

THE LEGISLATIVE ASSEMBLY OF MANITOBA

8:00 o'clock, Thursday, July 22, 1971

Opening Prayer by Mr. Speaker.

MR. SPEAKER: Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees; Ministerial Statements; Tabling of Reports; Notices of Motion; Introduction of Bills; Oral Questions; Orders of the Day.

ORDERS OF THE DAY - GOVERNMENT BILLS

MR. SPEAKER: The Honourable House Leader.

HON. SIDNEY GREEN, Q.C. (Minister of Mines, Resources and Environmental Management) (Inkster): Would you call Bill 116, Mr. Speaker.

MR. SPEAKER: The proposed motion of the Honourable Minister of Labour. The Honourable Minister.

HON. RUSSELL PAULLEY (Minister of Labour) (Transcona): Mr. Speaker, I adjourned this debate this afternoon and of course, I will now be closing the debate. I am sorry the Honourable Leader of the Opposition has not arrived as yet. I trust that he will be here too long. I am also sorry that the Honourable Member for Birtle-Russell is not here, because both of them made some comments that I would like to draw to their attention is closing the debate on this bill on second reading.

I do appreciate the contributions that have been made. I do appreciate the fact that the Honourable the Member for Assiniboia must obviously have taken the time out to read the intention of the bill because that was very evident from the comments that he made; and my honourable friend the Member for Emerson in his usual capable manner did make contributions to the debate that I appreciate. The Member for Emerson did indicate to me and to the government that in his opinion this bill should have been brought in earlier.

On introduction of the bill, Mr. Speaker, I tried to say or point out why the bill was only coming in at this particular time, because it is a measure that is a companion measure to the bill introduced by my colleague the Attorney-General, Mr. Speaker, dealing with the establishment of a police commission and the police act; that is the reason for the delay because both of them go together. And what has been emphasized by the spokesman for the opposition - when I say opposition, I mean the Conservatives - in this House, they have tried to construe this bill as being authorization for the police to strike or an inducement to the police to strike, and I want to make this absolutely clear that such is not the case; but to re-emphasize what I said on introduction for second reading of this bill, it's only giving to the police of the province of Manitoba the same basic rights enjoyed by most others in Manitoba. My honourable friend, the Member for Emerson suggested why just the police at this particular time? My friend knows, from statements that I have made in this House, that we will be considering a broadly based labour code for everyone in the province of Manitoba in between sessions, notice of which I have given, and the only reason that it's these particular amendments to the Labour Relations Act refer to police, is, as I indicated, because my colleague, the Attorney-General has the Police Act before us for consideration at this time. So I do say to my honourable friend from Emerson that is why the present amendment to the Labour Relations Act refers specifically to police.

Now my honourable friend the Member for Birtle-Russell in his usual manner displayed quite clearly that he hadn't read the bill at all, and -- (Interjection) - yes, my honourable friend indicates that he read in between the lines. And it's so typical, Mr. Speaker, of my honourable friend, he reads in between the lines and he goes in and out of every proposition but he still hasn't got the ability, or doesn't use the ability that he has, to find out what the bill is all about.

He suggested to me, Mr. Speaker, in his oration, if one can call it that, this afternoon, that I should consult with my counterpart, the Federal Minister of Labour and the Labour Code for Canada. Well I want to inform my honourable friend from Birtle-Russell, and I make no apologies for it, that if he would take the time to take a look at the proposed labour code for Canada, he would see that my counterpart the Honourable Bryce Mackasey at Ottawa, has taken the lead from the Minister of Labour in the province of Manitoba, and at long last, and at long last, Mr. Speaker, recognizes that it is time for change in the Labour Law of Canada.

You know, my honourable friend from Birtle-Russell kept making references to the rights

(MR. PAULLEY cont'd.) of workers; but while he was indicating that somewhere along the line he had listened or read something - maybe even what he had read was between the lines - that some suggestion was made that at long last there was a recognition of the rights of the worker in Canada. His companion, however, who is now chipping in, that is the Member for Swan River -- and I have no hope for my honourable friend from Swan River that he'll ever learn the rights of the worker in Manitoba or Swan River - he is wont to stand in this House, Mr. Speaker, and go back to the days of the old red school house in Manitoba. My honourable friend from Swan River is the guy, Mr. Speaker, who advocated that in order to construct ditches we should throw aside all of our back hoes and our bulldozers and go back to the shovel and the pick. I think, Mr. Speaker, this is so typical of the knowledgeability of the Conservative Party as to the role of the worker, and that was exhibited this afternoon, that was exhibited this afternoon by the Honourable Member for Birtle-Russell.

My friend from Birtle-Russell this afternoon indicated or suggested to me, that what I should be doing as Minister of Labour in Manitoba was directing my efforts towards prevention of strikes, instead of bringing in legislation that would give the right to strike to individuals, and I wonder, Mr. Speaker, how long, how long my honourable friend for Birtle-Russell has been in the backwoods at Swan River, because he has so little knowledge of what we are attempting in the Department of Labour to do.

I've said repeatedly in this House that the whole effort and the whole program of the Department of Labour is to prevent and offset strikes, not to create them, Mr. Speaker, if my rabbleous friends on the other side would just keep quiet for a moment, if they'd only look at what is happening now in the province of Manitoba in connection with the situation pertaining in the construction industry at the present time, that every effort -- (Interjection) -- there you are, my honourable friend from Swan River says they are all on strike. There has been no cessation of activity in the construction industry as a result of the efforts of the Department of Labour to prevent a strike. But, Mr. Speaker, but Mr. Speaker, for some of the types of legislation that I have to deal with that was formulated and enacted by the previous administration, the Conservatives, boy that made my job difficult, Mr. Speaker. I admit we have not as yet overcome all of the deficiencies, but by Jiminy Christmas, I hope that it is not too long before we cast aside the anti-labour programs of the former administration and give to all workers in the Province of Manitoba, freedom and a right to join their association.

Now what about the absent Leader, the absent Leader of the Conservative Party? -- (Interjection) -- Yes, and by Jiminy Christmas, the Honourable Member for Lakeside has moved over into the seat of the Leader of the Opposition - and he darn near got it except for about 40 votes. And I do really think, Mr. Speaker, that the plight of the Conservative Party would have been in better hands had the Member of Lakeside got those extra 40 votes, because I think the Member for Lakeside with all of his deficiencies is more knowledgeable of labour than is the Honourable Member for River Heights.

The Leader of the Opposition, the Leader of the Opposition made reference today to this bill and he said that he was going to oppose it, he said that he has every confidence in the efficiency of the police forces in the province of Manitoba; that was the only sensible and actual factual statement that was made by the Leader of the Opposition, because we have by and large in the Province of Manitoba one of the most efficient and capable groups of men as our policemen that you can find anywhere on the North American continent and I pay tribute to them. But, Mr. Speaker, in saying that, in saying that, I do give them the credit for at least having a high degree of intelligence and my honourable friend the Leader of the Opposition would not give them that. What did he say? He said, leave the Bill as it is - he gave us three courses: leave it as it is, bring in legislation, compulsory arbitration -- (Interjection) -- well, sometimes, Mr. Speaker, the only way you can penetrate concrete is by using a drill gun that does make a noise, a jackhammer; and sometimes even with a jackhammer you cannot penetrate hard concrete and I'm having that difficulty here tonight. But my honourable friend the Leader of the Opposition who just today for the first time exhibited in this House a concern for labour says, why don't you bring about compulsory arbitration insofar as the police are concerned.

I wonder, Mr. Speaker, whether my honourable friend, my honourable absent friend, really knows what the situation is in respect of the situation under which police have to attempt to enter into collective bargaining agreements - they haven't any rights at all under present legislation. -- (Interjection) -- Do I? - yes - my honourable friend from Swan River asks me, do I; I want to tell my honourable friend that I have sat on about eight arbitration boards

(MR. PAULLEY cont'd.)as a representative of the employees under so-called compulsory arbitration in order to get them a reasonable fair deal, and the chips are all against them and have been. We nearly had a strike, Mr. Speaker, in the city of Winnipeg not so long ago, because the police had no right to be heard other than the dictates of a bunch of elected officials of municipalities - and my honourable friend from Sturgeon Creek should know this full well.

MR. SPEAKER: Order, please. Rule 40 states "when a member is speaking no member shall interrupt him, except to raise a point of order or privilege." Clancy isn't here, but I shall lower the boom.

MR. PAULLEY: My honourable friend from Sturgeon Creek suggests that I am bringing in Legislation to give something that somebody does not want. I say to my honourable friend, he's just as ignorant in making that statement as is exhibited in other statements during the time that we've had the pleasure of being together in this Assembly.

Imagine, Mr. Speaker, at the present time what the situation is in regard to the police. At the present time under our legislation police will have to arrest police in order to endeavour to bring about a collective agreement. Now then, Mr. Speaker . . . -- (Interjection) --

MR. SPEAKER: Order, please.

MR. PAULLEY: Mr. Speaker, my honourable friend from Sturgeon Creek again exhibits what is so true of the opposition, that they haven't even taken the time out to read the bill, because under the provisions of this bill, before the police can go on strike, before the Hydro or other so-called essential services and the employees can go on strike, certain procedures have to be undertaken. -- (Interjection) --

Mr. Speaker, again my honourable friend is exhibiting his ignorance of the contents of this bill, and if he would only just keep quiet for a moment, I'll let him know what's in the bill.

MR. SPEAKER: Order, please. The Honourable Member for Sturgeon Creek.

MR. FRANK JOHNSTON (Sturgeon Creek): . . . because he was called doddering - which I could agree - because he was called doddering. I would like, Sir, on a point of privilege to ask the Minister to retract the word "ignorance".

MR. SPEAKER: Order, please. Order, please. I should like to indicate that honourable members when they are debating are entitled to express an opinion providing it's not in an insulting way, and if the Honourable Minister wishes to express that opinion that is his privilege.

MR. PAULLEY: Well, Mr. Speaker, I'm in a very amiable mood this evening and if my friend doesn't like the description of being ignorant, may I suggest, the nincompoopish approach of the members of the opposition to a reasonable and sensible bill - and I will substitute nincompoopish for ignorance if that accommodates my honourable friend -- (Interjection) -- That's right. I also suggest to my honourable friend the Member for Sturgeon Creek that he looks up a dictionary and see what nincompoopish means.

However, I do want to inform my honourable friend that there are ample safeguards within the bill that I am proposing or the amendment, there can be no strike of the police in the Province of Manitoba under the amendments that I am proposing unless certain conditions are met; that is, after a process of conciliation into mediation, and if the matter is not resolved and there is a strike threat then the Lieutenant-Governor-in-Council if in his opinion he feels that it is necessary to prohibit the carrying through the right of strike, can basically suggest an additional 14-day cooling off period. And if that is not successful then it is an obligation on the Lieutenant-Governor-in-Council to call this august (and I'm using that term very loosely) body in to consider the matter. But the basic principle is -- (Interjection) -- oh, my honourable friend, why then the bill; because we are desirous of giving equality of right to all citizens in Manitoba which have been deprived by my honourable friends opposite and that they would continue to maintain in the Province of Manitoba. Only ignorant -- oh -- excuse me, I might get into difficulty . . .

MR. SPEAKER: Order, please.

MR. HARRY J. ENNS (Lakeside): . . .

MR. PAULLEY: That's right. That's right. It did take three sessions. And I want to say, Mr. Speaker, it may take one or two more sessions before we obliterate the persecutions of the worker and others in Manitoba as a result of the inept legislation of the likes of the Honourable Member for Lakeside. So I welcome -- I welcome the statement of the Leader of the Opposition that that gang, that gang on that side of the House is going to oppose this bill

(MR. PAULLEY cont'd.) because they don't believe in freedom, they don't believe in equality of opportunity, and I dare them . . .

MR. SPEAKER: Order, please. The Honourable Member -- (Interjection) -- Order, please. Order, please. Did the Honourable Member for Lakeside have a point of order?

MR. ENNS: Mr. Speaker, we were treading the fine line of insults rather carefully last night when I referred in a specific way . . .

MR. SPEAKER: Order, please. Would the honourable member state his point of order.

MR. ENNS: My point of order is that when he refers to Her Majesty's official opposition as "the gang", I regard it as an insult; if he chooses to make that further reference that's his privilege; I only raise the point once.

MR. SPEAKER: The Honourable Minister of Labour

MR. PAULLEY: I can't speak for Her Majesty; I am sure that she would have like feelings if she was on this side of the House with what we have to deal with. I have every honour and respect for that glorious, gorgeous person who is our Queen and I have every affection for her. And as my honourable friend from Lakeside says, yes, God bless the Queen; God help us if that outfit ever becomes the government of Manitoba again. So with these brief remarks, Mr. Speaker, I recommend this bill to the House.

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

MR. SPEAKER put the question and after a voice vote declared the motion carried.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, would you call Bill No. 111, please.

MR. SPEAKER: The proposed motion of the Honourable Minister of Municipal Affairs. The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Thank you, Mr. Speaker. It's a pleasure to stand up as an ignorant member of the House, or a nincompoop -- I'll try to make some constructive comments about this bill. First of all the bill basically is -- while we are dealing with the Bill 111, The Municipal Act, it is bringing the Municipal Act into line with the Expropriation Act and I think that that is something that is really housekeeping and there is not much to be said on that part of the bill.

There is one section of the bill though, Mr. Speaker, that concerns me, which says that a group or a town or a city under 5,000 may or may not adopt the national building code, but a city or town of over 5,000 people will adopt the national building code. Now this is quite a step. I would say, knowing something about construction, that the adoption of the national building code this fast or holus bolus as this is being proposed, is not going to be good because it will cause an increase of construction in this province. And, of course, Mr. Speaker, I would probably be more inclined to speak on this bill if I had a little bit more knowledge. I am not going to oppose it, our party is not going to oppose it; we have a lot of questions in this respect.

I want to come back to that particular section, but on the section regarding the 15 percent I am going to say to the Minister of Municipal Affairs I want further explanation on that in committee and I'm sure that the Minister of Municipal Affairs will give me that explanation. So to go back basically to the area of the bill which is the area which is concerned with the national building code. I probably wouldn't have to be here asking questions or worrying about the bill and the national building code if the Minister of Labour had done his work that he said he was going to last year. He can stand up and berate me and he can go over the coals and what have you about labour legislation, but I assure you, Sir, the committee hearings that we had was the Minister of Labour was going to form a committee of experts to give the Municipal Committee advice regarding the building codes in the Province of Manitoba, and it wasn't too sure in the committee's mind whether the national building code should be adopted holus bolus in the Province of Manitoba until we had had advice from this committee and we had talked it over. There is nothing, I have had nothing from the Minister of Labour through the Minister of Municipal Affairs on this; I don't even know if the committee has been set up, quite frankly, and this was brought up in the House quite a while ago. It was brought up in the House; originally I spoke up and I said the codes are in the Department of Labour, the codes are in the Department of Municipal Affairs, the codes are all over the place with Metro, the codes are all over the place with the province, there is no given inspectors, even health inspectors are examining plumbing in this province and I said, maybe we should get it all under one basic area where we knew where we were going; and I said the national building code is not going to

(MR. F. JOHNSTON cont'd.) apply -- and I mentioned Thompson, Manitoba at the time -- because I assure you the national building code in Canada cannot apply in Thompson. Thompson is an area or the northern areas of Manitoba where there has to be consideration given to the geographical temperatures etc. to the Province of Manitoba.

So, on that basis we were told, the Municipal Affairs Committee, the Minister of Labour even attended and said I have a committee of experts working on it. We haven't heard from the committee of experts; we haven't heard from the Minister of Labour for his committee of experts; and in a casual discussion which I'm sure he won't mind me bringing up, I said, I happen to have some interest in this and some knowledge on it, when you have your report from the experts I would certainly like to be part of a group that would discuss it, and it still hasn't been brought forward. And now we say that a town of 5,000 or a city over 5,000 must adopt the National Building Code.

I said, Mr. Speaker, the party is not going to oppose this bill; we're going to ask a lot of questions in committee. But this is the type of legislation, again, that arrives on our desks, after we have been told since 1969, that we will have some expert advice that will look into the coordination of building codes in the Province of Manitoba and we will be able to make a decision on the building codes in the Province of Manitoba in due time. We have had no report from anybody regarding the experts' advice; we haven't heard from the Metro inspectors or chief of building codes. We haven't heard from the Department of Health and Social Welfare where -- and I'm not sure whether the Minister knows it or not, he has the biggest part of environment -- no, it's under the Minister of Mines and Natural Resources now -- the environment or pollution; they form a code and it's spread all around the government, the codes of pollution, etc.

You know, Mr. Speaker, what goes down the drain is causing more pollution in this country than anything. You talk about smoke and people throwing away cans and this type of thing; what goes down the drain which ends up in our rivers and streams and our water is probably causing more pollution than ever. There are things that the Metro Corporation would like to install as far as the building codes are concerned, as far as the water. Have you ever heard of potable water versus water? Have you ever seen the situation in a hospital where there's a morgue and if you don't have a valve or something in that morgue that stops the water being used in the morgue from going into the potable water system of the hospital it could give a discharge that would harm people? There's a heck of a lot of people in this province go home from a restaurant and they don't know why they've got diarrhea and it's basically because the potable water supply is not properly controlled. Ask the health inspectors of the City of Winnipeg what is going on regarding the potable water supplies in this city and they'll tell you it's a disgrace; and yet, and yet, this bill comes forward and says a town of 5,000 will automatically accept the National Building Code.

Sir, we have asked for a report and we were told there was a committee of experts being set up to give a report and advise the Municipal Affairs Committee. We haven't got it, we haven't got that report and now all of a sudden we're asked to pass this bill. We don't oppose it because the National Building Code, Sir, is much better than some of the things we've got now and it's a step in the right direction, but there are many other steps that have to be taken and since 1969 we have been told it's going to happen and it hasn't happened; and those are the questions we're going to ask in this committee. Thank you, Sir.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. GREEN: Mr. Speaker, I wonder if my honourable friend wishes to speak, perhaps it will be better if he adjourns debate because there were committees scheduled to meet tonight at 8:30.

MR. STEVEN PATRICK (Assiniboia): I beg to move, seconded by the Honourable Member for La Verendrye, the debate be adjourned.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: The Honourable the House Leader. The Honourable First Minister.

HON. EDWARD SCHREYER (Premier) (Rossmere): Mr. Speaker, there were certain arrangements agreed upon at 5:30 which I would like to simply put forward again for benefit of members. With respect to agriculture, as everyone knows that was at the committee, the committee is resuming at 8:30, that is to say now, in the committee room 254; and I understand that there's some other arrangement with respect to Municipal Affairs committee, that instead of 8:30 as initially agreed to it will be 9:30 or slightly before 9:30 in Room 200, whatever time that may be; and the same arrangement applies to Saturday afternoon with respect

(MR. SCHREYER cont'd.) to both committees, 2:30 in the same rooms. I have no announcement with respect to tomorrow; I presume the House Leader does.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, first of all I would like to get agreement -- (Interjection) -- Well, Mr. Speaker, I could finish my remarks then the honourable member could get up. I'd like to request permission to substitute the Minister for Consumer and Corporate Affairs, to put that Minister on Agricultural Committee in substitution for the Minister of Tourism and Recreation. The Minister of Consumer and Corporate Affairs on the committee, the Minister of Tourism and Recreation off, that's Agricultural Committee.

I'd like to indicate, Mr. Speaker, that we wish to go into the House again tomorrow and then call Law Amendments Committee at 2:30 tomorrow afternoon to deal with all bills that have passed second reading up to that time; and then to complete Law Amendments Committee and proceed with House business after that is finished.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Yes, Mr. Speaker, I'd just like to ask a question of the House Leader, why the changing of members from one committee to the other; is it because of the committees meeting simultaneously? I would like to register my protest on that very point about having committees meet not only tonight but on Saturday, because there are matters coming before the Municipal Committee which I would like to attend and I would like to witness and when the Agricultural Committee is called for the same time I certainly do not like this. I also feel that they're relegating agriculture further down the line than it has been heretofore. This has been going on time and again . . .

MR. SPEAKER: Order, please. The honourable member has stated his -- I should like to indicate that the honourable member has stated his objections and they have been noted. I'm certain the House Leader will probably take them into consideration and so will the other members of the Assembly. I would like to indicate there is nothing before the House so therefore I'm not going to entertain debate. I will entertain statements in regards to procedure, but . . .

MR. FROESE: On a point of order, Mr. Speaker.

MR. SPEAKER: State your point of order.

MR. FROESE: On the point of order. Under Rule 34 the matters that were raised by the Minister are debatable and there's no such thing that they cannot be debated.

MR. SPEAKER: I must disagree with the honourable member. The Honourable Member for Lakeside.

MR. ENNS: I don't choose to enter the debate or quarrel with your decision, Sir, but I think the Honourable House Leader did suggest in an open and friendly manner that substitution was taking place on some committees and was to that extent asking or seeking, I would suggest, some concurrence from members opposite. I'm prepared, Mr. Speaker, to indicate to the House Leader that I'm more than happy and prepared to accept the substitution offered by the House Leader. I've always been one who have recognized the particular agricultural talents of the Minister involved, namely the Minister of Consumer Affairs, and welcome him to the Committee of Agriculture.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, just before I close let me assure the Honourable Member for Rhineland that the Honourable Minister of Tourism and Recreation was not changed for any reason that concerns meetings. I can only tell him that he will have to either accept or reject my word.

Mr. Speaker, I move, seconded by the Honourable Minister of Labour that the House do now adjourn.

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOUGLAS WATT (Arthur): We have on our desk a notice that the Agricultural Committee will meet on Saturday at 10:30.

MR. GREEN: I'm indebted to my honourable friend for bringing that to my attention. The notice is incorrect. Both meetings are at 2:30, 2:30 in the afternoon.

MR. WATT: 2:30?

MR. GREEN: 2:30. Both committees. The committee on agriculture and the committee on Municipal Affairs.

MR. WATT: Well, I have a question for the House Leader. I think it was fairly clear in the committee this afternoon that further representation before the committee would be

(MR. WATT cont'd.) considered; individuals or groups coming in on Saturday afternoon would be recognized, those that did not list today.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, I can clarify that. For those persons who are not heard, and who do not make their presentations this evening, there will be this opportunity on Saturday commencing at 2:30.

MR. SPEAKER: Are you ready for the question? The Honourable Member for Arthur.

MR. WATT: Mr. Speaker, I'm talking about individuals or groups who did not make representation this afternoon or who did not declare their intention to appear before the committee.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: I assume that that is okay, but that's something that I can't answer in the House. I assume that the committee will have to deal with that.

MR. SPEAKER: Are you ready for the question? The Honourable Member for Portage la Prairie.

MR. GREEN . . . but each committee sets its rules for delegations, and I suppose that members of the committee could clear up any matters including that one which I understand has already been set at committee.

MR. SPEAKER: The Honourable Member for Portage la Prairie.

MR. GORDON E. JOHNSTON (Portage la Prairie): Mr. Speaker, I just wish to register the Liberal Party's emphatic disagreement with holding simultaneously two important committee meetings. I can't understand my friends on my right who would agree to such a course of action. In both committees there's going to be very controversial legislation being discussed and I think that the members, even if they are not members of that committee, should have the opportunity to attend both hearings.

MR. SPEAKER put the question and after a voice vote declared the motion carried and the House adjourned until 9:30 Friday morning.