were vehemently opposed to the Attorney-General and the Premier's plan to entrench French language rights in the province. During that entire 18-month debate, I never had one single occurrence like I'm going to table for the Premier tonight.

I'll read the outside of this envelope, because this envelope came to me as a result of a phone call from a woman who was very, very upset with this NDP's inclusion of sexual orientation in The Human Rights

Act. On the outside of this envelope it says, "To Mr. Don Orchard. This is what the NDP have done to the people of Manitoba. Please bring it to their attention. Thanks."

And I opened the envelope, Madam Speaker, and inside was a burned NDP Party card. This is not an individual who is supportive of the Progressive Conservative Party.

Madam Speaker, I'd like the Premier to have this so that he knows the kind of division that's there. This never occurred during the entire 18 months of the French language debate. So, Madam Speaker, this is not an issue that is partisan on party lines where Progressive Conservatives across this province oppose this inclusion of sexual orientation. Many New Democrats, including the former Premier of this province, oppose this amendment.

Madam Speaker, what are we talking about? We heard many members opposite talk about we don't want to discriminate. I simply want to go through section 9(2). This bill says that one shouldn't discriminate because of ancestry or colour. Madam Speaker, when I look at an individual, I can tell if he's a black man or a red man or an Oriental by the colour of his skin. That's obvious. His ancestry is often indicative by the colour of his skin. His nationality or his national origin is often evident by his last name or maybe he or she has an accent, so that's evident. The same thing with the ethnic background or origin. In some religions they may wear ceremonial headdress so I can determine if that person, for instance, is a member of the Sikh religion or maybe an Orthodox Jew. I can tell by looking at him. I can certainly tell a person's age generally by looking at him. I can determine their sex by looking at them. I can't always determine their marital status but, if they're wearing a wedding ring, I can probably assume that they are married.

But, Madam Speaker, I cannot tell by looking at any individual in this House or any individual that they are homosexual, gay or lesbian. I simply can't determine that by looks.

So, Madam Speaker, what are we preventing, discrimination of homosexuals on what basis? Because I don't know, when I speak to a potential employee or a potential renter whether that person is a homosexual by looking at them. Many of my colleagues have made that point tonight. They don't have a sign on their chest or on their back that says they are homosexuals. One cannot tell. So what we are doing by including sexual orientation in The Human Rights Act is we are protecting a lifestyle and we are condoning a lifestyle, that being the homosexual lifestyle.

Madam Speaker, if anyone believes on the government side of the House that, in passing this amendment there will not be repercussions in society at large, they are wrong because I can't tell, as I say, looking at any individual whether they are a homosexual simply by looking at them. But I will tell you that I can tell homosexuals when I walk to my apartment across the grounds of the Legislature at night, because individuals are out there practicing their homosexual behaviour in public.

Now, Madam Speaker, is that what we are saying is a legitimate and equivalent orientation sexually to the traditional heterosexual relationships in this province? Yes, we are. That's exactly what we are saying and you

will have more and greater visibility of the homosexual community as a result of this amendment. The coming out of the closet, if you will, is what will result as an outcome of this inclusion of sexual orientation in The Human Rights Act.

I think that anybody who considers homosexual lifestyle, one has to consider that it is not a normal behaviour; it is a deviant behaviour. The former Premier described it in similar terms. He called it an "affliction," which is what the specific word was.

But, Madam Speaker, we are being asked to make a non-discernible condition in an individual protectable under The Human Rights Act. And that is wrong, because that is bringing lifestyle into The Human Rights Code, something that has not been done before. Discrimination on the basis of colour, yes, because I can tell by a person's colour that they're different. But I can't tell if that coloured person is a homosexual by looking at him. But yet we are asked to provide protection to that individual. And why is that? What is the need? I have not detected it.

As my colleague, the Member for Fort Garry, has indicated in the committee hearings, no presenter of a brief is in favour of this - and let's face it, those people were lobbyists from the gay and lesbian communities - did not establish a reason for the inclusion in their testimony to that hearing.

Madam Speaker, we have criticized the government saying that this condones a lifestyle, and we're serious about that. I think an example of the seriousness is this pamphlet from the Winnipeg Gay/Lesbian Youth Group.

Incidentally, this pamphlet was produced in part because of funding by the New Democratic Party Government, by the Premier, the Attorney-General and the Cabinet, who allowed funds to go to this group, and it helped to produce this pamphlet. Now you say that you're not encouraging the lifestyle of homosexual orientation and sexual behaviour by simply passing this amendment but, Madam Speaker, this pamphlet encourages homosexual lifestyle and it's funded in part by the NDP Government.

I'll read you why I say it promotes homosexual activity. It's a checklist that a person is supposed to go through. It starts out, "What do you think caused your heterosexuality?" One of the other questions is, "If you've never slept with a person of the same sex and enjoyed it, is it possible that all you need is a good gay lover?" Now that is promoting homosexual behaviour, aided and abetted by funds from the New Democratic Party, and you're saying that passing this amendment is not going to encourage more dissemination of this kind of material. You're dead wrong, because that is what will happen.

Madam Speaker, it hasn't been mentioned tonight, but this is a major problem facing everybody in the world - it's AIDS. No one tonight has talked about the disease, AIDS, but I would recommend to anybody on that side of the House - and I wish you had the opportunity to read it before you voted on this bill the last time.

This book is called, "The AIDS Cover-up" by Jean Antonio. It's a recent publication and, if you read it, you'd be shocked at what the threat to society is of AIDS. There is no question - and this has been established not only in this book but other books - that

AIDS is primarily, at this stage of the game, a disease of the homosexual community. For anyone who wishes to read this book, there's an example in here that unfortunately -(Interjection)- yes, it is; it's page 58, 59. This describes what happened in New York City back in 1969.

In New York City, prior to that, the police had the ability to crack down on illegal bathhouses and illegal homosexual bars and they often would crash in with a vice squad, presumably arrest people, but the gay community in 1969, on June 27, rebelled. They started throwing bricks and they got violent. After that, they came out of the closet and here are the exact words. The slogan became, "Out of the closet and into the streets." After that, in New York City, there were a number of gay marches to ask for rights, protection from discrimination, as they call it, amendments like we're now putting into The Human Rights Code of Manitoba, which legitimizes homosexual lifestyles and equates it and gives it an equivalent status to heterosexual lifestyles.

That began in 1969 in New York. The politicians got intimidated by the lobby of the homosexual community in 1969 in New York City. As a result, the bathhouses started to open up. The bathhouses, if you read this book, are areas of incredibly open, multiparty homosexual encounters where they can express their sexual orientation to the ultimate degree. Those were not legal in New York in 1969 and, because of the pressure of the homosexual community on weak-kneed politicians, they became licensed and they became part of the fabric of the community of New York City, as well as increasing numbers of gay bars and gay organizations and everyone came out of the closets and out on to the streets.

Today, Madam Speaker, what is New York City renowned for in the world? It's renowned because it is the AIDS capital of the world, aided and abetted by those bathhouses that used to be illegal prior to the tremendous lobby by the gay community on the politicians of New York City, prior to the inclusion of sexual orientation in the New York State Civil Liberty Code. All that before 1969 was not possible. After those amendments, it was possible, and New York is the AIDS capital of the world.

Madam Speaker, this book details testimony from infected male homosexuals and, in San Francisco, there is a particularly active group of AIDS-infected male homosexuals. Do you know what their purpose in life is? Their purpose in life is to undertake some heterosexual relations so that they can spread the AIDS to the heterosexual community through the women they have sexual intercourse with, even though that's not their lifestyle. And why do they do it? They do it because they want the heterosexual community to get the AIDS virus and the AIDS epidemic quicker. Those are the people that you are saying need protection under The Human Rights Act of Manitoba.

Madam Speaker, who is going to protect us? The straight community, that group of people out here that still believes in the family unit, husband and wife, male and female, man and woman, and raising our children and those kinds of family environments.

But, Madam Speaker, that group in San Francisco - there is a homosexual community in San Francisco - was polled about their sexual habits after the AIDS

scare really became predominant. Do you know that, after something like six years of advertising of safe sex practices, something that the gay community supports, something this government hangs their hat on as the method of preventing the spread of AIDS, in the homosexual community of San Francisco after a number of years of that kind of advertising and promotion, 92 percent to 96 percent of the homosexuals over a trial period of time asserted they were still not taking the most basic prophylactic measures to reduce transmission and exposure to the AIDS virus, 35 percent of them said they agreed that reducing the number of partners would reduce the risk of spreading AIDS? But yet those same 35 percent said that the month prior to the sampling they had sexual relations with at least five different people; 69 percent of those men having three or more sexual partners the previous month agreed with the statement: "It is hard to change my sexual behaviour because being gay means doing what I want sexually." That's the community that you have given special rights to in The Human Rights Act.

Madam Speaker, what are we doing? We have the inclusion of AIDS as an STD in the Province of Manitoba. But we didn't make contact tracing mandatory because education is going to do the job, the same education program that's failed in San Francisco.

Now, Madam Speaker, when do we start talking about the basic moral fabric of society? What number of people tonight have said what built this society? Our country, our nation, our world, was not built on homosexual relationships. It's a little difficult raising the children for the future of this country through homosexual relationships, whether it be two male gays or two lesbian women. We are undercutting the moral principles that built this country.

Now we have established over the last three or four years that this is one of the most incompetent governments we've ever had. No one has ever questioned that this government had competence. They've proved that they can't manage Crown corporations; they've proved they can't arrange the finances of this province in a responsible way; but nobody before ever came to the conclusion that this government was morally bankrupt until this Session.

It started with the Minister for MPIC admitting that he covered up losses before the election, something that is fundamentally against the British parliamentary system. And who defended him the most? The Premier did, the No. 1 cause of the decline in morality in this government. Then you've got the Minister for the Workers Compensation Board, and we could go on and on and on.

The moral principles that found this government are non-existent. What example does that give to the people of Manitoba? It says, as long as you can get away with it, do it. As long as it feels good, do it, is what you're saying with the sexual orientation inclusion in The Human Rights Act. You have taken and you have cut away and you have eroded and you have chipped away at the family unit in this Province of Manitoba with this inclusion of sexual orientation.

Again, I repeat to you: What built this country? It was stringent moral values based on Christian faith. How many times did you hear at that committee that inclusion of sexual orientation went against everybody's moral and religious convictions, with the exception of

the United Church that I belong to? I assure you, in the NDP, if you need any assuring on this, that people who spoke to you in support of this bill who were representing the United Church do not represent the membership of the United Church. I can assure you of that. I know that my colleagues from the United Church on this side of the House know that. Those people are hirelings of the NDP Policy Convention. And I've said that to their face, so I'm not saying something that I have not said outside of this House. They do not represent the congregation of the United Church. Other than that, every other person with a scrap of moral conviction in his body said this sexual orientation amendment was wrong because it undercut and destroyed the family system and the moral principles and values that built this country.

But what have we got the Member for Selkirk and his Cabinet and his colleagues doing? Passing this amendment to The Human Rights Act to grant equivalent status to the heterosexual lifestyle, to the homosexual lifestyle. That is offensive, that is objectionable to 90 percent of the people in Manitoba, and it is wrong. It is wrong, Madam Speaker, because of where it will lead this province. If you think that the homosexual community is going to sit by idle with this amendment and not cause untold problems for landlords, employers, etc., etc., through the courts, through this act, you're wrong.

Madam Speaker, I simply want to have the Premier get this book and read what happened in New York City, when week-kneed politicians in New York City included sexual orientation, buckled under like he has done to this lobby group, this minority lobby group, and they started licensing the bathhouses where homosexual men go there and can encounter anywhere from three to five lovers in a night. They even have special stalls and booths where it's completely unknown who the other person is because you undertake your sexual act through a simple hole in a partition, so no one knows who the other person is. Now, Madam Speaker, all those things came after the kind of recognition and equivalent status given to the homosexual community in New York City that this Premier is giving to them in the Province of Manitoba right now.

Do you want as your legacy that Winnipeg becomes the AIDS capital of Canada? Because, I'm sorry, Mr. Premier, but I'm deathly concerned about AIDS and its impact on all members of this society. I do not believe that we have the right in this Legislature to give a status, which in New York City led to such a virulent spread and epidemic spread of AIDS in New York City that it's now the AIDS capital in the world. That is the result of this amendment.

This is not talking about simply preventing discrimination. This is giving and conferring a status on behaviour that has never been included in The Human Rights Act before because colour is not behaviour, religion is not behaviour, neither is sex, neither is age, but sexual orientation is behaviour. That's what you're giving status to. That is wrong, Mr. Premier. If you had any courage at all to stand up to the many lobby groups that you cave into on a regular basis, this of all lobby groups you would cave into, for the future of the province and for the safety of the citizens of Manitoba, you would not be proposing this and you

would have voted in favour of the removal of sexual orientation from this Human Rights Code. But you, sir, do not have the courage to stand up to that lobby. You are hiding behind the hand-holding words that we do not want anybody to be discriminated against. Well, let me assure you . . .

MADAM SPEAKER: May I remind the honourable member to address his remarks through the Chair.

MR. D. ORCHARD: I will, Madam Speaker.

You are now with the sexual orientation amendment condoning a lifestyle that is offensive to many, that is not a normal lifestyle. It's a deviant lifestyle and you are giving it equivalent status and position to a heterosexual lifestyle. Your funding is encouraging youths in this province to try homosexual activity and, Mr. Premier, did you not know that? You stand here and say that all we're trying to do is prevent discrimination of individuals? You are dead wrong, sir, and there was almost a semblance of integrity in some members in the backbench, but that soon disappeared when the Whips came on. That soon came off and disappeared when the Whips came on.

Madam Speaker, when on August 2 the Gay Community has their march in Winnipeg, I hope the Premier is leading the parade because they are extremely happy with this Premier. I hope the Attorney-General is lockstep with him because I want the people of Manitoba never to forget that this Premier and this Attorney-General, along with 27 colleagues over there, voted to give special status to the homosexual community in Manitoba.

I don't ever want people, like the one whose NDP-burned party card I just sent over to the Premier, to ever forget who gave them this special status for the homosexual community, because I want to be solidly on the side of opposing this when the crisis on AIDS gets worse and worse in Manitoba, as it will do.

It is not the heterosexual community that's spreading it, Madam Speaker. It's the homosexual community, the very homosexual community that you've conferred special status on. I regret that, Madam Speaker, I regret that deeply, and I will not let the people of Manitoba forget that this Premier and this Attorney-General brought this amendment to The Human Rights Act. In government, I will do everything in my power to remove it. That's a commitment I make to you tonight, Madam Speaker.

Thank you.

MADAM SPEAKER: The Honourable Member for Brandon West.

MR. J. McCRAE: Thank you, Madam Speaker.

I am glad that the First Minister can hear my voice and the voice of the Honourable Member for Pembina and whoever else speaks tonight. I appreciate his presence. I believe that he's listening, and I wish he would listen to my pleas.

Earlier, Madam Speaker, I tried very hard to speak in a manner that would be deemed reasonable by honourable members opposite, as opposed to the usual kind of partisan back and forth that we have in this House, because I'm very serious about my opposition to this bill.

The matter of the problem with AIDS has been dealt with before. I don't think it's been given the prominence in this debate that it probably should have been. The Honourable Member for Pembina has dealt very effectively with the matter, and I noticed the First Minister listening very carefully about that part of the issue. It's a very, very dangerous scourge that is upon us and it's something that, next to the nuclear fear that is instilled in our children in school these days, perhaps AIDS is moving into first place.

Madam Speaker, this is not something that might happen as in the case of the nuclear fear that our children have. They are frightened about AIDS. My children are. I talk to my children when I go home weekends. These things are very, very definitely a concern. It's not a figment of my imagination. It's nothing to do with any hatred that I hold in my heart, Madam Speaker, for people who are of the homosexual persuasion. As a matter of fact, one of my friends is and was a homosexual. He and I have discussed the matter very forthrightly, I think, and we are still friends.

But I'm trying to impress upon the First Minister the depth of my sincerity on this issue and how much I want him to listen to us on this issue. I'm very, very concerned about the issues raised by the Honourable Member for Pembina dealing with AIDS and other sexually transmitted diseases. These are fears that I have for the future of our population in Manitoba, and the First Minister need only talk to the Minister of Health to get confirmation of the facts on the matter of the dangers of AIDS.

So often, Madam Speaker, as politicians and certainly, in the First Minister's case, as the leading politician in this province, the matter of finances has to be looked at, aside from all the human suffering that is brought on by this dreaded disease. The Premier has no doubt been given projections about what this is going to cost the taxpayers of our province and other provinces and other jurisdictions all over the world as a result of what has begun. There's no doubt in the world how that disease or where that disease originated. There is no doubt in the world that it exists or originated among the homosexual community. Now it isn't anybody's fault; this is something that happened. I'm asking the Premier to take note of that before we go ahead with the final reading and passage and proclamation of this bill.

It may be that proclamation is the key here. I don't have the bill in front of me at this moment, so I don't know what the last clause says about proclamation, but perhaps that is something that is within the Premier's power too. If, because of the way the debate has gone, because the Premier is bound and determined, because he obviously at this late stage in the game, has to preserve some semblance of face in the situation, perhaps what has to be done tonight has to be done. But I plead with the First Minister - I am so glad that he's listening - I plead with all my heart, please listen when we ask you not to proclaim this bill.

Just to get on with a couple of other things that I wish I had said earlier, and I wouldn't have risen just now except that, as I sometimes do, I forgot to mention these things earlier.

The discussion has been about promoting homosexuality and condoning homosexuality. Madam Speaker, it's late so my time might not just look right and I'm probably expecting everyone to understand

that. When I get up in the morning, I brush my teeth and I get myself clean, and I comb my hair and I button my coat. Madam Speaker, I'm promoting myself when I do that. I step out onto the street and I want people to see me and say, well, there's a respectable person. Here's a person I'd like to know, a person I'd like to get to know better. That's promotion. That's what that is!

Everybody wants to promote himself or herself. I don't care if you're a black or a Jew or a Wasp, as I am, or a Mennonite, or who you are, a politician or a barber or a worker or a union leader or a Minister of the Crown, you want to promote yourself. Let's not fool ourselves about this business about promoting and encouraging and condoning.

I don't care what the legislation says at this point, Madam Speaker. This legislation at least accepts and perhaps condones, and we already know there has been promotion. I think the First Minister may regret that, and I'm not here to try and embarrass him about it tonight, but I think that's happened, whether accidentally or not, whether it was intended or not. I want the First Minister to understand I'm not fooling around on this particular debate. I'm dead serious. I am pleading with him man to man, not Progressive Conservative to NDP, but man to man. Please protect my children, your children and everyone else's children around here. This is important, Madam Speaker; this is important.

I too had occasion to meet with some Native leaders today. The Minister can't hear my voice just now, but I hope he will remain aware of what I'm saying. I realize that the people who I met with were two defeated Conservative candidates but I think it's incumbent on me, since I was there and since I feel strongly about this, among other things, to tell the honourable members who are here right now that it is a matter of some concern and shame to the Native community in this province that they have lost one member of their community to the AIDS disease. They are hurt by this and very upset, and so am I on their behalf.

The Chiefs and the Natives in this province are not in favour of what the government is trying to do with this legislation. The elders who advise the Chiefs who look after the Natives in this province are not in favour of this legislation, Madam Speaker. The Minister of Indian Affairs for our province, the Minister of Northern Affairs, was put into the Cabinet specifically to speak for the interests of Natives in this province. I wish he would do that on this issue which is so vitally important to the Natives of this province.

All he has to do, Madam Speaker, is to tug at the heart strings, or to tug at the shirt sleeve or whatever of the Premier and a few other members of this government, to talk some sense, to bring everyone to a sense of reason on this particular issue. Maybe that Minister is the key to this whole thing. Everyone in the media and everyone all over the place is saying which ones can we get to? Which ones can we break down? Which ones can we get to vote against this bill? I don't expect anyone to vote against this bill, Madam Speaker, through you to the Premier. I don't expect that to happen. But maybe some miracle can happen behind the closed doors of the Cabinet or behind the closed doors of the NDP Caucus, Madam Speaker, that'll make that magic right thing happen in this particular case.

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I think it's that important and I plead with the First Minister tonight, please, sir, listen to the Minister for Northern Affairs who will be speaking, I hope, privately at least, to you on their behalf.

I understand that Native tradition has it that the Native population looks seven generations ahead. There's concern in view of that one AID's death in this province among our Native population, Madam Speaker, there's nothing to see seven generations from now for the Native population. Maybe I'm overstating it. I don't have all the statistics for the First Minister to say that's true. But I say, think about it please. Please think about that, not only for the Natives, but for everybody else in this province. What we're doing here, may set a pattern for somewhere else. And if it's wrong here, then it's not going to make it right somewhere else. I'm pleading on that issue.

Traditionally, homosexuality has not been something that has been accepted in the Native community any more than in any other community. So I will stop with one very brief thought, and that's that I'm going to forget all about this business about the hate that was mentioned earlier, Madam Speaker.

Many, many of the people who came before the committee talked to us about love. The Member for River Heights talked to us about love. The Member for Swan River and others on that side of the House talked about love and how we should love one another, and I agree.

How do we go about loving one another? Do we protect the future for each other and for each other's issue? I say that's a good way to express our love, Madam Speaker. It's a very good way to express our love. It's not a very good expression of love. In my humble opinion, Madam Speaker, as the United Church has suggested that perhaps one way to show love to the homosexual community would be to view it as an acceptable alternate lifestyle.

That's what the homosexual community is after, acceptance. There will be discrimination after this bill is passed. We all know that, maybe even more than now - maybe even more. There won't be any more acceptance. The acceptance doesn't come from passing this law. It comes from perhaps listening to the Minister of Health who suggested that in his opinion homosexuality was an illness. Maybe there are things we can do to help these people, as opposed to doing this, which seems to me and to so many other Manitobans to be a promotion of this particular situation.

So everyone's love, obviously, is expressed in different ways, Madam Speaker. And this truly is a free-vote situation on this side of the House, because some of the things that I might say may not be pleasing to some of my colleagues. Madam Speaker, that doesn't matter because I believe my leader and my colleagues when they tell me we're in a free-vote mode on this particular bill. I'm willing to accept that I can speak as freely as I wish, and that's why I am very grateful tonight that the First Minister sat and listened to my comments. I appreciate it very much and I hope he takes them to heart and, whatever stage, I'm not going to rub his nose in it if this bill never is proclaimed. I'll never mention it again.

MADAM SPEAKER: The Honourable Member for Elmwood.

MR. J. MALOWAY: Thank you very much, Madam Speaker.

I am very pleased to be given the opportunity tonight to rise and speak in favour of this bill on Third Reading. Given the hour - and it's now quarter after two in the morning - I'll try to keep my comments as brief as possible.

One of the fundamental questions that one has to ask in dealing with this bill is: Why was an amendment needed at this time? As many of you know, the act was originally introduced in 1969 by the Schreyer Government and it was thought that the general clause gave protection at the time but, subsequently, we have found that women who were pregnant were not covered under the act. The sexual harassment in the workplace was not prohibited, and people with different sexual orientation were not covered under the act. Hence, you have before you amendments to correct those problems.

Now unfortunately, the public's view because of the information flow, I think, has been clouded somewhat of the whole issue. The public have been hearing nothing but the sexual orientation clause and the bill, as you know, involves many more aspects to it than just the clause on sexual orientation. There are other jurisdictions in this country that have similar clauses and the sky has not fallen. In Quebec, Quebec has had sexual orientation in their code since 1977. That's 10 years, and the world has not come to an end. Quebec is still functioning. In fact, in eight years following the amendment, there's been a total of 131 complaints filed alleging discrimination on the basis of sexual orientation, and this average represents approximately 2.5 percent of the commission's yearly caseload.

So for those people preaching doom and gloom, that the province is going to go to hell in a hand basket if we pass something like this, it has not happened in Quebec.

Now Ontario passed similar legislation just January of this year. The debate was last fall and the Tories, at least some of them, are a little more enlightened than the brand you find out here. There were four Conservatives who voted in favour of the amendment and one of them was the leader, Larry Grossman, and I'll quote a few passages from his address in a few minutes.

(Mr. Deputy Speaker in the Chair.)

Now, in Ontario, since the sexual orientation clause was passed, there have been 10 complaints. Again, where are these floods of complaints that these members are talking about? If these numbers continue, the complaints based on sexual orientation will comprise about 1.8 percent of the total caseload in Ontario.

In the Yukon, Mr. Deputy Speaker, they have recently passed similar legislation. The Federal Government has made some type of commitment to do likewise when John Crosbie was the Minister.

Gordon Fairweather was on the other night decrying certain comments that were made, and he is a former Conservative Member of Parliament. So are all these people lunatics? Are they all misguided? Are they out of step? I suppose the Member for Sturgeon Creek, the self-appointed expert in most all, is on track. He represents the majority.

We have, in just a short period of time, a very large portion of the country accepting this, and I think you'll find other provinces will adopt it as well. Madam Speaker, I did want to quote a couple of passages from Mr. Grossman's speech, their leader of their sister party. They're not in power anymore, of course, but there are other reasons for that.

Mr. Grossman said: "Let me begin by saying I've heard from all the pressure groups. I felt some of the statements made were based upon misinformation and some fearmongering. Some were extreme beyond the point at which I would have believed it. Some were almost fierce." Sound familiar? We've certainly heard a few of those.

He goes on to say in the next page that this is a discrimination question. "Does this bill approve, encourage or reward a lifestyle? I think it only protects that lifestyle against discrimination," exactly what we've said. "Does it have anything to do with illegality, bestiality, sodomy or pedophilia? Of course it does not." Those were exactly the statements that one or two of the Conservative backbenchers were making the other day on Second Reading. That's right. The Member for Springfield admits to it.

He goes on to say: "We're asked today to say whether we're going to tolerate discrimination based on the illness, preference, sickness or lifestyle, call it what you want, or whether we are going to say that all citizens in Ontario are full citizens. Nothing here makes members of the gay community special citizens. Let us be clear, it just makes them free citizens." - (Interjection)- You can't accept that; I didn't think so.

Mr. Deputy Speaker, a final two quotes, Mr. Grossman goes on to say that when we lose that ability to stand back from our own prejudices and beliefs and, yes, background and upbringing and say, look, it is important to legislate against discrimination, that is precisely what leadership is all about and that is what we are lacking here with this Leader of the Opposition.

A final quote, he says: "But with a clear conscience and a determination to live up to the task of leadership of the Progressive Conservative Party" - leadership of the Progressive Conservative Party. What does that mean in Ontario?

Well, let me tell you what it means in Mr. Grossman's own words. He says: "It's the party of anti-discrimination legislation, the party of human rights legislation" - Mr. Grossman's words - "the party of John Diefenbaker's Bill of Rights and, with a sense of duty to my conscience and a sense of purpose to my party and a sense of acknowledgement of the mantle of leadership I've inherited from the pioneers of my party who came before me, I will support this amendment" - no such leadership here, none whatsoever.

Mr. Deputy Speaker, I wanted to deal for a minute or two with the presentation at the committee by the United Church of Canada. We had Rev. Williams making representations and Mr. Bob Haverlock who made an excellent presentation. There you had 600 delegates representing nine presbyteries, presenting a brief on the act.

Now what have we heard from the members of the United Church sitting opposite? We've had the Member for Sturgeon Creek - well, I wouldn't accuse him of criticizing his church - he has certainly suggested that

it doesn't represent his views. The Member for Arthur has said the same, the Member for Ste. Rose and the Member for Pembina.

Another presentation that was given to us was by Dr. Carl Ridd from the Department of Religious Studies at the University of Winnipeg. Dr. Ridd provides a theological answer to some of the extreme views that were presented in the committee. I want to read to you a couple of quotes from his brief. He said: "There's probably no hope of showing some people that when they invoke God or the Bible to support their prejudices against homosexual persons or their prejudice against including sexual orientation as a forbidden ground for discrimination in Bill 47, they are going against both God and the scripture. They have become convinced at some time in the past of the truth and godliness of their opinions and they hold to those opinions, grim as death against all persuasion otherwise. They quote Biblical passages in ignorance of their meaning, imputing to those passages cultural meanings which much later come to be a sign to them. Distorting the Bible and God, they presume to be speaking the word of God. It's ironic and pathetic."

Now, Mr. Deputy Speaker, he goes on in page 5 to make a statement: "The Bible condemns many other things also which we manage to rationalize and disregard, the putting to death of witches, the stoning to death of children who cursed their parents, the lending of money at interest." Of course, the Member for Minnedosa would appreciate that, being a banker. "Those who pretend to take the Bible seriously and invoke it with a display of piety in their attempt to deny homosexual persons the right to exist as they are with normal societal protection owe it to the rest of us to show how they do this, how they strained."

By reading the passage, I'm simply trying to explain to you that it's possible to explain anything using quotes and terms from the Bible. We have gone through history and all sorts of people have used the Bible to their own ends.

In South Africa right now, you have a recent formation of the Dutch Reform Church which has found a way to support apartheid. We have through the years - and one of our other speakers mentioned it - the Crusades. We have other religious wars in the world. Take, for example, Iran and Iraq right now. You can use the Bible to support almost anything. Moslem fundamentalists, they use the Koran to justify chopping people's hands off, subjugating women, killing adulterers, Bahai's, punishing people for drinking alcohol. That wouldn't go over too big around here. In the U.S., TV evangelists used the Bible to raise money for amusement parks, hush money for church secretaries, air-conditioned doghouses and extravagant lifestyles. These are the people who ultimately want to, I suppose, set up a theocracy in this country, and I suppose they're trying to convert us.

Mr. Deputy Speaker, in conclusion, I did want to just make one reference to the Winnipeg Sun. An editorial that appeared - yes, the Winnipeg Sun. The Opposition hasn't been doing very well with editorials in the last couple of weeks. But the Winnipeg Sun, Tuesday, July 14, said under the headline - and by the way, the Member for Springfield referred to the Sun as the left-wing press, remember that - under the heading, "Hearings Reveal Need for Bill: Public hearings into

the proposed gay rights legislation have brought out the bigots in full force. Ironically, the statements they made at the hearings serve to reinforce the urgent need for the protective legislation they oppose." Now, I won't go on to quote the rest of the editorial, but I will table it. I recommend and commend it to the members of the Opposition. There are some who need it more than others.

One final comment, Mr. Deputy Speaker, a lot has been made of the comments of our former Premier, Mr. Ed Schreyer, in the last couple of days. I wanted to reiterate once again that he did, in defence, admit that he hadn't read the bill, that he in the end was sorry that he had said it, but the bottom line was he said that people should be protected.

Thank you very much, Mr. Deputy Speaker.

MR. DEPUTY SPEAKER: The Honourable Member for Ellice.

MR. H. SMITH: Mr. Deputy Speaker, I want to deal with especially the Member for Fort Garry. The Member for Fort Garry got up and attacked our Premier as being unreasonable, but let me tell you this. The Member for Fort Garry is in with a group of rednecks, intimidated by his caucus. He didn't give one reason for not supporting this bill.

I'd like to deal with something that has not been dealt with, and that is people who are not homosexuals, who are not married but, right away, people say, ah ha, he or she must be gay. I've had that for example, myself, from the Member for Arthur. I've had that.

I went over to talk to the Member for Riel one day. One of the members alongside of him said, we're legalizing you. Now that's the type of thing that anyone, a large number people who are not married, suffer from as well. This protects more than homosexuals.

The Member for Arthur and the Member for Sturgeon Creek and the Member for Portage and the Member for Brandon especially are rednecks who don't tolerate any differences from themselves. That, I think, is absolutely intolerable. You cannot expect, generally, the majority of people to be concerned about protecting the minority. There is that lack of tolerance.

And I tell you this, the Member for Arthur, I called out "slime" at him a few weeks ago. A few weeks ago, I called that out; I called that out because of his actions in this House. The Member for Sturgeon Creek is just as bad. That fact is people are people and deserve to be treated like humans, deserve to have a job, deserve to be able to rent a place for accommodation. This act is protecting people to enjoy their lives, and I think the Conservatives in the Opposition should really be ashamed of themselves because they are acting in a bigoted way, many of them. The only one I have any respect for is the Whip on the other side. He got up and gave a speech with his convictions - (Interjection) - I didn't hear you; I'm sorry.

But the fact is that most of your members opt for the idea of appealing to the public on a short-term basis; therefore, be against. The fact is there are human rights that have to be protected, and you people should join with us to protect them.

MR. DEPUTY SPEAKER: The Honourable Member for River Heights.

MRS. S. CARSTAIRS: Thank you, Mr. Deputy Speaker.

It's late, but I don't want to leave on the record this evening the impression of a very one-sided homosexual lifestyle.

We have heard a speech just a few minutes ago about the way in which homosexuals live, and I think that is not true of the vast majority of homosexual people, any more than it is true for the vast majority of heterosexual people.

(Madam Speaker in the Chair.)

Yes, there are, of both sexual orientations, those who engage in multiple sex partners, those who engage in sex feasts, if you will. But there are many, many who have loving and caring relationships with their partners, as I have had one with my heterosexual partner for 21 years. When we talk about that kind of thing without any understanding of those who live with a partner in a homosexual relationship and throw them all into the same barrel, so to speak, I think we show our lack of compassion and certainly our lack of understanding.

Madam Speaker, yes, AIDS is a terrible disease. So is genital herpes and so is chlamydia, which are very rampant in our society and very rampant among very active heterosexual members of our society. AIDS, tragically, is a killer disease. I am hoping that by guaranteeing the opportunity for homosexuals to get a job, to get accommodation, to get service without fear of discrimination, they may be also afforded the opportunity to avail themselves of the necessary information and treatment for this terrible disease.

Madam Speaker, education is the answer. Not all will avail themselves of it, but many will, and those we will save. But I do not want this record to close tonight leaving the impression that there are not people within the homosexual community who do have lasting and permanent relationships in the same way as I and many others in this House. There are some who have been in the gallery this evening who have those relationships. They are not immoral. They are finding their way in the same way that you and I find our way. Madam Speaker, they need all the protection that this law can give them.

MADAM SPEAKER: The Honourable Member for St. Vital.

MR. J. WALDING: Thank you, Madam Speaker.

It's just past 2:30 and I think that we're all getting a little bit groggy and that, I hope, will tend to curtail any further remarks that will be given on bills. It will curtail any remarks that I might have. But I wanted to say just a couple of things on the Third Reading of this bill.

My chief problem with this at Second Reading - and I spoke then - was that the issue of homosexuality was repugnant to me and I found it offensive and indeed, the practice itself, I consider to be a perversion. I am not saying that homosexuals are perverts, but the practice is a perversion and not approved by, in my opinion, the general population of this province.

I am also very concerned, as I think perhaps others are, that this change that we're making in The Human Rights Code is the first step towards a greater propagation of homosexuality or a greater acceptance of a lifestyle that I believe is offensive to most of us.

I know from experience that this House has passed measures in the past that have been used in later times to justify or give reason to, or that a court has said, yes, that is permissible, that we certainly didn't intend that first time when we pass that particular bill.

That is a concern to me and I know it is to several other members that I've spoken to as well. That was the reason that I came up with that amendment having to do with not condoning homosexuality, and I hope that would prevent any spread of the public acceptance of homosexuality.

Speaking to other members here, they have said, yes, since this bill is most likely to go through, that it will have to be watched in the future to see that it is not used as a reason to promote, publicize, or to take the matter any further.

The particular amendment that was considered was partly mine and partly other people's idea and it was designed, in my opinion, just to prevent that very thing. Whether it will do so or not remains to be seen in the future, but I'm certainly much easier with it having that amendment put through. It's because of that, I am going to support this bill at Third Reading.

Before members or anybody says anything that they may regret in the future, let me assure them that it was not because, quote, "the Whip was on." There were no deals made, no promises given and no undertakings given.

So it is with some reluctance that I will be voting for this bill.

MADAM SPEAKER: The Honourable Leader of the Opposition.

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

We have been debating this bill now for about six-and-a-half hours and, essentially, all of the debate has been about two words in this bill that is some 45 pages long. Madam Speaker, the debate has engendered a great deal of animosity, a great deal of expression of strong feelings on both sides. The reason is that, undoubtedly, both sides hold their positions very, very strongly, no question.

On this side, the members opposite are suggesting that it's an issue of human rights. We are suggesting that it's a moral issue and you cannot separate that. We believe it is a question of equating lifestyles. We believe that it is protecting in law a behaviour. I might say that the Member for Elmwood was quoting from other Tories who supported this type of amendment. I don't need to remind members opposite that their former Premier, Ed Schreyer, does not support this type of amendment.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. G. FILMON: A long-time friend of mine who happens to be the business partner of the member for Elmwood, Magnus Eliason, a long-time New Democrat, does not support this amendment.

We needn't make our references because we know that there are those who we can call upon to make our case. But I want to say that, in the course of the evening's discussions, a number of members have suggested that somehow the question is one of tolerance and that we, on this side, are intolerant.

I've been writing down comments throughout the course of the evening and I bring of course the first, which has already been brought to the attention of members in the House, the suggestion by the Premier that it was a reflection of the hate that's felt on this side. I would say that's an expression that the First Minister ought to regret having made.

Madam Speaker, in conjunction with that ongoing discussion, two members on the other side, the Member for Rupertsland and the Member for The Pas, suggested that somehow the expressions that were brought to them by two Native people today shouldn't be listened to, because they were, after all, Conservatives.

Now, if that's an expression of tolerance, Madam Speaker, then I'm in the wrong Chamber.- (Interjection)- The Member for St. James speaks in terms of intolerance. I believe it was he who raised the issue of intolerance. How many times have we heard him wail away against certain people? They happened to be management people. They happened to be people who represent ownership and employers, banks and so on, but speaking in less than a tolerant attitude, preaching the kind of class hatred that only he can do so well, now, that's discrimination in my view. That's intolerance. That's true intolerance.

The Member for Rossmere, talking about somebody having a white sheet because he is opposing the inclusion of sexual orientation in the human rights act, now that's intolerance, Madam Speaker. That's intolerance.

But the real pity is that the six-and-a-half hours have been devoted only to discussion of two words. The real pity is that, of all of the four or five committee hearings, 99 percent of the time was devoted to the discussion of the two words in the bill.

During the course of the discussion, we were reminded by some members on both sides about the evolution of human rights legislation, about the fact that, in our view of course, human rights legislation is there to protect the basic freedoms in society: the freedom of religion, the freedom of speech or expression, the freedom of association, those basic freedoms to protect against discrimination for visible characteristics. A great deal has been talked about as to whether or not anybody can knowingly discriminate against someone they cannot discern by any visible means.

But, Madam Speaker, the point that I'm making is that none of the discussion has been essentially, other than during Second Reading when the Member for St. Norbert and I and perhaps some others raised to the attention of the Attorney-General a number of what we considered to be weaknesses in the bill. We raised to his attention a number of issues in the course of discussion and debate, and I will compliment him and say that he has addressed virtually every one of those other issues and the amendments have been made.

I'm reminded of this because of two calls that I got within the last 10 days, one being from Nick Ternette, a member well-known to members opposite, and he challenged me, saying, why aren't you talking about the other issues in the bill, Gary Filmon. And I told him of the expressions of concern I had raised in Second Reading and, in fact, sent him a copy of the speech I had made, because he had concerns about the vexatious and unwelcome comment about the breadth

of the sexual harassment or the harassment section and so on, all of those issues which I had raised in Second Reading.

As it turned out, on all other issue other than sexual orientation, I found myself in agreement with Nick Ternette, which is a most unusual position and one that I expect I will never achieve in the future, but there it was.

In a second case, I had another friend, a very close friend who happens to be black, say to me, why has there been no discussion on all of the other issues in the bill? He said, my friends and I have been surprised that there has not been controversy about other sections, affirmative action and so on. I said, because essentially we have agreed with the rest of the contents of the bill, subject to the changes and the concerns that we expressed. As I say, the Attorney-General made those amendments in the areas that we challenged and expressed concern about.

Madam Speaker, when you come right down to it, we would be standing together in passage of this human rights act were it not for those two words, "sexual orientation." It seems to me, Madam Speaker, that would have been the kind of legacy that we, as a Legislature, would have wanted to leave to the future of this province, members of all political stripes standing together in support of a new human rights act. Indeed, that is the case that would have been were it not for the inclusion of those two words.

In terms of public perception and why all the attention has been focused on it, I know that from the day that the bill was placed on the table in this Legislature, the news media and everybody else only wanted to talk about that. I know that even in terms of the others - and I'll compliment them - they did eventually cover some of the comments which were made, and there were good editorials written about some of the other aspects but, essentially, everybody has focused on those two words, and those two words have prevented us from being able to stand together and unanimously pass this bill, Madam Speaker.

It is not possible because of the fact that we believe that it is a moral issue and that we will not see ourselves, in any way, shape or form standing in favour of the inclusion of sexual orientation or equating the lifestyles of heterosexuals and homosexuals.

Despite the disclaimer of not condoning or condemning that has been put into the legislation now, I believe this concept has been introduced in such a way to legitimize the lifestyle and, in essence, not merely to protect from discrimination but to place it on an equal footing in the eyes of the general public. I believe that's wrong, and I believe that the vast majority of people in this province will agree with us that it's wrong. It's a matter of morality; it's not a matter of human rights.

Madam Speaker, with regret, I will be, and all my colleagues will be, voting against a bill, a bill which we support almost in its entirety with the exception of two words. Madam Speaker, were the government to have removed those two words, we would be standing together to pass the new human rights act in this province, but it isn't possible because the government refuses to do that. Madam Speaker, that is a sincere regret of mine.

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

HON. J. COWAN: Madam Speaker, when this legislation was first being considered by the government caucus, there was considerable discussion about the need for the legislation, the scope of the legislation, the impact of the legislation and indeed the principles behind the legislation. And finally, of course, because we are a group of politicians, we discussed the politics of the legislation.

Those were not always easy discussions, primarily because the decisions we had to take were not the easiest of decisions. In the end, those discussions that reflected so many different opinions in the caucus resulted in the legislation that we now have before us. It is good legislation for that reason. Its passage by this House tonight - and it will pass - will mean a better quality of life for the far too many Manitobans who currently suffer discrimination for a whole variety of different reasons.

It will mean that Native people who suffered the type of discrimination that very few of us will ever know will have more protection under the law and greater resource to the justice that has for too long been denied to them. It will mean similar protection for the disabled who face so many challenges already that we shouldn't add to that long list of barriers that they confront, another barrier, one of discrimination. It will mean the potential for a better quality of life for women who have come so far, in spite of all sorts of historical and systemic discrimination, but yet have very far to go to completely eradicate discrimination from their working and social lives. And yes, Madam Speaker, it will mean protection for those who suffer a very potent and destructive form of discrimination because of their sexual orientation.

When I vote for this bill, Madam Speaker, I will be voting against all forms of discrimination, however and wherever they exist. I sincerely believe that, by voting to extend protection to those who suffer discrimination, I am voting for justice and a world with less pain and suffering, a world with more tolerance, fairness, and more justice. And for that, we will all be the better off.

When I took that personal decision to support, to work towards and to vote for this Human Rights Code, I did not take that decision lightly. It was not that I didn't truly believe it to be good legislation and that it was the right thing to do. I did. It was not because I didn't think it was philosophically correct, because I believe it is good legislation in the best sense of the word. Nor was it that I didn't think it was necessary, for we have all seen too much discrimination and the human tragedy, pain and suffering, injured individuals and injured societies that it leaves in its path.

No, I did not take this decision lightly, because I knew there were sincerely and honestly held differences of opinion in my own caucus, in this Chamber and in this province. That's not surprising because the development of human rights legislation has never been an easy task because, in that legislation, what we are doing as legislators is asking ourselves and indeed all society to look at themselves, to reflect upon our values and to cast judgment on our faults. There is not one of us in this House or in society who has not in some way faulted, and there are faults in society itself that must be corrected.

That sort of self-reflection is not an easy task to undertake. I also did not take this decision lightly because I, as others - and I had no monopoly on

foresight in this regard - knew that the debate would be divisive and politically challenging, just as the debate on the abolition of slavery was divisive and sometimes a very destructive debate, just as the debate on the recognition of women as persons was a challenging debate and political careers were made and broken as those debates unfolded and those difficult, complex, challenging issues were eventually resolved. There are many other examples when one looks at human rights legislation as to how difficult, challenging and dangerous these debates have been in the past.

It was a recognition of that history that made me think so long and hard about the decision to support this legislation, and I have to tell you, Madam Speaker, that when I made that final decision, I made it on the basis of principle, but also with some fear of the political consequences. But I took the decision in the end, because there is discrimination and any discrimination is too much discrimination.

Notwithstanding my political fear, my fear of the politics of the issue, I had a far greater fear that I would not be true to my own principles if I didn't support this legislation, which I believe is so important to the daily lives of so many Manitobans.

Having taken that decision and knowing full well the differences of opinion that already existed and anticipating the intense pressure that would flow from our decision to act, I was then somewhat apprehensive of this debate. That fear sharpens our senses, Madam Speaker, and that is what it did to me.

So I listened very carefully to what members opposite had to say and I listened very carefully over the past few weeks to those who came before the committees. I listened to the clergy, both those for and against this issue, and there were many in the clergy on both sides of the issue. I listened to the private citizens, some appeared homosexuals and some who loved homosexuals because they were their friends. In some cases, they were their long-time lovers and in many cases they were their children, and they loved them for being their children. I listened to some who were just trying to come to grips with the complex and emotional issue, and I listened to my colleagues and my caucus because we had a common goal in mind. That was the eradication of discrimination. But we had among us different ideas and different ways of accomplishing that goal.

I listened to others and friends outside this Legislature, and I listened to my constituents. I listened and I learned so very much through that listening and what I learned was that, while there was never a true consensus, there was always a concern for those who suffered discrimination, and that had to be the overriding principle.

There were certainly times, Madam Speaker, in the last couple of weeks of political doubt and moments of second guessing. But the public discussion of the last few weeks and the powerful, personal testimony of those who shared with us their different opinions and, more importantly, shared with us some very intense personal moments and their hopes, their fears and their vision of our province and its future, those discussions made me more convinced than ever that what we were doing was not only right, but it was necessary.

I entered this debate many weeks ago, many months ago now when it was first started, knowing in my mind

what we were doing was right. Intellectually, academically, I knew it was right. The principles were right. I know now, Madam Speaker, in my heart, that what we are doing is right, and that's what I've learned from listening to people over the past couple of weeks.

But more than that, that testimony has convinced me that there are many Manitobans who, because of what we are doing here tonight, will be able to share more of the best parts of our society. And for that reason, we will all be stronger and our society will be stronger.

Most of all, as I've watched the debate tonight - and I can't think of many other times when I was more humble and yet, at the same time, more proud to be a member of this government and a member of this caucus, which has in the finest sense of tolerance, in the finest tradition of tolerance, put aside our many differences in order to have the courage to take political chances in order to make this a better province for those who are in most need of a better, more tolerant and more open society.

Madam Speaker, we are a stronger government and a stronger caucus today than when we started this debate because we've had to take that strength onto ourselves, to have the political courage to do what was right in the face of intense pressure. We had the courage to reflect upon ourselves, to look at ourselves, to understand our faults and to try to correct them and, in doing so, society over the past couple of weeks has had that opportunity to undertake that same sort of self-reflection, Madam Speaker. And while there were divisive moments, just as we had divisive moments internally, I believe society too will be stronger for what has happened in this province over the past couple of weeks. And that is why I stand very proud to be a part of this government which is bringing forward this measure to help build this province.

MADAM SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Madam Speaker, it's very late, but I would like to just say a few words.

This has been an issue that I believe has brought out a lot of feeling on the part of members in this Chamber. I'm glad that the debate has, to some extent, become more subdued over the last little while. I think there have, of course, been some very strong statements by members on all sides of the Chambers, including myself, which we regret.

As the Leader of the Opposition has indicated, there is a fundamental difference. I think we attempted to deal with that fundamental difference, Madam Speaker, with the amendment that has been presented - one clearly indicating that this is not an issue of judgment of morality. That is not for us to determine by way of legislation and that is why we clearly amended the legislation as indicating "not condoning or condemning any beliefs, values or lifestyles," but we're dealing here with a question of basic human rights.

I guess each and every one of us has gone through our own process of thinking and rethinking in respect to this. I must say, Madam Speaker, that my own thinking has progressed considerably in respect to this particular item since I was Attorney-General. I was much more reluctant with respect to this at that time than I am today.

I, like the Member for Churchill, the House Leader, have become more convinced of the need for this kind of legislation over the discussion and debate of the past two or three weeks; the need to ensure that we stand firmly together in recognizing that all human beings must be treated equally, receive equal access, that we all suffer from our weaknesses and our defects and we all enjoy certain strengths.

There are none of us who do not share the burdens of defects in our particular characteristics and traits, some of us more than others, but that is no reason why we would want to discriminate one against the other. That is no reason why we would want to categorize some small group or minority within society that would be dealt with differently than the majority within society just because they are different in some way or we don't understand quite the way they think, their lifestyle or their beliefs.

I know it's been a difficult debate and I just would like to end by indicating that I believe that we have all expressed our views in earnest fashion with a firm belief in the beliefs that we have expressed. I don't wish to question the honourable members across the way. But I will also say, as has been said earlier, I don't believe I've ever been more proud, in 18 years of elected office, with the speeches, the comments and the deeply held feelings, regardless of the politics that are involved, on the part of honourable members on my side of the Chamber who expressed their views from their heart with deep conviction that this is right and proper and can make a more decent, more equitable society for all Manitobans - not just some.

Thank you, Madam Speaker.

MADAM SPEAKER: The question before the House is Third Reading of Bill 47.

QUESTION put, MOTION carried.

MADAM SPEAKER: The Honourable Opposition House Leader.

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

MADAM SPEAKER: Call in the members.

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

YEAS

Ashton, Baker, Bucklaschuk, Carstairs, Cowan, Desjardins, Doer, Dolin, Evans, Harapiak (Swan River), Harapiak (The Pas), Harper, Hemphill, Kostyra, Lecuyer, Mackling, Maloway, Parasiuk, Pawley, Penner, Plohman, Santos, Schroeder, Scott, Smith (Ellice), Smith (Osborne), Storie, Walding, Wasylcyia-Leis.

NAYS

Birt, Blake, Brown, Connery, Cummings, Derkach, Downey, Ducharme, Enns, Ernst, Filmon, Findlay, Hammond, Johnston, Kovnats, Manness, McCrae, Mercier, Mitchelson, Nordman, Oleson, Orchard, Pankratz, Rocan, Roch.

MR. CLERK: Yeas, 29; Nays, 25.

MADAM SPEAKER: Order please.

The motion is accordingly carried.

The Honourable Member for Emerson.

MR. A. DRIEDGER: Madam Speaker, I was paired with the Minister of Agriculture. Had I voted, I would have voted against the bill.

BILL NO. 48 - AN ACT TO REPEAL CERTAIN UNREPEALED AND UNCONSOLIDATED PUBLIC GENERAL STATUTES AND PARTS OF STATUTES (1871-1969)

HON. E. KOSTYRA presented Bill No. 48, by leave, An Act to Repeal Certain Unrepealed and Unconsolidated Public General Statutes and Parts of Statutes (1871-1969), for Third Reading.

MOTION presented.

SOME HONOURABLE MEMBERS: Oh, oh!

MADAM SPEAKER: Order please, order please.

If the Honourable Member for Portage la Prairie has a point of order, he knows how to place his point of order.

MR. E. CONNERY: Madam Speaker, I have a point of order.

Why didn't you silence the gallery? You've done it on many other occasions. Why didn't you do it tonight?

MADAM SPEAKER: The honourable member does not have a point of order, and he knows full well he is not to ask the Speaker questions of any sort.

MR. E. CONNERY: So you're supportive. You're supportive of that display that took place right now.

MADAM SPEAKER: The Honourable Member for Portage la Prairie will refrain immediately or be removed from the House.

MR. E. CONNERY: I won't refrain.

MADAM SPEAKER: The honourable member will withdraw that remark.

MR. E. CONNERY: I will not.

MADAM SPEAKER: I have no option but to name Mr. Ed Connery for disregarding the authority of the Chair.

MR. E. CONNERY: You are a disgrace to the Chair.

MADAM SPEAKER: The Honourable Member for Portage la Prairie, or the Honourable Government House Leader.

HON. J. COWAN: Madam Speaker, it is my responsibility as Government House Leader, when

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occurrences of this sort happen, to move the motion to remove the member who has been so-named by yourself.

I, therefore, Madam Speaker, move, seconded by the Honourable Minister of Labour, that the Member for Portage la Prairie be suspended from the service of this House for the remainder of this sitting.

MR. E. CONNERY: The Right and the Honourable Madam Speaker, I am pleased to leave. You are a disgrace to the Chair.

MOTION presented and carried.

MADAM SPEAKER: The Honourable Opposition House Leader.

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

MADAM SPEAKER: Call in the members.

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

YEAS

Ashton, Baker, Bucklaschuk, Carstairs, Cowan, Desjardins, Doer, Dolin, Evans, Harapiak (Swan River), Harapiak (The Pas), Harper, Hemphill, Kostyra, Lecuyer, Mackling, Maloway, Parasiuk, Pawley, Penner, Plohman, Santos, Schroeder, Scott, Smith (Ellice), Smith (Osborne), Storie, Walding, Wasylycia-Leis.

NAYS

Birt, Blake, Brown, Cummings, Derkach, Downey, Driedger, Ducharme, Enns, Ernst, Filmon, Findlay, Hammond, Johnston, Kovnats, Manness, McCrae, Mercier, Mitchelson, Nordman, Oleson, Orchard, Pankratz, Rocan, Roch.

MR. CLERK: Yeas, 29; Nays, 25.

MADAM SPEAKER: The motion is accordingly carried. The Honourable Member for Springfield.

MR. G. ROCH: Madam Speaker, I'm just wondering why, when the gallery erupted awhile ago, no reprimand was made, and yet when the students from Quebec were here, who were all French speaking, we reprimanded them. I think that's most unfair.

MADAM SPEAKER: Order please.

I remind the honourable members that, if they have any questions of the Speaker, there are proper ways to deal with it.

Bill No. 48, by leave, An Act to Repeal Certain Unrepealed and Unconsolidated Public General Statutes and Parts of Statutes (1871-1969);

Bill No. 49, by leave, An Act to amend the Real Estate Brokers Act;

Bill No. 51, on division, The Statute Law Amendment (Taxation) Act, 1987;

Bill No. 52, An Act to amend The Energy Rate Stabilization Act;

Bill No. 53, The Oil and Gas Production Tax Act;

Bill No. 56, The Mining Claim Tax Act;

Bill No. 57, The Loan Act,
were each read a third time and passed.

BILL NO. 58 - AN ACT RESPECTING THE ACCOUNTABILITY OF CROWN CORPORATIONS AND TO AMEND OTHER ACTS IN CONSEQUENCE THEREOF

HON. R. PENNER presented Bill No. 58, An Act respecting the Accountability of Crown Corporations and to amend Other Acts in Consequence Thereof; Loi concernant l'obligation redditionnelle des corporations de la couronne et modifiant certaines lois, for Third Reading.

MOTION presented and carried.

MR. G. MERCIER: The Nays or the Yeas?

MADAM SPEAKER: The yeas.

MR. G. MERCIER: On division, Madam Speaker.

MADAM SPEAKER: On division? (Agreed)
The Honourable Attorney-General.

HON. R. PENNER: We had a moment of hope there.

MADAM SPEAKER: Order please.
The Honourable Member for River Heights.

MRS. S. CARSTAIRS: Yes, Madam Speaker. Would your record show that I voted with the Opposition?

MADAM SPEAKER: Agreed.

Bill No. 58, An Act respecting the Accountability of Crown Corporations and to amend other Acts in consequence thereof;

Bill No. 59, An Act to amend The Mental Health Act;

Bill No. 60, An Act to amend The Anatomy Act;

Bill No. 62, An Act to amend The Insurance Act, by leave, were each read a third time and passed.

BILL NO. 64 - THE HIGHWAY TRAFFIC ACT (2)

HON. R. PENNER presented, by leave, Bill No. 64, An Act to amend The Highway Traffic Act (2), for Third Reading.

MOTION presented.

MADAM SPEAKER: Agreed?

A MEMBER: No.

QUESTION put, MOTION carried.

Bill No. 65, The Surface Rights Act;

Bill No. 66, An Act to amend The Electoral Divisions Act (2),

by leave, were each read a third time and passed.

BILL NO. 68 - AN ACT TO GOVERN THE SUPPLY OF NATURAL GAS IN MANITOBA AND TO AMEND THE PUBLIC UTILITIES BOARD ACT

HON. R. PENNER presented, by leave, Bill No. 68, An Act to Govern the Supply of Natural Gas in Manitoba and to amend The Public Utilities Board Act, for Third Reading.

SOME HONOURABLE MEMBERS: Oh, oh!

MADAM SPEAKER: The Honourable Leader of the Opposition.

MR. G. FILMON: Madam Speaker, I wasn't certain what they were referring to when they said "dispense," but I will be very brief at this hour.

Madam Speaker, we have stated very clearly our opposition to the government's decision to take over Inter-City Gas in Manitoba. We have had discussions with the Minister responsible, and I think that we know the differences of views that we hold on it. To say, Madam Speaker, that first and foremost this government has no track record that would attract anyone to support it going into another multimillion dollar Crown corporation, with the history of even the past two years, whether it be MTX, whether it be MPIC, whether it be the turnaround, the massive negative turnaround of the fortunes of the Workers Compensation Board, nothing could recommend this government to the people of Manitoba to go into another multimillion dollar Crown corporation, especially one that would cost us in the neighbourhood of \$175 million.

Regardless of whether or not this government believes that it had a role to play in the distribution of natural gas, the history and the experience of this administration would say that they can't possibly deliver.

Madam Speaker, when we got the information as we did at committee last evening to the effect that, of the \$50 million that the Premier has been blithely talking about saving for the public of Manitoba, \$32 million of those savings would have accrued to the Manitoba consumers as of November 1 this year. Regardless of who are the natural gas distribution facilities in Manitoba, we obviously had our concerns being reinforced because those projections, that advertising that the government is putting forward as the reason why they're getting into it to save the consumer doesn't hold water.

In addition to that \$32 million, \$12 million could be saved by the government removing the motive fuel tax on natural gas in Manitoba. What you're left with is a government that is moving to take over the distribution of natural gas in Manitoba, maybe to save \$6 million for the ratepayer. Madam Speaker, with that kind of

major capital tied up, with that kind of risk of capital, of public taxpayers' capital, and this administration in charge, it's bound to be trouble. It's bound to be negative for the people of Manitoba.

When you come right down to it, they went into it ideologically. They went into it on the basis of polling, on the basis of wanting to pursue and retrench their left-wing ideology and try and convince those people who were leaving the party that they still could go into the kind of left-wing endeavours that had gained them support in years gone by.

But, Madam Speaker, in comparing this to other utilities - because the government and the Minister have compared this with other utilities that they have taken on, that other administrations have taken on in the past. The Manitoba Hydro-Electric Act was passed way way back many years ago. It had in it a statement of intent, purpose and object. The intent, purpose and object of this act is to provide for the continuance of a supply of power adequate for the needs of the province and to promote economy and efficiency in the generation, distribution, supply and use of power. That was a statement of intent and purpose for the future that people could hang their hats on. That's the kind of thing my colleague for Lakeside was looking for, saying, tell us that you're going to do something on behalf of people if you are indeed going to take this over. But this is just a crass political grab.

There is nothing within this act that says they had any statement of intent, or purpose, or object when they were going into it, but rather they're going to get their hands on another Crown corporation to do as the Premier has said, to use as an instrument of public policy for the purposes of the New Democratic Party of this province, whether it be for employment, whether it be for the gratification in terms of the power that it gives them over the people who are employed in the corporation, or the other finances under their control that allow them to have other levers on the economy for their own purposes, not for the purpose of helping the ratepayer of Manitoba, not for that kind of altruistic purpose, but rather for their own crass political purposes. I see nothing more in this act. I see nothing more in the intent of this administration, Madam Speaker.

For that, and for all the other reasons that I placed on the record in Second Reading, we will not be supporting this act.

MADAM SPEAKER: The Honourable Minister of Energy and Mines.

HON. W. PARASIUK: Thank you, Madam Speaker.

I feel very pleased to be able to speak on Third Reading of this bill.

One has to recognize that the bill is part of an overall policy that was announced just over a month ago by the Premier when he introduced, I think, a very bold and visionary policy to the people of Manitoba with respect to natural gas. He said that we as a government would be pursuing fairer prices for natural gas for Manitobans. We would be pursuing long-term supply at fair prices. We would be pursuing fair distribution costs of natural gas, and we would be pursuing the extension of services, natural gas services, to more

Manitoba communities and people where feasible, a fourfold policy, an integrated policy, that included as part of it the move to establish a corporation to purchase the natural gas system within the province; and also, legislation to strengthen the activities of the Public Utility Board and to strengthen the role of the government vis-a-vis outside governments and outside forces in terms of ensuring the best possible deal for natural gas consumers in Manitoba.

I think that the approach taken by both sides in the House with respect to this legislation provides a fascinating contrast to dealing with problems that the people of Manitoba can judge in the future. On the one hand, we have the Conservatives basically saying from a position of tremendous timidity that we should not venture forth and try and grapple with problems whereby Manitobans have been forced to pay \$50 million too much last year, with no promise of lower gas prices for the future. They have said nothing about that with the exception of only one person on the Opposition side who said a few months ago that one way of trying to deal with this problem would be to purchase the assets of Inter-City Gas, but he was of the opinion of that time that Inter-City Gas would cost in the order of \$500 million. So he thought Manitobans couldn't afford purchasing this vehicle to effect the positive policy with respect to natural gas for Manitobans.

Well, we've proved them wrong. We believe it is possible to purchase Inter-City Gas for significantly less than the price that he quoted. Furthermore, we believe that, by trying, we will be able to reduce the price of natural gas significantly.

On the one hand, I welcome the Leader of the Opposition's comments in past where he said, look, we're supportive, we think we should get a better deal for natural gas, especially if the accord isn't working properly. But I'm disappointed when he swallows the line of TransCanada Pipelines hook, line, and sinker because, frankly, that's the line that they put forward to Manitobans one year ago, when they said that the competitive price for natural gas was \$2.79 and they said, because of the motive fuel tax, it'll be \$3 for residential families. We didn't swallow that hook, line and sinker. We've shown that was not a competitive market price. We have come forward saying that those prices should be lower. Yesterday, we had TransCanada Pipelines come before us, giving numbers whereby they said that at a price of \$2.64, average, they would have saved \$32 million, and we have indicated in our calculations that it is possible to get the price below \$2.64. It is possible to get the price below \$2.00.

So we have the position of the Conservatives, that they will follow the private sector approach totally; they would rely on the private sector. We find that the private sector hasn't worked to the benefit of Manitobans. Their reason for not supporting this legislation is because somehow their Crowns have not performed well. I want to take just a few seconds to dispute that.

The history of public utilities in Manitoba has been superb. Manitoba Hydro does have the lowest hydro rate structure.

A MEMBER: No thanks to you.

HON. W. PARASIUKE: And they say no thanks to us.

Compare our rates to increases in Saskatchewan that have averaged 7 percent, 8 percent, 9 percent, despite the fact that they have been cross-subsidized by gas sales in Saskatchewan. Compare that to B.C. Compare that to utilities that are privately owned in the States. We should be thankful that we have that public utility in Manitoba.

Look at our Telephone System. Compare our Telephone System to what's taking place in a number of other jurisdictions with respect to telecommunications. Look at the last battle that took place in Manitoba regarding the whole issue of whether in fact something that could be considered a utility is best provided publicly or privately, namely Autopac. Just go into Kenora. Go into Kenora and take a look at the automobile insurance rates in Kenora or Ottawa or Toronto, and compare those automobile insurance rates to the rates in Winnipeg or Dauphin, and there is no contest whatsoever. Yet we have on that side the continued apologists for untrammelled, unfettered, private sector activity in public utilities.

We have them saying that the Crowns, because there have been a few ups and downs - and let me assure you that, when you have Crowns in existence for a period of time running very close to the margin, they may occasionally incur losses. Everyone will then gang up on the Crowns and try and destroy them. The big approach is to privatize them, to say that, because there have been occasional losses, somehow we should get rid of these entities, or we have no faith in them, or we have no faith in the government that might be in office at the time. If one takes that logic to its conclusion, what position would we take with respect to the private sector in a number of areas?

We have the Bay that has lost money consistently. The Bay is owned by Lord Thompson's heirs. Do we say that the private sector doesn't run well with respect to retailing? We've had Dome Petroleum not operate well, lose a fortune. Do we say that Dome Petroleum cannot develop petroleum; the private sector can? We have the Canadian Commercial Bank that goes bankrupt. Do we then say that the banks can't be operated privately?

We've had situations where Massey-Ferguson, which was owned by Conrad Black, who is the guru of conservatism, lost a fortune, went to the Federal Government, asked for a handout, got the handout. Do we then turn around and say that private sector can't work? I hear no one from the other side ever get up and take a balanced approach on this whole issue.

They start off from an ideological position of not wanting any of the Crown corporations to work, and we have instance after instance in a lot of other jurisdictions where they put them in a vulnerable position. Recall what the Conservatives did when they were in office. They ran a Commission of Inquiry that, I think, damaged the morale of Manitoba Hydro very badly, and anyone in Hydro will tell you that. They did an inquiry to determine whether they should sell off Autopac, and that was their legacy with respect to the Crowns. We take a different approach; we're proud of that approach.

We're prepared to deal with the challenge. I was challenged by the Energy critic of the Conservatives, who basically supports our position, challenged to deal with this. He said the challenge is yours; the challenge

is the government's. I said that, if we accept the challenge, the challenge then becomes that of the Conservatives. Will they support the challenge that they laid onto us? And to date, we have found that they haven't and that confirms the difference in approach.

When I brought this forward, I said that some people see things as they are and ask why. And I say that others see things as they could be and say why not. We, on the New Democratic side, are prepared to deal with the challenges and this is what this bill is doing. We are standing up for Manitoba.

QUESTION put, MOTION carried.

MADAM SPEAKER: The Honourable Opposition House Leader.

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

MADAM SPEAKER: Call in the members.

The question before the House is Third Reading on Bill No. 68.

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

YEAS

Ashton, Baker, Bucklaschuk, Cowan, Desjardins, Doer, Dolin, Evans, Harapiak (Swan River), Harapiak (The Pas), Harper, Hemphill, Kostyra, Lecuyer, Mackling, Maloway, Parasiuk, Pawley, Penner, Plohman, Santos, Schroeder, Scott, Smith (Elice), Smith (Osborne), Storie, Walding.

NAYS

Birt, Blake, Brown, Cummings, Derkach, Downey, Driedger, Ducharme, Enns, Ernst, Filmon, Findlay, Hammond, Johnston, Kovnats, McCrae, Mercier, Mitchelson, Nordman, Oleson, Orchard, Pankratz, Rocan, Roch.

MR. CLERK: Yeas, 27; Nays, 24.

MADAM SPEAKER: The motion is accordingly carried.

Bill No. 69, The Statute Law Amendment Act, 1987;

Bill No. 70, An Act to Amend The Public Schools Act;

Bill No. 72, An Act to Amend The Child and Family Services Act (2);

Bill No. 73, An Act to Continue Brandon University Foundation, by leave, were each read a third time and passed.

MADAM SPEAKER: The Honourable Government House Leader.

HON. J. COWAN: Madam Speaker, I move, seconded by the Minister of Finance, that Madam Speaker do now leave the Chair and the House resolve itself in a Committee to consider of the Supply to be granted to Her Majesty.

MOTION presented and carried and the House resolved itself into a Committee to consider of the Supply to be granted to Her Majesty with the Honourable Member for Burrows in the Chair.

COMMITTEE OF SUPPLY

MR. CHAIRMAN, C. Santos: The Honourable Government House Leader.

HON. J. COWAN: Mr. Chairperson, I move, seconded by the Minister of Municipal Affairs, that the Committee of Supply concur in all Supply Resolutions relating to the Estimates of Expenditure for the fiscal year ending March 31, 1988, which have been adopted at this Session by the two sections of the Committee of Supply sitting separately, and by the full committee.

MR. CHAIRMAN: Agreed and so ordered.

Committee rise.

Call in the Speaker.

IN SESSION

The Committee of Supply adopted a resolution concurring in all Supply Resolutions relating to the Estimates of Expenditure for the fiscal year ending March 31, 1988, which have been adopted at this Session by the two sections of the Committee of Supply sitting separately, and by the full committee.

MR. ACTING SPEAKER, M. Dolin: The Honourable Member for Burrows.

MR. C. SANTOS: Mr. Acting Speaker, I move, seconded by the Honourable Member for Thompson, that the report of the committee be received.

MOTION presented and carried.

MR. ACTING SPEAKER: The Honourable House Leader.

HON. J. COWAN: Mr. Acting Speaker, I move, seconded by the Minister of Finance, that this House concur in the report of the Committee of Supply respecting concurrence in all Supply Resolutions relating to the Estimates of Expenditure for the fiscal year ending March 31, 1988.

MOTION presented and carried.

MR. ACTING SPEAKER: The Minister of Finance.

HON. E. KOSTYRA: Thank you, Mr. Acting Speaker.

I move, seconded by the Attorney-General, that Mr. Acting Speaker do now leave the Chair and the House resolve itself into a Committee to consider of Ways and Means of raising the Supply granted to Her Majesty.

MOTION presented and carried and the House resolved itself into a Committee to consider of the Ways and Means of raising the Supply to be granted to Her Majesty, with the Honourable Member for Burrows in the Chair.

COMMITTEE OF WAYS AND MEANS

MR. CHAIRMAN, C. Santos: The Committee of Ways and Means, please come to order to consider the following resolution.

Committee of Supply: Resolved that in order to make good certain sums of money granted to Her Majesty for the Public Service of the province for the fiscal year ending 31st of March, 1988, the sum of \$3,751,535,200 to be extracted out of the Consolidated Fund.

MR. CHAIRMAN: The Honourable Member for Morris.

MR. C. MANNES: Thank you very much, Mr. Chairman.

I won't take any more than two minutes. Mr. Chairman, my leader in very short order will give our final comments with respect to The Appropriation Act, and a whole host of other issues, I'm sure, with respect to the government initiative over the last few months.

Mr. Chairman, I just wanted to spend two or three minutes going through my grab bag of material, showing what has happened over the last number of months. I'm just going to call headlines, Mr. Chairman.

Remember January 3, this headline: "Hiding the deficit." Remember this one about useful hydro forecasts, calling upon the government to lay before the people of Manitoba five-year forecasts in the area of Hydro and indeed within the fiscal framework of this province. Madam Speaker, I'll save this one for last.

But I think there is one I do want to read. On a weekly basis, Mr. Chairman, coming to a daily basis, we're becoming aware of the fact that there are more businesses in this province who are no longer wanting to invest, no longer wanting to make the decision to upgrade their plant and refurbish their productive capacity. Mr. Chairman, this was a letter that came to me the other day. It was dated July 3, 1987, and it says this - it's addressed to me, it's from the Royal Bank of Canada. "We regret to advise that we have decided to close our branch in Morris, Manitoba, effective the close of business on September 18, 1987. You will be aware that the special provincial corporation capital tax on banks went from 1.9 percent to 3 percent in '86. With the additional 1 percent in federal capital tax, our bank was faced with an increase of some \$3 million in Manitoba alone."

Mr. Chairman, let the record show what is happening in Manitoba in the area of business. There are some major, major pressures coming upon the economic standing of many of our treasured institutions.

Mr. Chairman, I'm going to make just one more comment. I think it needs to be put on the record in the provincial House. It talks about political parties. It's something that I'm going to plagiarize. It first showed up in the Federal House, June 16, 1987 in the Commons Debates. It's entitled: "Political Parties." When I read this, I think it'll conjure up within the minds of everybody specifically what this government represents. It says: "The CCF and the NDP." I quote Mr. Gabriel Fontaine, the Member of Parliament for Lévis.

"In 1932, Mr. Speaker, a group of Canadians, significantly linked through geographical circumstances, decided to establish a political party, the Canadian Commonwealth Federation, or CCF. From 1932 to 1961,

party activists could not manage to develop principles, let alone national programs. Opportunism being their forte, they attempted to fool the people by changing the name of their party, not a particularly challenging initiative when the name does not reflect the truth.

"From the smoking ashes of the CCF sprang the NDP in 1961. The activists of this party have yet to set forth a major policy. Their opportunism has taught them to change on a daily basis to mirror the colour of the day. Their only qualifier, which would fit every last one of them, their leader included, is the word 'socialist.' How else could anyone appear at the International Socialist Convention under another hat?

"Since the Rhinoceros Party is now defunct, another rare eccentric animal, whose colours match the surrounding foliage, should be their inspiration in a quest for a new name, the 'Chameleon Party.'"

Mr. Chairman, I think as we reflect back on the Session over the last number of months, we looked at a party, we looked at a government that really has no ideals and is one that just is committed to staying in power.

MR. CHAIRMAN: Resolution pass?

A MEMBER: Pass.

MR. CHAIRMAN: Pass.

Committee rise.
Call in the Speaker.

IN SESSION

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

MADAM SPEAKER: The Honourable Member for Burrows.

MR. C. SANTOS: Madam Speaker, I move, seconded by the Honourable Member for Thompson, that the report of the committee be received.

MOTION presented and carried.

INTRODUCTION OF BILLS

HON. E. KOSTYRA introduced, by leave, Bill No. 71, The Appropriation Act, 1987, and that the same be ordered for Second Reading immediately.

SECOND READING

BILL NO. 71 - THE APPROPRIATION ACT, 1987

HON. E. KOSTYRA presented, by leave, Bill No. 71, The Appropriation Act, 1987, for Second Reading.

MOTION presented.

MADAM SPEAKER: The Honourable Leader of the Opposition.

MR. G. FILMON: Madam Speaker, time is late or early, whichever you want to look at it. I'm beginning to

understand how they felt in Ottawa when they were discussing the final stages of the Constitutional Accord and the long hours that are put in.

Madam Speaker, there are a few remarks, I believe, that need to be put on the record as we come to the conclusion of a Session such as this because, lest the Premier or any member of his government is tempted to make a speech at year-end or do a wrap-up interview with the media, unless they have the audacity or the stupidity to suggest that it's been a good Session for the government or to suggest that the government has had a successful Session in any respect, let me destroy that myth and go through just some of the headlines and some of the news clippings, because I see that we have already this evening the orchestrated kind of enthusiasm being engendered with the wearing of the badges, the standing ovations and the shaking of the hands as every bill passes, to try and put a happy face on a very, very bad Session that this government has had.

Madam Speaker, I began by looking back to some of the articles that occurred prior to the beginning of the Session or around the beginning of the Session, and this one is from December of 1986. In fact, I guess it's the end of the year story by one of the columnists, and it was entitled, "NDP hopes for a better year after a difficult 1986." Indeed, we remember the difficult 1986, MTX and so many of those issues that the government had to deal with. The Premier in that article, in that interview, referring to MTX, said and I quote: "It was an isolated occurrence which would fade," insisted Pawley. His government had acted. "That is the basis on which we will be judged."

Madam Speaker, that was prior to the beginning of this Session; that was prior to MPIC; that was prior to the Workers Compensation Board; that was prior to CEDF; that was prior to that ill-fated Budget; that was prior to so many things that took place in the ensuing months.

As I went through some of the articles, we began with the new Minister, the new super Minister. The headline said: "Doer concedes MTS rate bid understated," and that was when he tried to explain how he had made a mistake and said that it was only going to be an 8.5 percent increase in the telephone rates, but in fact they had applied for 11.5 percent to the Public Utilities Board, and he was trying to explain his way out of that one.

Madam Speaker, it reminded me, when the Minister of Energy told us about the proud history of Crown corporations, about what has happened to those Crown corporations under this NDP administration. When he said that we have amongst the lowest telephone rates in North America, my question is: For how long? Because I was reminded that this was the fifth increase in five years under the NDP that has been applied for the Telephone System. That follows upon a 25-year period in which only two increases in telephone rates were applied for or required by that Telephone System and, in the past five years of this administration, five straight increases in five years.

So indeed, if our telephone rate remains amongst the lowest, it's only because of the good management of previous administrations. It had absolutely nothing to do with this administration that has destroyed the Telephone System through MTX, through all of the crazy,

crazy things that they got involved with, the foreign exchange losses and all of those things that they have done to destroy the Telephone System.

Madam Speaker, then we had the story that said "Education promise problem admitted," and the Minister of Education, having had his knees chopped out from under him again by the Premier, was now trying to explain why the election campaign promise on education funding had to be put on hold. The Premier was changing the promise of 90 percent funding off the general revenues to saying that was a hope - not a promise but a hope - and that was the article that particular day.

Then we had the article that talked about "Losing millions is no big deal to New Democrats," and this was the explanation of their response to the resolution that was put to their annual meeting by the Member for Inkster about Crown corporation control: getting the Crown corporations to become more accountable, getting out of losing horrors, getting out of losing Crown corporations. New Democrats were saying, "Losing millions is no big deal," because of course they have been through that before and they had confidence in their management capabilities. What a joke, Madam Speaker, that was.

Then we had, as we approached the Session, the day before the Session, the Premier set out his priorities. And what were his priorities? Jobs, fiscal control. Fiscal control? Madam Speaker, that was what the Premier uttered as his goal for this Session - fiscal control. Can you believe that? He brought in the sixth straight Budget with a .5 billion deficit. Despite raising taxes - the greatest tax grab increase in the history of this province in any Budget - he still came in with a deficit that was close to .5 billion. Of course, when we eventually got the aftermath of last year's Budget, they had overspent by \$80 million. They had exceeded their deficit projection by \$80 million. Now that is a New Democratic idea of fiscal control that we saw during this Session of the Legislature, Madam Speaker.

As far as the jobs go, this last month's job labour statistics from Stats Canada show this province having had the largest increase in the country from one month to the next, went from 6.9 percent to 7.7 percent despite the fact that nationally we went down from 9.3 percent to 8.9 percent, under 9 percent, for the first time in over five years. They went up from 6.9 percent to 7.7 percent. And at 7.7 percent, the unemployment rate is higher in June of this year than it was in June of last year. That's what he has done for jobs, this Premier, in the course of this Session.

Madam Speaker, it's not a fluke. It's directly related to the policies of this government in their Budget because concurrently we have, within the past week, a story about one of the large institutions in Manitoba, Investors Group, who had become a very major player in North of Portage, becoming the anchor building for the North of Portage development, making a major investment decision just a year-and-a-half ago, and then now saying it will not be investing any further money in growth and expansion in Manitoba because of the effects of this last Budget in March, because the provincial Budget, the CEO of the company says, penalizes investors in the two most critical areas of our operation - capital and labour.

And they go on to say what effect this Budget has had on their operation and on countless other

operations throughout the province, all of which has destroyed jobs and job opportunities and job creation. That, Madam Speaker, is this Premier's idea of setting jobs as a priority, destroying them, destroying the economic base which creates employment in Manitoba. That's what he has done.

Madam Speaker, before I go to the next headline, I just have to introduce that, and this was again on the day of the opening of the Session, and it said, "Provincial Tories lose support, poll shows. NDP leads by 13 percent, despite job rating slippage." Fortunately, in that article, the Government House Leader was wise enough to say, "I don't like to give too much credence to polls," Cowan said, because indeed those polls have turned upside down for this administration in just four months. From being 13 points up, Professor Mason is now saying that they are one point down, Madam Speaker. That is a turnaround in four months of a so-called successful Session that this Premier and his administration have said.

Then, of course, we had the precursor of so many more things to come, and that was the headline that said, "Health Sciences Centre considers closing wards to cut costs." Madam Speaker, that became the source of headline after headline after headline. In this particular case, the article was about closing 115 beds at the Health Sciences Centre, a proposal for some permanent and some short-term closures that added to the closures at Brandon General Hospital, that added to proposed closures at St. Boniface Hospital, to Grace Hospital's Emergency Ward not being able to be open to the many, many problems, that added to the growing list of people who were having to go out-of-province to get a CAT scan, vital diagnostic treatment that they could not get here.

Madam Speaker, I wish I had the time to go through the next series of articles because they began with a question on Monday, March 15, in question period, in which I asked the Member for Gimli, "I wonder if the Minister can share what the losses were in the reinsurance section of MPIC last year." At that time, the Minister said, "I don't have the exact figure; that information is available in the report." Madam Speaker, that report that he didn't know anything about, that he couldn't quote the exact figure, was tabled later that day and it showed a \$36.7 million loss in reinsurance. It showed an overall loss of \$58 million in last year's operation of MPIC.

These are the people, who are crowing about their ability to manage and operate Crown corporations for the benefit of Manitobans. These are the people who are dealing with a corporation whose only customers are the people of Manitoba, who have a captive market on a monopoly situation and, under the administration of the Member for Gimli, lost \$58 million last year.

But that isn't the worst part of it, Madam Speaker, because we went through quote by quote, as the Minister changed his story, changed his story about whether or not he knew about the losses in reinsurance back in 1984 - from saying he wasn't aware of the losses, to saying he wasn't aware of the magnitude of the losses, then saying he wasn't aware of the seriousness - and I'll quote the one in which he said, and this was when he was trying to get himself out of the whole problem that he had created, and I quote: "I have tried to explain, and apparently it doesn't sink

in, the difference between the reasons for my use of the word 'serious' and 'magnitude.' In October 1984, I realized we had a serious problem on our hands, but the magnitude of the seriousness, the magnitude of the potential claims was not brought to my attention until November of 1986, and, therefore, it was not I who created the confusion between serious and magnitude, it's the media." It's the media. "Then, of course, to my horror" - to my horror - "three boxes of the files" - that could have proved the innocence of the Member for Gimli - "were shredded" - shredded, magically shredded."

Madam Speaker, we went from 12 million to 24 million to 36 million and, at every step of the way, the Member for Gimli tried to explain why he had to change his story on the issue, why he couldn't remember. Then he said he was 100 percent sure about certain details, but he absolutely had no recollection of a meeting that he had with the president of the corporation, Mr. Laufer, and the chairman, Mr. Sigurdson. At that meeting, of course, both of the other members at the meeting said he ordered them to come up with an alternative that would not require them to show the losses in the annual report.

He went through this situation, Madam Speaker, ad nauseam, until about 10 days ago in this House, he came forward with gross indignity and he said: "I can't understand why the members opposite and the Leader of the Opposition can't read a financial statement." He said that 12.3 million of IBNR losses is there in the 1984 report. Madam Speaker, when I challenged him on a point of privilege, he had to acknowledge that it was not there.

Then, of course, Mr. Silver was asked. He said: "No, that's not true, there's only 2.25 million of IBNR losses." Again, the Minister had no idea and again he went through all of this embarrassment, he went through all of that embarrassment and the Premier continues to support that embarrassing Minister in his position, Madam Speaker.

Madam Speaker, if you can imagine - we couldn't imagine - how the Premier could have allowed his Minister responsible for MTX to have supervised the near destruction of a major utility by virtue of his turning a blind eye, having no idea what questions to ask, as Coopers and Lybrand said, being unable to examine a financial statement and get to the bottom of MTX. And yet he left him in Cabinet. Then he had a Minister who acknowledged, acknowledged that he had made a political decision. I could make that, quote: "... a political decision to hide from public attention the massive losses at MPIC in 1984, spread those losses out over the succeeding years." He, too, remains in Cabinet, remains a trusted confidant and lieutenant of this Premier, he remains there.

Madam Speaker, these two people were termed by a writer "the walking dead," the Member for St. James and the Member for Gimli. Then, of course, we had a third person added to the walking dead along the way. Madam Speaker, that was the Minister of Community Services, and that Minister of Community Services presided over the destruction of the child welfare system in Manitoba. As part of the government's vendetta against the old CAS and against certain senior executives in that CAS, they broke it up into their new distributed regional fractionalized child welfare system in Winnipeg.

In the course of all of that, of course, all of the policies became idealism. All of the philosophies of the current Minister became imbued in senior staff. People were brought in from all over because of their ideology and their philosophy, not because they had any idea how to manage such a crucial and critical department and looking after the needs of the children of Manitoba.

Madam Speaker, we have had report after report after report, whether it be from the Sigurdson-Reid committee; whether it be from the Chief Medical Examiner; whether it be from the Ombudsman - 173 cases that he had to investigate in the Minister's department - every one of them critical of the actions of the department, of the policies and the philosophies of the Minister that have resulted in the tragedy, the human carnage of young children in Manitoba under the policies of this Minister. This Minister too remains a close, trusted lieutenant and confidante of the Premier, because he would not, under any circumstances, remove any of these Ministers, regardless of cause.

Madam Speaker, near the end of this Session, this Premier got up on his hind legs and pronounced here that he was proud of his Ministers, because none of his Ministers had had to resign from the Cabinet. He spoke of Ontario and British Columbia and the Federal Government, and all these places where Ministers had to resign, and none of his Ministers had to resign. What he didn't say was, in every one of those cases, the Premier or the Prime Minister had the courage to ask for the resignation of people who had done a terrible job, who had betrayed the trust and confidence of the people they represented, who had done a poor job. He had the courage, in every case, the leader of that particular government, to say: "We cannot tolerate this kind of incompetence; we cannot tolerate this kind of attitude in government; we have to have Ministers who are trustworthy, Ministers who will tell the truth, Ministers who will do their duty and be accountable."

But this Premier allows his Ministers to get away with anything, and he will not, under any circumstances, ask for anyone's resignation and he's proud of that record. Madam Speaker, can you believe that? Can you believe that?

Madam Speaker, we went through article after article, headline after headline, about Crown agencies not properly stating their deficits - this is in relation to the Manitoba Development Corporation - about the loss of major power sales to the United States that had been promised that in fact had been said to be committed during the 1986 election campaign and in the Throne Speech, that now no longer exist because the talks have broken off, and the people who they thought were interested in buying energy from us are no longer there.

We went through the incredible saga of the Workers Compensation loss, where we were told on December 31 that the loss was \$26.9 million, that the accumulated deficit was \$26.9 million. By April 7, it had grown to \$84 million, and by June of this year when the Cormack and King Reports were released, it was estimated at \$184 million - \$184 million! The Minister insisted it was unfunded liability, insisted it was not a deficit. It was an unfunded liability.

Madam Speaker, that is the kind of information we get. But, you know, that reminds me of what the Minister responsible for MPIC first said, when the \$36.7 million

was revealed. Here's what his response was, Bucklaschuk: "The 36 million is a provision for losses that will take place over the next 20 years." It is not a loss in last year's operation, IBNR, incurred but not reported, not losses that are going to take place over 20 years. They're losses that have been incurred but not reported. He's trying to tell people they weren't losses, that they will take place over the next 20 years.

That's what he was trying to tell the people of Manitoba on March 16, Madam Speaker, just as his colleague, the Minister responsible for the Workers Compensation Board, for days on end said: "It's not a deficit, it's an unfunded liability, Madam Speaker." Accountants, financial experts, everybody was telling him it was a deficit. He was telling us and the people of Manitoba: "No, it's not really a deficit."

Madam Speaker, we went through the union labour issues of this legislative Session that had the laws of this province used to have an 18-year-old clerk slapped with a \$3.2 million lawsuit because she had the audacity to ask questions of the union, in writing, over a dispute at Westfair. That was what the laws of this province were utilized for, the labour laws during this Session. The Premier refused to condemn that action, refused to intercede and demand that absolutely stupid lawsuit be removed. Only after he was embarrassed with his tail between his legs did Bernie Christophe eventually back down, knowing it was hurting him in his industrial dispute that he was engaged in.

Madam Speaker, we had the issue of the refinancing of McKenzie Seeds, being tied to improve the appearance of McKenzie's balance sheet, to help promote the image of a healthy corporation rising from the ashes of financial distress, that kind of accounting manipulation to try and mislead the public about what exactly were the circumstances at McKenzie's, and exactly how well it was doing.

We had the Minister of Workers Compensation telling officials to stop talking to the media. We had the continuing patronage that went throughout the Session; questions about Terry Sargeant, the former NDP federal member; questions about Phil Eyler, whom we saw in the gallery earlier tonight; former NDP member, Andy Anstett, getting yet another appointment - all of these. We had the challenge to the Child Abuse Registry that eventually resulted in this government having to back down on bad legislation - Madam Speaker, all of these things.

We had the political interference at the Workers Compensation Board, political interference at CEDF in the granting of a loan to Ken Dillen, former NDP member at Thompson, who didn't qualify because he didn't even live in the province but, because of a phone call from the Member for The Pas, he got that loan; the Member for Rupertsland, who is the Minister responsible, ensuring that a friend of his, whose offices, whose building he used for his campaign headquarters, getting another major loan. In each case, massive losses to CEDF, which will ultimately be losses to the taxpayer, because of total political interference in the handling of those operations, Madam Speaker.

I won't even talk about the Final Offer Selection Bill in any detail. Madam Speaker, that was seen as a gross political interference, a gross government interference in the free collective bargaining system. It was opposed by at least a third of the unions in this province, by

all of the employer groups in this province and yet, stubbornly, the government forced it through.

Madam Speaker, I believe that the only reason they forced it through is that the Minister of Labour has been so badly discredited. He has been hammered down so badly through the MTX issue that, for his credibility to remain in Cabinet, that bill could not have been withdrawn. But I predict, Madam Speaker, that bill, which has had its proclamation delayed until 1988, will never be proclaimed, will never be brought into law in this province.

A MEMBER: Never.

MR. G. FILMON: Never, because this government has now been told that it does not enjoy the support of very many people on that bill. Whether Bernie Christophe and Wilf Hudson want it, there are thousands, tens of thousands, hundreds of thousands of Manitobans, who don't want that bill, and never, never indeed will we see that bill proclaimed.

Madam Speaker, we had, if you can believe it, the politicization of the Cancer Research and Treatment Foundation, cancer and politics. Can you believe this administration appointing people on the basis of their political affiliation to a board such as the Cancer Research and Treatment Foundation? Madam Speaker, people elsewhere in this country would not believe it.

You know, I had a phone call from Newfoundland because the NDP leader in Newfoundland was absolutely astonished at the government appointing one former member of the Legislature to a particular board in Newfoundland. He got up and said: "Never would the New Democrats do that, never would the New Democrats do that." When the member, who called me from Newfoundland, said: "What did the NDP do in Manitoba?" I said: "How long do you have?" At the end of 20 minutes, giving him a list just off the top of my head with no research required, just remembering from the last six months, he said: "Stop, that's enough." He said: "I'm going to have a speech that'll last all day in the House." Madam Speaker, that is absolutely unbelievable.

In summary, Madam Speaker, this is not the New Democratic Party of old; this is not the New Democratic Party of Ed Schreyer. This is not a CCF Party that many moderate, middle-of-the-road people believed in. Madam Speaker, all you need do is look at some of the issues, Ed Schreyer's comments on the gay rights amendment, former Premier, former Governor-General. This is not the party of Ed Schreyer anymore. All you need do is look at Schreyer's former executive assistant, a former president of the NDP Party in Manitoba, who called the intention of this administration to buy ICG a sick joke - a sick joke, Madam Speaker.

Ask about Magnus Eliason and what does he believe, the business partner of the Member for Elmwood, on the gay rights amendment. Ask about what so many former members believe. Ask about principles of the Schreyer years.

Madam Speaker, do you recall that, during those years when there was an issue of aid to private schools, one of the Cabinet Ministers resigned from Cabinet because he wanted to speak out against it, because he believed in his conscience and in his heart that it

was wrong what was being proposed. Because he was differing in that particular case from his Premier, he resigned from Cabinet so that he could have the free access and right to speak in accordance with his own views. Those were the days of principle in this administration. Those were the days when the Schreyer Government had principle, had morals, had standards and values that were in accordance with those of the mainstream of Manitoba, Madam Speaker.

Madam Speaker, there was no cheap ministerial influence peddling like we see today. There was none of that. Madam Speaker, there wasn't the incompetence to the standard and level that we see today in this administration. Madam Speaker, the incompetence of this administration has been absolutely stamped on its forehead more strongly than any of those badges that the members opposite are wearing. The incompetence is stamped on their forehead from the last Session and from this Session and from the things that their Ministers and their administration has done. But now, Madam Speaker, we see the lack of moral standards that affects anything that they touch in this government.

Madam Speaker, they are committed, as the Premier said, to use government as instruments of public policy. Madam Speaker, it goes farther than that. They're committed to use government as instruments of re-election of the NDP, of perpetuation of the N.D. Party. They're prepared to use the government, regardless of the cost to the taxpayer, regardless of the morality, regardless of what it means to the future of this province. Their only goal, their only objective is to use all of the instruments available for them in government to perpetuate and strengthen the New Democratic Party.

Madam Speaker, this government, even after two years, will go down in history for its gross incompetence. Madam Speaker, it's guilty of the greatest political manipulation and interference for its own self-interest that the public has ever seen in this province. It's completely lacking in moral standards and convictions in any way in which it operates as a government.

So the government stands naked, Madam Speaker, stands naked, exposed as having no competence to control the financial operations and responsibilities of government, having lost record amounts of money in Crown corporations. Madam Speaker, when I think of the Seventies and what we thought were major losses in Crown corporations, today those are a pittance. Saunders, I believe, reached a stage of about 35 million and the public was absolutely aghast. Madam Speaker, they lost that much in one year at Manfor under their administration. They lost \$58 million in one year at MPIC, under their maladministration, Madam Speaker - record, absolutely unheard of levels of losses under their administration.

Having failed in the administration of so many key departments, Madam Speaker - and I'm just talking on the economic side. I'm talking about Community Services, I'm talking about health care, I'm talking about all the departments of government that are having difficulty meeting their objectives and serving the people of Manitoba. Madam Speaker, they take pride in saying that they have been politically involved in the rate setting at MPIC, in the rate setting at Manitoba Telephone System, utilizing that as another instrument to try and improve their situation with electorate prior to an election or whatever have you.

All of these things, Madam Speaker, and so many more that I'd like to spend the time on are the mark of this administration in this Session, and it's a very sad and sorry picture. Madam Speaker, I regret to have to paint that picture because to celebrate all of the losses and fiascos and maladministration and incompetence of this administration is to celebrate the suffering of Manitobans, because Manitobans ultimately suffer from all of the things that I have talked about here tonight. Madam Speaker, that is a very unfortunate problem.

Madam Speaker, last Session, the editorial at the conclusion of the Session said that it was a Session of sham and scandal. That's how they portrayed this administration in that Session.

A MEMBER: What do you they call this one?

MR. G. FILMON: This Session will go down as one of deceit, dishonesty and disaster, Madam Speaker, and this Premier and this administration bear the blame.

MADAM SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Madam Speaker, I don't think I'll speak as long as the Leader of the Opposition, who spoke for 49 minutes. There really isn't that much to respond to.

I am reminded, as I commence my speech, about the opening day of the 1986 campaign when the Leader of the Opposition at a press conference that he called went to great lengths to assure Manitobans that there really wasn't much difference between the Conservative Party and the New Democratic Party. That announcement by the Leader of the Opposition, of course, was very much to the dismay of the Member for Morris, the Member for Pembina. Fortunately, Madam Speaker, the people of the Province of Manitoba were not fooled by the Leader of the Opposition during the 1986 campaign. Madam Speaker, this Session has clearly demonstrated the difference between the Progressive Conservative Party of the Province of Manitoba and the New Democratic Party.

What we've had on the part of the Conservatives in this Legislature has been a party that has really missed an opportunity, a party that has spent its time attempting to character assassinate, attempting to delve into personalities, attempting to find scandals where scandals don't exist. How many times did we hear about smoking guns. But there were no smoking guns to be discovered, Madam Speaker. Then we heard day after day and week after week continual denunciation and smearing of community leaders in the Province of Manitoba, different community leaders, just because they happened to disagree with honourable members across the way.

What we have, Madam Speaker, is an Opposition that was void of leadership, void of policy, void of direction throughout this entire Session, Madam Speaker, and I must tell you, at the conclusion of the Session, that my colleagues and I are indeed quite surprised at the extent of lack of direction and lack of drive and focus on the part of the Official Opposition in this Legislature during this Session.

The Leader of the Opposition can bluster all he wants. He can yell all he wants. He can scream all he wants.

He can attempt to invent all he wants. He can read all his gay right editorials that he wishes, but he cannot conceal the fact, Madam Speaker, that there was no policy, no direction, no willingness to discuss issue by issue and the meaningful problems facing the people of Manitoba.

Of course, I must admit that I believe that the Leader of the Opposition was trying to kick off another leadership-bid speech here this evening. Now, we know there are two or three who are bidding for the leadership. We know that the Member for Pembina is whetting his appetite. Everybody knows that in the Province of Manitoba. Everybody is aware that the Member for Morris is watching, watching carefully. And there are increased rumours at Brandon West. I don't know if we're going to have one leader, two leaders, or three leaders by the time this current year is over.-(Interjection)- Somebody says there could be even four.

SOME HONOURABLE MEMBERS: Oh, oh!

HON. H. PAWLEY: Madam Speaker, what we have accomplished during this Session is, first and foremost, an important -(Interjection)- I think we must have succeeded in getting some kind of response from what they -(Interjection)- it must have hurt where it landed. There seems to be some sensitivity across there on the part of honourable members to the question of leadership.

Madam Speaker, Budget, the first accomplishment during this Session was a Budget which was a difficult Budget, that was a Budget that faced up to the realities of dealing with the problems within the Province of Manitoba, a Budget that was committed.

SOME HONOURABLE MEMBERS: Oh, oh!

MADAM SPEAKER: Order please.

HON. H. PAWLEY: Madam Speaker, this is a demonstration of the Opposition members. We listened to what the Leader of the Opposition had to say. My colleagues listened to what the Leader of the Opposition had to say. But, Madam Speaker, they like dishing it out, but they don't like receiving it in return. We've noticed that day after day and week after week during this Session.

Madam Speaker, the Budget, the Leader of the Opposition talked about \$80 million overexpended. The Leader of the Opposition should look to the province to the west of us, a projected deficit of \$375 million just before the Saskatchewan election on the part of the Devine Conservatives and, after the election, what are the people of Saskatchewan informed? A deficit of \$1.2 billion. They have the audacity to talk about fiscal mismanagement on the part of a New Democratic Party Government when, right next door, you have a misrepresentation on the part of the Conservatives in the Province of Saskatchewan, just before the Budget, in a tripling of their projected deficit in that province and now we have the slashing and cutting.

Madam Speaker, let me tell you, I would urge honourable members to watch television, local news in the Province of Saskatchewan and to witness all the local groups and community groups, the health, the

social services, the community services that are hurt by way of the desperate efforts on the part of that Conservative Government to undo the massive miscalculation on their part, and they have the nerve, Madam Speaker, to talk about Conservative fiscal management.

Madam Speaker, this Minister of Finance introduced a Budget that dealt with the realities of the circumstances in Manitoba today. It was a courageous Budget, but it was a Budget that was fair, a Budget that was balanced, a Budget that I believe will demonstrate . . .

Madam Speaker, also during this Session we had the environment legislation which was passed, the best legislation by way of environment that I believe this country has ever introduced in any Legislature. We have introduced Crown reform legislation, because we are not prepared to dismiss problems, but to face up to problems and ensure there's greater accountability.

Madam Speaker, natural gas, what did we have on the part of honourable members across the way? Not a whimper about excessive charges by the natural gas industry in the Province of Alberta, not a whimper about the deregulation. Madam Speaker, the only time they raised any concerns is when this government took action to ensure the consumers of the Province of Manitoba were treated fairly. Madam Speaker, do we witness the Leader of the Opposition standing up and speaking on behalf of the consumers of this province? No, he's more interested in protecting the interests of TransCanada Pipeline and the interests of the Tory Government in the Province of Alberta. We know, Madam Speaker, what side they're on. They're certainly not on the side of the people of the Province of Manitoba.

Madam Speaker, we heard a lot of misrepresentation, distortion about the human rights legislation, such distortion that I think would have gravely troubled the likes of John Diefenbaker, who I epitomized. The best of the Conservative Party would have come to ensuring by way of a passage of a bill of rights that the Conservative Party stood for human rights, but we don't have the party of Diefenbaker in this Legislature, we don't have the party of reform of Roblin. We have a disparate group that's only interested - that we've witnessed for the last year and one half - in scandalmongering, in power, in character assassination. We don't have a constructive Opposition at all in this Chamber, Madam Speaker, but I'm talking about Official Opposition because I don't want to embarrass the Member for River Heights by way of that comment.

Madam Speaker, we introduced final offer selection - creative, innovative legislation - in order to build on the good labour and management record that the Province of Manitoba enjoys, not being content to remain still with the status quo. This is a government, Madam Speaker, that is prepared to move forward and not to stand still or not to be frozen by way of its own inaction.

We are proceeding, Madam Speaker, to introduce many other different areas of reform in the Province of Manitoba. Just imagine, Madam Speaker, if you would what we have on the part of a Conservative Government in the Province of Manitoba. As I said, two, three or four leaders, we're not sure just who would be the leader, but we'd have probably the Honourable Member

for Springfield first, being the Education Minister in waiting. Can you just imagine that, Madam Speaker, the Member for Springfield, the Minister of Education in waiting? And, Madam Speaker, we couldn't forget the Member for Brandon West, the future Attorney-General and House Leader in the future Conservative Government in the Province of Manitoba. Madam Speaker, he might even be Speaker if he was given an opportunity.

Madam Speaker, who would we have as the Minister for Native Affairs? Well, of course the Member for Arthur would be the Minister responsible for Native Affairs in a Conservative Government. And really, just to finish it off, Madam Speaker, and I don't want to embarrass you or to distress you too much, but the Minister responsible for the Status of Women would probably be the Member for Sturgeon Creek in any future Conservative Government in the Province of Manitoba.

Madam Speaker, what would we have by way of policy from any Conservative Government in the Province of Manitoba? What would they have done on the natural gas issue? What would they have done by way of natural gas? We would have, Madam Speaker, a natural gas legislation - (Interjection)- Well, Madam Speaker, this is interesting. They love dishing it out but they don't like receiving it in return. Madam Speaker, if it's too hot for them in this Chamber, they might as well get out.

Madam Speaker, natural gas policy. If the Conservatives were government in this province by way of their record during this Session, would we have an attempt to ensure reduced prices for the consumers for this province? Would we have any effort to ensure extension of natural gas services to the north and rural in this province? No, Madam Speaker, we'd have a continued overcharging on the part of the natural gas industry and cooperation not with the people of the Province of Manitoba, but with the Government of Alberta in overcharging the consumers of this province.

Madam Speaker, we discussed the new human rights legislation a little earlier. Madam Speaker, if we had a Conservative Government, I don't believe there would be any human rights legislation. They would do like their friends did out in British Columbia and just disband the Human Rights Commission totally. Does anybody have any hesitation in realizing what direction honourable members would proceed with any human rights legislation or Human Rights Commission in the Province of Manitoba?

Madam Speaker, would we have legislation, creative and innovative to provide alternatives to work stoppages? Would we have, in the Province of Manitoba, the second-best record for work stoppages of any province in Canada, Madam Speaker? The answer of course is no. We would have as we had, in fact during the Sterling Lyon administration, an increase in the number of days lost due to work stoppages in the Province of Manitoba, and that would be multiplied as a result of the kind of class warfare attitude that's exhibited by honourable members across the way and their attitude in particular to the labour community of the Province of Manitoba.

Madam Speaker, when it comes to federal-provincial relations, we would have no policy which would represent the interests of the Province of Manitoba. We would just have the big Conservative seal on everything that's being proposed by the Prime Minister

from Ottawa. There'd be no standing up in support of the true interests of the people of the Province of Manitoba. They would be simply, as the Minister of Finance has indicated, puppets of what is going on in Ottawa, rather than ensuring that decisions are made in respect to what is in the best interests of the people of the Province of Manitoba, leaving aside ideological commitment.

On health care reform, we would have no effort to come to grips with the need for health care in the Province of Manitoba. Oh, we might have larger hospitals, but we would have a cutting of any effort to provide preventative care, any effort to provide community health care, community-based care. There'd be no effort to ensure that the challenges facing health and rising costs in health would be dealt with in a constructive way. Instead, Madam Speaker, we'd have cuts like Saskatchewan and Alberta in all the wrong places under a Conservative administration.

Madam Speaker, what do we have by way of spending? What did we see during this Session? We saw demands by the Leader of the Opposition, by all the members across the way for increased spending, day after day, hundreds of millions of additional programs being called for on the part of honourable members across the way. And yet, at the same time, the Member for Morris will rise in his place and suggest that the deficit should be cut and taxes should not be increased. And yet, he and the Leader of the Opposition can't control the members of the Conservative Opposition in this Chamber insofar as their repeated demands day after day for massive additional expenditures in this province. You can't have it both ways.

Madam Speaker, let me just say to the Leader of the Opposition that I know what this Session is going to be remembered for. Let me tell the Leader of the Opposition, this government, this party's never felt better about a Legislative Session than this one. This Session is going to be recognized as the Session of achievement, a Budget that we're proud of, environmental legislation, human rights legislation, labour legislation that's creative and innovative, a bold, aggressive stance insofar as natural gas industry in the Province of Manitoba to bring the benefits of deregulation to Manitobans and not the private preserve of the private natural gas industry in the Province of Alberta.

That's the kind of Session this has been, not the Session of irrelevancy, of trivia, but the Session of substantial achievement by this New Democratic Party Government in the Province of Manitoba. Madam Speaker, one word sums up this Session, accomplishment, accomplishment on the part of this government. I believe, Madam Speaker, this has been one of the most meaningful, one of the most important Sessions certainly that I have participated in, in 18 years, and I believe all other honourable members of this side concur with that evaluation.

MADAM SPEAKER: The Honourable Minister of Finance.

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

I move, seconded by the Member for Morris, that Madam Speaker do now leave the Chair and the House

resolve itself into a Committee of the Whole to consider the report of Bill No. 71, The Appropriation Act, 1987, for Third Reading.

MOTION presented and carried and the House resolved itself into a Committee of the Whole to consider the report of Bill No. 71, The Appropriation Act, 1987, with the Honourable Member for Burrows in the Chair.

COMMITTEE OF THE WHOLE

BILL NO. 71- THE APPROPRIATION ACT, 1987

MR. CHAIRMAN, C. Santos: The Committee of the Whole House will please come to order to consider Bill No. 71, The Appropriation Act, 1987.

Bill as a whole—pass; Title—pass; Preamble—pass.

Bill be reported.

Committee rise.

Call in the Speaker.

IN SESSION

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

MADAM SPEAKER: The Honourable Member for Burrows.

MR. C. SANTOS: Madam Speaker, I move, seconded by the Honourable Member for Thompson, that the report of the committee be received.

MOTION presented and carried.

THIRD READING

BILL NO. 71 - THE APPROPRIATION ACT, 1987

Bill No. 71, The Appropriation Act, 1987, by leave, was read a third time and passed.

MADAM SPEAKER: The Honourable Government House Leader.

HON. J. COWAN: Yes, Madam Speaker, just perhaps before moving the motion respecting the adjournment, I can take one brief moment to thank yourself and the Opposition House Leader and the Member for River Heights and indeed all members of this Chamber for their cooperation and assistance in making the House work through this Session.

As well, all members have also asked me to extend our thanks to the Clerk, the Deputy Clerk, the Clerk of the Committees, the Sergeant-at-Arms, those who sit at the table, those who worked in this Chamber with us, the Pages and the recorders, the Hansard staff, and the other staff who assist us in so many ways in order to ensure that the business of this province is able to be conducted in the way in which it is.

I'm certain all members join with me in extending thanks to those members and any others who I might have overlooked at this late hour in the morning.

SOME HONOURABLE MEMBERS: Hear, hear!

MADAM SPEAKER: I would also like to take this opportunity on behalf of all the members to offer our sincere good wishes to our Sergeant-at-Arms, Mr. Ernie Diack, who will be retiring after serving this Chamber in a very loyal and dedicated fashion since 1982.

Thank you very much.

The Honourable Government House Leader.

HON. J. COWAN: Madam Speaker, I move, seconded by the Minister of Education, that when the House adjourns today, it shall stand adjourned until a time fixed by Madam Speaker upon the request of the government. That's moved by leave.

MOTION presented and carried.

MADAM SPEAKER: It's my understanding that the Honourable Lieutenant-Governor is approaching.

ROYAL ASSENT

SERGEANT-AT-ARMS (Mr. Ernie Diack): His Honour, the Lieutenant-Governor.

His Honour, George Johnson, Lieutenant-Governor of the Province of Manitoba, having entered the House and being seated on the Throne:

Madam Speaker addressed His Honour in the following words:

MADAM SPEAKER: May it please Your Honour.

The Legislative Assembly, at its present Session, passed bills, which in the name of the Assembly, I present to Your Honour and to which bills I respectfully request Your Honour's Assent:

MS. ASSISTANT CLERK, S. Clive:

Bill No. 3, The Manitoba Advisory Council on the Status of Women Act; Loi sur le Conseil consultatif manitobain de la situation de la femme.

Bill No. 4, The Re-enacted Statutes of Manitoba, 1987 Act; Loi sur Les Lois réadoptées du Manitoba de 1987.

Bill No. 5, An Act to Repeal Certain Statutes Relating to Education and Other Matters; Loi abrogeant certaines lois concernant l'Éducation et d'autres questions.

Bill No. 6, The Emergency Measures Act; Loi sur les mesures d'urgence.

Bill No. 10, An Act to amend The Queen's Bench Act; Loi modifiant la Loi sur la Cour du Banc de la Reine.

Bill No. 11, The Change of Name Act; Loi sur le changement de nom.

Bill No. 12, An Act to amend The Highways and Transportation Department Act; Loi modifiant la Loi sur le ministère de la Voirie et du Transport.

Bill No. 14, An Act to amend The Milk Prices Review Act; Loi modifiant la Loi sur le contrôle du prix du lait.

Bill No. 15, The Crop Insurance Act; Loi sur l'assurance-récolte.

Bill No. 17, An Act to amend The Municipal Assessment Act (2); Loi modifiant la Loi sur l'évaluation municipale (2).

Bill No. 18, An Act to amend The Securities Act; Loi modifiant la Loi sur les valeurs mobilières.

Bill No. 19, An Act to amend The Limitation of Actions Act and The Highway Traffic Act and to repeal The Unsatisfied Judgment Fund Act; Loi modifiant la Loi sur la prescription et le Code de la route et abrogeant la Loi intitulée "The Unsatisfied Judgment Fund Act."

Bill No. 20, The Crime Prevention Foundation Act; Loi sur la Fondation de prévention du crime.

Bill No. 21, The Family Law Amendment Act; Loi modifiant le droit de la famille.

Bill No. 22, An Act to amend The Water Resources Administration Act and The Real Property Act; Loi modifiant la Loi sur l'aménagement hydraulique et la Loi sur les biens réels.

Bill No. 23, An Act to amend The Highway Traffic Act; Loi modifiant le Code de la route.

Bill No. 24, An Act to amend The Corporations Act; Loi modifiant la Loi sur les corporations.

Bill No. 25, The Discriminatory Business Practices Act; Loi sur les pratiques de commerce discriminatoires.

Bill No. 26, The Environment Act; Loi sur l'environnement.

Bill No. 27, The Real Property Act and Various Other Acts Amendment Act; Loi modifiant la Loi sur les biens réels et diverses autres lois.

Bill No. 28, The High-Level Radioactive Waste Act; Loi sur les déchets radioactifs de haute activité.

Bill No. 29, An Act to amend The Condominium Act; Loi modifiant la Loi sur les condominiums.

Bill No. 30, An Act to amend An Act to Incorporate "Pine Ridge Golf Club"; Loi modifiant la Loi intitulée "An Act to Incorporate 'Pine Ridge Golf Club.'"

Bill No. 31, An Act to amend The Community Child Day Care Standards Act; Loi modifiant la Loi sur les garderies d'enfants.

Bill No. 33, An Act to amend The Registry Act; Loi modifiant la Loi sur l'enregistrement foncier.

Bill No. 34, An Act to amend The Real Property Act; Loi modifiant la Loi sur les biens réels.

Bill No. 35, An Act to amend The Child and Family Services Act; Loi modifiant la Loi sur les services à l'enfant et à la famille.

Bill No. 36, An Act to amend The Religious Societies' Lands Act; Loi modifiant la Loi sur les biens-fonds des communautés religieuses.

Bill No. 37, An Act to amend The Liquor Control Act; Loi modifiant la Loi sur la réglementation des alcools.

Bill No. 38, An Act to amend The Law Society Act; Loi modifiant la Loi sur la Société du Barreau.

Bill No. 39, An Act to amend The City of Winnipeg Act (2); Loi modifiant la Loi sur la Ville de Winnipeg (2).

Bill No. 40, The Human Tissue Act; Loi sur les tissus humains.

Bill No. 41, An Act to amend The Animal Husbandry Act; Loi modifiant la Loi sur l'élevage.

Bill No. 42, An Act to amend The Construction Industry Wages Act; Loi modifiant la Loi sur les salaires dans l'industrie de la construction.

Bill No. 44, An Act to amend The Coat of Arms, Floral Emblem and Tartan Act; Loi modifiant la Loi concernant les armoiries, l'emblème floral et le tartan du Manitoba.

Bill No. 45, An Act to amend The Lotteries Foundation Act; Loi modifiant la Loi sur la Fondation manitobaine des loteries.

Bill No. 46, The Charter Compliance Statute Amendment Act, 1987; Loi de 1987 modifiant diverses dispositions législatives afin d'assurer le respect de la Charte.

Bill No. 47, The Human Rights Code; Code des droits de la personne.

Bill No. 48, An Act to repeal Certain Unrepealed and Unconsolidated Public General Statutes (1871-1969); Loi abrogeant certaines lois générales d'intérêt public non abrogées et non codifiées et certaines parties de loi (1871-1969).

Bill No. 49, An Act to amend The Real Estate Brokers Act; Loi modifiant la Loi sur les courtiers en immeubles.

Bill No. 50, An Act to amend The Consumer Protection Act; Loi modifiant la Loi sur la protection du consommateur.

Bill No. 51, Statute Law Amendment (Taxation) Act, 1987; Loi de 1987 modifiant la législation relative à la fiscalité.

Bill No. 52, An Act to amend The Energy Rate Stabilization Act; Loi modifiant la Loi sur la stabilisation des emprunts d'Hydro-Manitoba à l'étranger.

Bill No. 53, The Oil and Gas Production Tax Act; Loi de la taxe sur la production de pétrole et de gaz.

Bill No. 54, An Act to Validate By-Law No. 3678 of the Rural Municipality of St Andrews; Loi validant l'arrêté no 3678 de la municipalité rurale de St. Andrews.

Bill No. 55, An Act to amend An Act to Incorporate Southwood Golf and Country Club; Loi modifiant la Loi intitulée "An Act to Incorporate Southwood Golf and Country Club."

Bill No. 56, The Mining Claim Tax Act; Loi de la taxe sur les claims miniers.

Bill No. 58, An Act respecting the Accountability of Crown Corporations and to amend other Acts in consequence thereof; Loi concernant l'obligation redditionnelle des corporations de la Couronne et modifiant certaines Lois.

Bill No. 59, An Act to amend The Mental Health Act; Loi modifiant la Loi sur la santé mentale.

Bill No. 60, An Act to amend The Anatomy Act; Loi modifiant la Loi sur l'Anatomie.

Bill No. 61, An Act to amend The Labour Relations Act; Loi modifiant la Loi sur les relations du travail.

Bill No. 62, An Act to amend The Insurance Act; Loi modifiant la Loi sur les assurances.

Bill No. 63, An Act to repeal Certain Statutes relating to Hospitals, Hospital Districts and Nursing Unit Districts and other matters; Loi abrogeant certaines lois concernant les hôpitaux, les districts hospitaliers, les districts régionaux de soins infirmiers et d'autres questions.

Bill No. 64, An Act to amend The Highway Traffic Act (2); Loi modifiant le Code de la route (2).

Bill No. 65, The Surface Rights Act; Loi sur les droits de surface.

Bill No. 66, An Act to amend The Electoral Divisions Act (2); Loi modifiant la Loi sur les circonscriptions électorales (2).

Bill No. 67, The Off-road Vehicles Act; Loi sur les véhicules à caractère non routier.

Bill No. 68, An Act to Govern the Supply of Natural Gas in Manitoba and to amend The Public Utilities Board Act; Loi régissant l'approvisionnement en gaz naturel du Manitoba et modifiant la Loi sur la Régie des services publics.

Bill No. 69, The Statute Law Amendment Act (1987); Loi de 1987 modifiant le droit statutaire.

Bill No. 70, An Act to amend The Public Schools Act; Loi modifiant la Loi sur les écoles publiques.

Bill No. 72, An Act to amend The Child and Family Services Act (2); Loi modifiant la Loi sur les services à l'enfant et à la famille (2).

Bill No. 73, An Act to continue Brandon University Foundation; Loi prorogeant la Fondation de l'Université de Brandon.

MR. CLERK: In Her Majesty's Name, His Honour the Lieutenant-Governor doth assent to these bills.

MADAM SPEAKER: May it please Your Honour:

We, Her Majesty's most dutiful and faithful subjects, the Legislative Assembly of Manitoba in Session assembled, approach Your Honour with sentiments of unfeigned devotion and loyalty to Her Majesty's person and Government, and beg for Your Honour the acceptance of these bills:

Thursday, 16 July, 1987

Bill No. 57, The Loan Act, 1987; Loi d'emprunt de 1987;

Bill No. 71, The Appropriation Act, 1987; Loi de 1987 portant affectation de credits.

MR. CLERK: His Honour the Lieutenant-Governor doth thank Her Majesty's dutiful and loyal subjects, accepts their benevolence, and assents to these bills in Her Majesty's name.

His Honour was then pleased to retire.

(GOD SAVE THE QUEEN WAS SUNG)

MADAM SPEAKER: The House is now adjourned and stands adjourned until the call of the Chair.

ERRATA

On page 3766 of Volume XXXV No. 87, July 10, 1987, Hon. E. Kostyra was reported to have said: "I wish to table the annual report for the calendar year ended December 31, 1986, The 40th Annual Report of the Civil Service Superannuation Board." It should have read the "48th" Annual Report.