

THE LEGISLATIVE ASSEMBLY OF MANITOBA
10:00 o'clock, Monday, June 9, 1975

Opening Prayer by Mr. Speaker.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed, I should like to direct the attention of the honourable members to the gallery where we have 28 students, Grade 9 standing, of the Dauphin Junior High School. These students are under the direction of Mr. Boguski and Mrs. Wilson. This school is located in the constituency of the Honourable Member for Dauphin, the Minister of Highways.

And we have 14 students of Grade 5 standing, of the Pelican Rapids School. These students are under the direction of Miss Walker. This school is located in the constituency of the Honourable Member for Swan River.

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

Presenting Petitions, Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees; Ministerial Statements and Tabling of Reports; Notices of Motion; Introduction of Bills; Questions. The Honourable Leader of the Opposition.

ORAL QUESTIONS

MR. SIDNEY SPIVAK, Q.C. (Leader of the Official Opposition) (River Heights): Mr. Speaker, my question is to the First Minister. I believe there is to be a telephone conversation with First Ministers this week. I think that was the information. I wonder if he can indicate at this time whether the government's position will be that consideration for an increase in the price of oil should be undertaken, or that at this period of time there should be no consideration of any price increase.

MR. SPEAKER: The Honourable First Minister.

HON. EDWARD SCHREYER (Premier) (Rossmere): Well, Mr. Speaker, insofar as Manitoba's view is concerned, we have expressed it in early April. From our point of view there is no need to at this time contemplate such price adjustments, but there are other jurisdictions in the country that have expressed a different position, so therefore inasmuch as the Government of Canada will be convening any meeting that may take place, I assume that this round robin phone call consultation will take place some time later this week or early next week.

MR. SPIVAK: I wonder if the First Minister can indicate, Mr. Speaker, whether the government's position would be that if an increase was to take place, or if the Federal Government was to enact an increase . . .

MR. SPEAKER: Order please. That's hypothetical.

MR. SPIVAK: No, it's a question of knowing the policy, Mr. Speaker, and I don't know any other way I can frame it. I think that for the purposes of understanding the government's position I have to frame it that way - whether Manitoba would be prepared to consider an increase if part of that increase was dedicated to new development and exploration.

MR. SCHREYER: Well, Mr. Speaker, that is not the position we expressed in early April, since at that time we were directing ourselves to the specific as to whether or not a price increase was warranted. But I believe that we have also directly made the argument in our submission at the last conference that clearly any augmentation in price, if there were one, would have to be directed towards exploration and development on frontier energy sources and also on energy sources that are substitutable for fossil fuel, which is practically non-existent in terms of R and D at the present time.

MR. SPEAKER: The Honourable Member for Riel.

MR. DONALD W. CRAIK (Riel): Mr. Speaker, I direct a question to the First Minister. It's with regards to the Polar Gas study group that's been working on the Arctic Islands gas line. Can he indicate whether the Manitoba Government has taken any further action towards participating in the study group by way of what I believe was indicated by the government as an invitation from Polar Gas for them to actively participate in the program?

MR. SPEAKER: The Honourable First Minister.

ORAL QUESTIONS

MR. SCHREYER: Well, Mr. Speaker, there was only one occasion upon which there was any lengthy discussion and deliberation, and that was approximately, oh, I should think 60 to 90 days ago. There was an undertaking that we would maintain contact or liaison. I cannot confirm personally that there has been any further communication. However, the Minister of Industry and Commerce may be in a position to so confirm. I'll have to check with him. Perhaps I'd better leave it just there, Mr. Speaker.

MR. CRAIK: Well, Mr. Speaker, could the First Minister indicate whether the government was invited or is giving consideration to participating from a financial point of view in the study work that's going on?

MR. SCHREYER: Well, Mr. Speaker, there was verbal reference to that possibility on the part of senior persons of Polar Gas. The meeting was left on the basis that there was to be a continuation of the exchange of information and views, and, as I said, I assume that that, to the extent it has taken place, would have taken place through the office of the Minister of Industry and Commerce, and I'm not in a position to report further at this time. Perhaps he is.

MR. CRAIK: The Minister of Industry and Commerce may not have heard the question. If he would like to hear it, and is prepared to give us some sort of an indication, it was as to whether or not the government is still actively considering involvement financially in the Polar Gas project.

MR. SPEAKER: The Honourable Minister of Industry and Commerce.

HON. LEONARD S. EVANS (Minister of Industry and Commerce) (Brandon East): Yes, Mr. Speaker. As the First Minister indicated, we did have this initial meeting, and since that time we have received a formal request by them for participation in the planning stages of the project, not in the actual construction phase, which would be a very very expensive phase, I might add. However, we are examining the terms of the proposed agreement using legal staff as well as economists, and after that analysis has been completed a recommendation will be made to Cabinet and a decision will then be forthcoming.

MR. CRAIK: I wonder if the Minister could indicate what other provinces have become involved in the project. Would he have that knowledge at hand?

MR. EVANS: Well I should check this, but I understood Quebec and Ontario were going to become involved. But I must check that.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L.R. (BUD) SHERMAN (Fort Garry): Mr. Speaker, my question is to the Minister of Environmental Management. I would like to ask him whether he plans any meetings or consultations with North Dakota officials this week on the Garrison project in the light of the statements over the weekend by the Honourable Jeanne Sauvé.

MR. SPEAKER: The Honourable Minister of Mines.

HON. SIDNEY GREEN, Q.C. (Minister of Mines, Resources and Environmental Management) (Inkster): Mr. Speaker, I haven't been apprised of Madame Sauvé's comment.

MR. SHERMAN: Mr. Speaker, perhaps I should revise the question. In view of the fact that the Honourable Jeanne Sauvé described the Garrison project as in effect "madness" in discussions over the weekend, would the Minister undertake to investigate the content of her comments and discuss them with his colleagues and with North Dakota officials?

MR. GREEN: Well, Mr. Speaker, certainly I'd be interested in anything Madame Sauvé has to say and will look into it, but I don't know that there is any need for further discussions. Madame Sauvé, Mr. MacEachen and the Government of Manitoba are all at one on the Garrison Diversion Program. There is absolutely no light between the positions.

MR. SPEAKER: Orders of the Day. The Honourable House Leader.

ORDERS OF THE DAY - GOVERNMENT BILLS

MR. GREEN: Yes, Mr. Speaker. Would you proceed to the Adjourned Debates on Second Reading, Page 2 of the Order Paper.

MR. SPEAKER: Thank you. Bill No. 28. Proposed motion by the Honourable Minister of Labour. The Honourable Member for Fort Garry.

MR. SHERMAN: Stand, Mr. Speaker.

MR. SPEAKER: Bill No. 37. Proposed motion by the Honourable First Minister. The Honourable Leader of the Opposition.

MR. SPIVAK: Stand.

BILL NO. 44 - THE PLANNING ACT

MR. SPEAKER: Bill No. 44. Proposed by the Attorney-General. The Honourable Member for Brandon West.

MR. EDWARD MCGILL (Brandon West): Mr. Speaker, I'm disappointed and rather regretful that the Minister of Municipal Affairs is absent from the House this morning. He may be on official business, although I wasn't quite sure, when he commented to me on Friday afternoon, that he would be away today in order to attend a crime seminar. I wonder if the people of Manitoba will be in anyway concerned if they know that the Attorney-General is away attending a crime seminar. I didn't really think that it was necessary to have schools for crime, Mr. Speaker, but things may have changed in the world today. In any event, if it's not an official visit, I hope that he's going at his own expense.

But, Mr. Speaker, I do regret that the Minister is not here because over the past few years there have been opportunities to discuss the whole matter of the principle and concept of regional planning, and it's been my privilege to attend a number of meetings at which the Minister was present and at which meetings I heard him describe the kind of concept that he entertained for the establishment of the frame work and the broad terms of reference to enable communities to set up regional planning councils. And I must say, Mr. Speaker, that I was attracted to the concept and to the principle, and I look forward to the eventual presentation, in statute form, of those concepts which the Minister had from time to time enlarged upon.

The way in which the interest developed in my own case was during the debate on the Brandon Boundaries Bill in 1971, and the Commission presenting its report and recommending changes in the Brandon Boundaries also recommended that, at the same time as the boundaries were enlarged, that a joint planning commission be established or planning council in the area, which would involve the municipalities, rural and urban, and which would enable, by discussion and agreement from time to time in council, enable that group to avoid the kind of problems that had arisen and which required changes in the boundaries of the City of Brandon to be established really by provincial authority on the recommendations of the committee and not on the basis of any joint discussion of the municipalities concerned.

It seemed to me at that time that this was a very reasonable and a very fair recommendation, and one which should have been proceeded with at the same time as the boundaries were changed. However, Mr. Speaker, that was not done, and we see and observe in the Brandon area somewhat of the same problems developing again on the fringes of the city boundaries that were the cause for the original investigations and for the changing of the Brandon boundaries in 1971. It is becoming apparent that the same problems will have to be dealt with again because of the failure of the authorities to establish a joint planning council.

Now, Mr. Speaker, it may be unduly optimistic of me to have expected that the mere forming of such a council would have completely prevented a recurrence of fringe problems as they are now developing in the Brandon area, but nevertheless I do feel that it would have been a major step forward. So, Mr. Speaker, since that time I've been looking expectantly to the other side for a kind of statute that would provide the framework for local people, local municipalities, in a community having a common interest, common aims and objectives. I've been looking for a bill that would assist them and provide broad regulation for such a council to operate.

I thought in broad terms that any regional planning council would be one that would encourage local action, that would provide a direct input of those people who are and were and would be directly affected by the decisions of that planning council. I thought it would be one that would enshrine local authority as one of the major objectives in any planning council. It seemed to me that it would be proper to ensure that there was local participation in the decision-making process, and I thought that the plan would be one that would tend to eliminate any real need or, in fact, any purpose for another level of government, i.e. regional government. A concept that we've been aware of has been one that was endorsed and favoured by the present administration of Manitoba, but one that I think they have not proceeded with because of the obvious objections and the very strong resistance that has been offered to the whole concept of regional government by the Association of the Rural Municipalities of Manitoba. So the government hadn't proceeded with a plan to provide or to introduce another level of

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(MR. MCGILL cont'd) government in Manitoba.

Well, Mr. Speaker, those are my hopes for the Planning Act; those were the original conditions; and I've tried to explain why I was very much attracted to the principle and the concept of regional planning as one that had application, and in fact in certain areas of the province was now rather urgently needed. This bill before us I then read and attempt to evaluate in how far it accomplishes those objectives and ideals which I had in mind. I think, Mr. Speaker, that I would have liked to have found real support for the concept of regional planning and of local authority which I favour. I regret that after a careful reading of the bill I fail to see where the bill actually now states the kind of impressions that I got from the Minister of Municipal Affairs as he attended meetings with the municipalities in the rural parts of Manitoba particularly. The impressions I got were that his concepts were much similar to those which I entertained and that I would expect he would come to this Legislature presenting a bill that would give just a sort of a regulatory and structural statement of encouragement to local communities to set up their own authority and to get together to solve their own problems.

I looked for somewhere in the bill that provides for local action and local input in the decision-making process and it appears to me, Mr. Speaker, that it doesn't come in any part of the bill except after the fact, where hearings will be held after decisions have been made and people affected locally will have a chance to appear at the hearings and present their objections or their support. But it is not a bill that encourages local participation in the original decision-making process.

We looked then for local authority in the bill, Mr. Speaker, and I find there a complete absence of local authority, where the Minister and the Lieutenant-Governor-in-Council and the Municipal Board are those authorities which are frequently and consistently mentioned as those having the final decision. I think we could eliminate the Municipal Board as being really an important decision-making body because it is a board appointed by the Minister, so really it would be too much to expect that that board would be likely to take decisions or positions that were contrary to those which the Minister supported. So, Mr. Speaker, the final authority is clearly with the Minister and his Cabinet.

I'd hoped, Mr. Speaker, that this bill would enable the rural municipalities to proceed and to meet their problems without any necessity for another level of regional government. It appeared to me that if the Planning Act had been set up in a manner to give local authority that it would have eliminated the need for regional government, because the major problems involving co-operation between the municipalities would have been discussed and resolved, hopefully, by the community councils. What has actually happened, Mr. Speaker, in this bill is that the New Democratic Party Government of Manitoba will accomplish, if the bill is passed, what it has been unable or unwilling to do in a direct manner because of the strong objections of the municipal governments. It will, Mr. Speaker, by this Act impose a regional government comprised of unelected people and controlled by the Cabinet.

Mr. Speaker, there are so many features of this bill that repel me from the original concept which I had of regional planning. Everywhere I read where the authority and control of the community which is being directly affected, is being taken away. The Minister has the power to initiate, to adopt, to amend and in fact, do almost anything with any planning scheme. Not only can he amend and reject planning schemes that come out of the so-called planning committee, but he can start one himself. And he then having started the plan, refers it to the Municipal Board, a board which he appointed himself, and that board considers it and comes back to the Minister with its recommendations.

In another part of the bill, Mr. Speaker, it suggests that a planning proposal can be initiated by a group of municipalities. They then present it to the Municipal Board which has hearings. As a result of those hearings the Municipal Board may change the boundaries proposed for the planning community and present it to the Minister. But, Mr. Speaker, nowhere does it provide for the original applicant to have a final say as to whether or not they wish to proceed with the scheme as amended. Once having initiated it, it can be amended by the board and the Minister and the final decision then is taken completely out of the hands of the applicant. Mr. Speaker, it appears obvious that the applicant should have the right of withdrawal if the final form of the plan is not to their liking.

Another part of the bill, Mr. Speaker, gives the board the power to buy, to sell property, and to expropriate property. And if any other evidence were needed that this is a form of regional government, surely, Mr. Speaker, this section of the Act gives that pretty clearly.

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(MR. MCGILL cont'd)

Another problem with the Act, Mr. Speaker, is that appeals must be presented within seven days of the notice in writing from the board. Mr. Speaker, surely those people who designed this Act have no real experience with rural mail delivery and the time it takes for letters to get to all parts of this province. No consideration has been given to that, nor to the problem of mail stoppages, which I suggest, Mr. Speaker, do occur occasionally in our economy.

So that these are things in the Act which give one the impression that it was hastily drawn, although I can't understand why that should be because we've been talking about it since 1971.

Another portion of the Act provides for penalties for people who do things that are contrary to the regulations and they are worded in such a way, Mr. Speaker, that a Reeve, or a Secretary-Treasurer of a municipality, by signing a by-law which they are directed to do having been passed by their own council, could become liable to fines under the terms of this Act.

Mr. Speaker, there is one very important application of this Act and it really doesn't relate to planning although this is supposed to be a Planning Act. In this Act, Mr. Speaker, there is a clause which contains authority to prohibit the transfer of title to part of a taxpayer's land holding. If this individual wishes to sell part of his land or to deed it to another person, he may not do so without the authority and consent of the Minister. Mr. Speaker, I suggest that a farmer who owns a section of land may have two sons and this Act actually prevents him from deeding half of his land to one son and half to the other. I wonder, Mr. Speaker, if that really is the kind of authority which was intended to be vested in the Minister by the terms of this Act.

Another obvious - well I was about to call it an oversight, I'm not so sure, Mr. Speaker - but it does ignore the role of a very primary elected body in our communities, that of the school board, in one of the special areas of planning, and that is those relating to the establishment of new schools and the siting of such schools. These are elected people who are responsible to the voters and they are given no direct say in the way in which community planning will be carried out or is proposed to be carried out under this Act.

Mr. Speaker, if I have sounded somewhat disillusioned, after having been an enthusiast for regional planning, - if I have sounded somewhat disillusioned by the terms of this Act, I am getting my message across. Really I was impressed by the diplomacy and the way in which the Minister of Municipal Affairs presented his ideas to the municipal meetings.

Mr. Speaker, I mentioned earlier that the Minister said he was away at a Crime School. I thought he said for a moment he was at "Charm School", because you know, I feel that in the six years that I have known him in this Legislature he has changed so dramatically in the way in which he does present his views. I recall his vehement approach to the Autopac debate and if you now have had the pleasure of observing the Minister at public meetings, you will notice that he has changed his style completely and he is a man who has a great ability to engender support and to present his views in such a way that the people who are listening are much impressed with his desire to co-operate and to really listen to the local grassroot voters, to really ensure that what he is planning will do what they hope it will do. Mr. Speaker, this has been the action of the Minister and I am sure that he rates very highly up to this point with the municipalities of Manitoba because of his stated desire to co-operate in any way and to provide legislation that will be in the best interests of the local governments. I wonder, Mr. Speaker, if that image will be able to sustain itself after the municipal councillors have had an opportunity to fully understand the terms of this bill and how it takes away authority from the municipalities and in fact imposes another level of government, one that they very much object to and one, the concept of which has been discussed from time to time, and the Minister is quite well aware that it is not a popular concept in the Province of Manitoba.

Mr. Speaker, we know, having read this bill, what the intent of the government is, to retain complete authority, and I wonder what the long-term plan is. I think that this is an interim approach to the problem of planning in Manitoba. I think the Minister of Agriculture has his own long-term answers to the problems of planning in Manitoba. I think the Member for St. Johns, Mr. Speaker, has his own long-term plan for planning in Manitoba. I think that the counterparts of the present administration in Manitoba, the present government of Britain, has been somewhat more forthright in their presentation of their ultimate objectives in planning

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(MR. MCGILL cont'd)and the problems relating thereto.

About a year and a half ago, Mr. Healy who is a prominent member of the Labour Government in England was talking about a single capital transfer tax which would be used to take away the power of any family businesses or farms and in some way would add to the wealth and the ability of the government to plan for the future. Certainly it would be, if it were passed, a decisive blow against the ability of anybody to own land in England or in any other part of the world. One of the members of the Labour Government in England said recently that nationalization of all land may be the solution to the problem of planning. Mr. Speaker, I think really that is the ultimate solution which the members on the other side support. The Minister of Agriculture is working in his quiet and diplomatic way to achieve a greater and greater ownership of land in the Province of Manitoba. He has his advertising and his T.V. approach. He is doing it in his affable manner but, Mr. Speaker, nevertheless it's quite clear that he realizes or he believes that there will be no problem of planning in a local sense when all of the land in Manitoba is owned nationally or by the government.

Mr. Speaker, there are so many points about this bill that need to be more fully explained than they have been up to this point. There are so many people in Manitoba who will be anxious to receive those explanations and to ask the questions that it's almost impossible to believe that the government would insist that we proceed with this bill during the present session which is now, I would expect, coming close to its conclusion. Too many of the rural councillors are unable to take the time to sit down and read the bill carefully. I'm sure that the school boards would like to have the opportunity intersessionally to present their views on this Planning Act. I'm sure that the Association of Rural Municipalities in Manitoba will wish to make their views heard.

So, Mr. Speaker, it would be very unreasonable and unfair to the people of Manitoba if the government, by its majority, insists on dealing with this bill during the present Session of the Legislature. Let us take it to the Standing Committee on Municipal Affairs and give everybody an opportunity. There may be explanations for the points that I have given to you. There may be reasons that may be acceptable for some of the terms of this bill that appear to me to be so oppressive. Mr. Speaker, that opportunity should be given. We've waited six years for this bill to come down the road, surely we can wait a few months more to ensure that everybody fully understands the full import of the legislation. Thank you.

MR. SPEAKER: The Honourable Member for Roblin.

MR. J. WALLY MCKENZIE (Roblin): Mr. Speaker, I'd like to speak to the legislation that's before us on behalf of the people that I represent, Roblin constituency, who I have spoke with regarding this legislation in some quarters.

Mr. Speaker, not very many years ago we reviewed the Municipal Act of this province, put it into its present form which was long overdue and accepted by all quarters, and as the Member from Brandon West has indicated, the next phase of, and the duties of the Department of Municipal Affairs was, as we have been led to believe for years, was the one of the planning. And, Mr. Speaker, we look forward with this legislation in great anticipation but, Mr. Speaker, I become very concerned when I see this bill on my desk, because this government still hasn't established a land-use policy so that we can clearly define the duties of this Act and where we're going. How can we start planning when the government has no land use policy of their own except for the one that the Minister of Agriculture has been espousing around the province and the Deputy Minister, Mr. Janssen, and Max Hofford. Those people are going around this province espousing some kind of a policy. But I'm not led to believe, and people that I've had question these people, that this in fact is a government land use policy. It's an agricultural type of land use policy, but not a government. So, Mr. Speaker, I then began searching as to why this legislation was brought in at this time, late in the session, and with seemingly great haste. And so if you review the notes that were presented to us by the Honourable Minister of Municipal Affairs, you find the concerns of this government - and they're spelled out rather quickly and easily, because in the opening shortcomings of the present Act, the Minister spells out the fact that the old Act encouraged municipalities to go it alone. I can quarrel with that. I don't see anything wrong with municipalities going it alone.

There was another part in there that made me wonder, Mr. Speaker, "The most serious shortcomings of the old legislation is its failure to provide a mechanism for co-ordinated provincial and municipal land use policies."

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(MR. McKENZIE cont'd)

So, Mr. Speaker, it's spelled out in the notes the reason for this bill, and I don't know, I find under the old legislation, Mr. Speaker, that the Planning Act that was implemented in the area that I represent some four or five years ago is working reasonably well. While it did take three or four years to get this municipal planning scheme that's been enforced in Roblin area to regulate and control the area in and around the Shellmouth Dam in those municipalities, it's finally starting to function and the local people are having a pretty. . . Basically, the input of the planning in the area is being done by the local people with the help of some people from the various departments. So, Mr. Speaker, I say again, before we proceed any farther with this legislation I would like to have the government spell out their land use policy before we take this bill to the people. Before, Mr. Speaker, we allow planning boards the right to go ahead and implement something, I would suggest that they should implement the land use policy of the government. And I don't know why the government, Mr. Speaker, in this legislation, are somehow avoiding this issue. It seems to me that this bill, they're basically setting up a straw man between the people and the government, which is this legislation, to mislead the people regarding their plans for the future.

The other concern I've had when speaking with people in the country about the bill is somehow they have failed to involve the rural municipalities in this bill so that they could become totally involved in the future planning of their own municipality and the municipalities that are adjoining them, so that they can be involved in the future planning of their town or their village, what's the size of it going to be, or the city, so that they can involve the destiny of their communities. Mr. Speaker, it seems to me that the Minister and the government are determined that that isn't going to happen their way. They are going to take complete charge of the future plans for all the areas of this province, and yet, for some unforeseen reason, they have failed to publicize a provincial land use policy as they present this bill to us. So, Mr. Speaker, there are many questions that come to light as I go through this legislation and I'll try and not repeat those that have been raised by other members who have spoken in the debate.

Mr. Speaker, I wonder if in fact the concerns that have been raised to me that we are heading for regional government in our province, and if in fact that is the intent of this bill, especially when we can relate it to Bill 48, I'm wondering, Mr. Speaker, if the old Act and agreement, if the initiative on the part of the municipalities has been taken away and now it's in the hands of the Minister and the government. It seems to me, Mr. Speaker, that we're setting up a second level of government or administration in-between the municipalities and the government of the day, and I see concern because the people will not be able to decide as to who will sit on the planning board and who will be conducting their destiny. I think it's the wrong approach and, Mr. Speaker, they should be involved at all levels in the planning of not only their destiny, their future, but what will happen in those rural areas.

Mr. Speaker, it seems to me that this legislation is a sort of two-tier system that will be presented to the people. If you put a man on this Municipal Planning Board who is going to have adequate input for the board, who has all the knowledge and all the expertise of planning, he will have very little opposition from the local people in the area because he basically has the knowledge and the ability that they don't have, so the local councillors, in many aspects of this legislation, will be sitting on a board but they will not be able to debate with the planners - in fact, they will become pawns of them. I think, Mr. Speaker, that they are the ones that should ask the planners to come and sit down with them, explain the future, and then they decide.

Mr. Speaker, there's other things that concern me in this legislation and I shall not deal with anything that has been looked over before. I wonder, in the earlier sections of the bill, the classification of the lands in our province, who is going to be classifying the lands? What lands will be allowed to stay in agriculture and what lands will be allowed to stay in recreation, and what lands will be for parks, etc. etc? How large are we going to allow towns to grow in this province, and villages? How large are we going to allow this Metropolitan City of Winnipeg to grow? How large are we going to allow the Town of Dauphin, the City of Portage la Prairie? All those things, I think, deserve some answers from the Minister before we go any farther with this legislation. I'm also wondering how many special planning areas the Minister has in mind for the Province of Manitoba with this legislation.

There's certainly sections in here, Mr. Speaker, where there's no appeal allowed, and

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(MR. McKENZIE cont'd) how costs will be shared. On the expropriation section, Mr. Speaker, as I understand the Expropriation Act you can appeal the moneys involved in an expropriation but you can't appeal the parcel of land or property that will be expropriated. Mr. Speaker, I wonder in the legislation, can the Municipal Board overrule the District Planning Board?

There's a couple more points, Mr. Speaker. Yes. I just wonder if, in the legislation, the Minister can explain the role of this new board, the appointment of a staff by the board, this new staff that will be set up in these regions. If, in fact, that is the intent of that section, I can't see that you need a secretary for a municipality and a secretary for a municipal planning board, or a treasurer and the other employees. So, basically, it looks to me that when this planning board is established, then when you're hiring all this staff and these employees, Mr. Speaker, that it will, in fact, eliminate the need for municipal secretaries that the municipalities are employing today. In fact, maybe one secretary then will be able to handle four or five municipalities because their duties are going to be eroded by this board.

I'm also wondering what say the local municipalities will have in setting up the salaries of these employees that will be hired. I'm wondering, Mr. Speaker, if audited statements of these planning boards will come before the Legislature or will they be dealt basically in the Municipal Affairs Committee.

Mr. Speaker, I wonder, too, if we're going to plan this province and plan the destiny, why the City of Winnipeg and why Northern Manitoba isn't included in the one plan. I don't think we have, over the years, quarrelled on many aspects that Winnipeg is not Manitoba. I say Winnipeg is all part of the same province that we belong to, and in a planning scheme that we're going to devise for all this province, the City of Winnipeg and Northern Manitoba should be included in the same plan.

I'm wondering where compensation and things such as loss, decisions that are made by this planning board in case there's damage of water and erosion and I suppose other things that can be planned, who pays for compensation if, in fact, people deserve compensation?

I wonder why we went to the five-year plan in this legislation. Is it five years and then it's all over, or can we design this province in five years? I suspect we can't, and I'm wondering what the intent was of that in the legislation.

So, Mr. Speaker, with those remarks, I would appeal to the Minister and to the government to certainly deal with this legislation, take a look at it, but at that stage I think it's the right of the municipalities, of the rural people especially of this province, to have a chance to review this legislation, to discuss this legislation, to understand this complicated bill that's before us and the technicalities that go with it. So, therefore, the only way that they're going to have any knowledge and to fully understand what their future is and what the future planning is for this province is for, after second reading, to take the bill around the province and let the local people have some input into their future destiny. So I say we need further study, Mr. Speaker, by the municipalities and the people that they represent until they fully understand all the rights that are being eroded by this legislation that is before us.

So with those few remarks, I do appeal again to the Minister and to the government to do everything possible to take this legislation back to the people of this province, let them review it until the next session, and then we will take another look at the bill. Then, surely, with that input into it, our future and our destiny will be much better planned than it is the way it's being handled at this time.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed, let me introduce 70 students from West Park School of Grade 6 standing, under the direction of Mr. Doell, Mrs. Barkley, and Miss Hembrook. This school is located in the constituency of the Honourable Member for Rhineland. We welcome you.

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MR. SPEAKER: The Honourable Member for Souris-Killarney.

MR. EARL McKELLAR (Souris-Killarney): Mr. Speaker, I beg to move, seconded by the Honourable Member for Swan River, that debate be adjourned.

MOTION presented and carried.

BILL NO. 46 - THE GAS STORAGE AND ALLOCATION ACT

MR. SPEAKER: Bill No. 46. The Honourable Member for St. James.

MR. GEORGE MINAKER (St. James): Thank you, Mr. Speaker. I would like to say at the outset that we are basically in support of this bill, the Gas Storage and Allocation Act, and we favour it with the idea in mind that questions that we will raise will be answered, hopefully, by the Minister in closing the debate, relating to the cost of exploration to find the hopeful storage space located under the Daly field in our Virden area - how these exploration costs will be covered. Also, with regard to the operation of the gas storage company, whether it will be a private development or whether it will be government. Obviously, Mr. Speaker, we favour the development of this storage company by private money. They, in our belief, have the technical know-how and the experience to do it most efficiently and with the least cost to the taxpayer of Manitoba. We say so with the idea in mind that we support the Public Utility Board, or actually the Conservation Board, controlling the dispersement of the stored gas, and we agree with the Minister that when we're dealing with an item, where there's a scarcity at the present time and it looks like it will continue to become scarce, that the board would have the control of the dispersement of this gas, and we would presume they would use it in the best interest, and we're confident they would use it in the best interest of the people of Manitoba to make sure that everybody had the fuel to keep ourselves warm during our cold winter months.

We support the idea of the peak shaving approach to this gas storage bill that's being proposed, that makes full utilization of the valley gas - I believe the Minister called it - that is available during the summer months, that there isn't high demand for the natural gas, that we will be able to divert it to the storage facility and store it for the winter months when the demand exceeds the supply.

Mr. Speaker, we're concerned on one area that we hope, and we're confident that proper precautions will be taken during the exploration period. I'm not myself familiar with the method of locating these caverns or storage areas or the porous rock that stores this gas, that an inert type of gas will be utilized during the exploration so that if there are unknown fractures in this area that would cause seepage into either existing oil fields that are in the Virden area or into other areas of the underground strata that could create pollution, that we hope that, and I'm confident, that the government will make sure that proper exploration techniques will be used to safeguard any pollution of the underground area should fractures occur somewhere or there be porous rock that would allow the passing of this stored fuel into other areas. So, Mr. Speaker, we hope that the Minister will elaborate on the exploration costs. We hope that he will elaborate on our belief and concern that private enterprise be allowed to develop this facility because we feel this would be the most efficient method from the technical know-how and from the dollar point of view; that it would be, I think, disastrous if the government took it upon itself to try and take this on itself and invest our capital, which we now know is in short supply with the Hydro facilities requiring much of our capital and places like Saunders and Flyer and these other facilities that are using up our capital investment at this time. And if the mechanism is there for the Oil and Gas Conservation Board to have it under its authority as far as the dispersing of the fuel once it is stored, then I would think the government should not have that major concern if it is operated like any other utility, done so by a private entrepreneur.

Mr. Speaker, I believe that we have covered most of our areas and that we, as we indicated earlier, support the principle and are looking forward to the Minister replying to some of the questions that we have raised during this part of the debate.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. LLOYD AXWORTHY (Fort Rouge): Mr. Speaker, I wish to move, seconded by the Member for Assiniboia, that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: Bill No. 48 proposed by the Honourable Minister of Urban Affairs. The Honourable Member for Morris. (Stands)

Bill No. 56. The Honourable Member for Pembina. (Stands) Bill No. 58. (Stands) That's all the bills. The Honourable Minister of Labour, I believe.

HON. RUSSELL PAULLEY (Minister of Labour) (Transcona): Mr. Speaker, I move, seconded by the Honourable the Minister of Agriculture, Mr. Speaker, do now leave the Chair and the House resolve itself into Committee of Supply.

MOTION presented and the House resolved itself into a Committee of Supply with the Honourable Member for St. Matthews in the Chair.

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MR. CHAIRMAN (Mr. Johannson): Resolution No. 77, Women's Bureau. The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Chairman, last Friday when we were discussing this particular portion of the Minister's Estimates, the Minister had opportunity to make some reply to comments of mine on Friday concerning the assessment that we had made of the particular standing of women and women's rights in the province. At that time, Mr. Chairman, the Minister accused, me at least, of ranting and raving and indulging in wild and radical extreme positions. And in thinking about that, Mr. Chairman - I'm always prepared to listen to the Minister of Labour concerning his long years of experience in the House. Of course, Mr. Chairman, I'm reminded of a gentleman I ran into about two weeks ago who told me that he had had long experience in the business world. He said that he had started a grocery store in about 1922 and it went bankrupt, and he started another small business in 1930 and it went broke, and he started another business in 1940 and it didn't make out too well - he had an awful lot of experience, Mr. Chairman, but it's not the kind of guy I would really sort of hire to run any business of mine. But at least we sort of have this question of experience. So I think it was important to assess really whether the comments or the statements that I've been making on behalf of this group really could be considered ranting and raving. I don't think it has anything to do with my tone of voice, Mr. Chairman, because the members know I always try to approach matters in a calm and rational manner, and certainly by the standards of this House even a mild roar wouldn't be considered ranting and raving because that is oftentimes a modicum that we judge ourselves by.

So I would have to assume, Mr. Chairman, that the ranting and raving that I was indulging in was the content and the substance of my remarks. Well if that was the case, Mr. Chairman, I have an awful lot of company in ranting and raving going on in this province, and it was interesting that if the Minister is going to apply that particular judgment to the assessments I made, I'm afraid that he is going to have to apply a similar judgment to a great many other people and individuals. And probably, Mr. Chairman, the first kind of assessment that would have to be made, the first major ranters and ravers in this whole area of women's rights happened to be the Task Force on Equal Opportunities in the Civil Service of Manitoba, a Task Force commissioned by the Minister himself. Now we don't expect the Minister to read his own reports. We realize that when he talked about the Woods Committee he hadn't read that one, because he accused our Leader, Mr. Huband of suggesting radical and wild-eyed things and Mr. Huband was simply reporting upon things that were in the Woods Committee. Well, we sort of said that this ranting and raving that I was accused of really perhaps had its first origin, or one of its major origins in this Task Force Report commissioned by the Provincial Government. Because the assessments that we made, Mr. Chairman, when I said that I thought the government had a passive approach to the problem of women's rights, then I would quote from Page 13 of the Task Force Report. "In respect to recruitment the National Civil Service League found that, (t) the system lacks vigorous recruiting, although it has the basis of a good outreach system. The chief recruiting deficiencies appear to be in the rather passive approach to attracting handicapped, disadvantaged persons, women, etc." Well I thought now isn't that . . . So if it's my assessment that the Civil Service Commission and that the Minister and the government has undertaken a passive approach I suppose we find some company in this report. Now I also went on to say that the gap in salaries were widening and still very large disparity. Well the Minister said, "That's ranting and raving." Well I would quote from Page 21 of the Task Force Report, - again I remind you commissioned by the Minister himself - where he says that the median salary range of women is between \$4,000 and \$5,499. On the other hand, the median salary for men is \$8,999 to \$9,999. Now I suppose, Mr. Chairman, that the Minister could challenge the statistics in this report but I suppose that they were after all sort of commissioned by him, and I would assume that he would only commission people whose judgment he would trust.

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(MR. AXWORTHY cont'd)

The report then goes on in Page 26, Mr. Chairman, to say "Sex emerged as the single most important factor in predicting the salary of a Manitoba civil servant." And I again quote from Page 26, "There is a sizeable and significant difference in the average salaries of men and women in the Manitoba Civil Service. Conventional wisdom generally attributes such differences to the 'fact' that men are more highly educated, older and have longer experience. Statistical analysis has demonstrated that, except in the case of age, these assumptions are unwarranted. Male employees are not more highly educated, nor do they have more years of tenure. Salary differentials cannot be attributed to those factors. Statistical analysis shows that whether one is a man or a woman is more important as a determinant of one's salary than education, tenure, age or marital status." Well, Mr. Speaker, it seems again that that is some confirming evidence to the point that we were trying to raise on Friday that the Minister didn't consider to be very rational or very, sort of, well presented.

Finally, Mr. Chairman, we made the case that one of the ways that should be used to solve the problem was an affirmative action program and great scorn was heaped upon that, that was a horrible thing, my God we wouldn't contemplate such wild-eyed action as that. Well the first and major recommendations of this Task Force Report, Mr. Chairman, is guess what? He suggests that "the major and central recommendations" - this is from Page 27 - "of the study involved, the implementation of an affirmative action program for women in the Civil Service." Well now isn't that awful. Here's one of these irresponsible task forces of the government going on suggesting in a ranting and raving style that we should have an affirmative action program.

I wish to simply suggest, Mr. Speaker, that in terms of describing the kinds of comments we were making, most of the kinds of assessments we made were released in this Task Force Report of January 1974. I certainly don't think they're ranting and raving, I think that they're quite responsible and really quite useful comments to have. And the question that we were asking - trying to ask it in the most pleasant manner possible - is why isn't the government doing something about - seeing that it's had this report now for a year - where is the affirmative action program? That's what we were asking. We weren't asking for a diatribe, we weren't asking for the kind of vitriol of the Minister, we simply said, explain to us why we haven't had this program? You've had a year now, you've said that we're going to honour and dignify International Women's Year by presenting all the kinds of measure that are possible. We simply wanted to know why? What had happened? Well, Mr. Chairman, I would assume that perhaps the Minister wouldn't believe his own report, so we went and found a few other sort of ranters and ravers in the province.

Now another major ranter and raver and wild-eyed person is Harvey Moats, who is Executive Director of the Manitoba Human Rights Commission who was speaking at the Human Rights Conference said that "affirmative action programs can be made in achieving justice in employment for native persons, women and other minorities." Now Harvey Moats is not a Liberal as I understand, he ran for the NDP, he is a senior civil servant appointed - actually he's not a civil servant I suppose, he's a political appointment and a former NDP candidate. I would assume that the Honourable Minister wouldn't call him a ranter and raver and yet he is saying exactly the point that we are trying to make.

Shirley Carr, Executive Vice President of the Canadian Labour Congress warned that legislative changes are not possible and said, and I quote: "Legislative changes to improve women's problems in employment will not produce real change unless individual men and women become more sensitized. Key factors in eliminating discriminatory practices are techniques for objective job evaluation." Well, Mr. Chairman, when I said that, the Minister got to this feet and said, "Who has ever heard of things like that? Isn't that awful . . ." no one has ever had a definition of objective job evaluation for him. Of course, Mr. Chairman, there was a pretty good definition in his own Task Force Report, but of course he wouldn't have read that, so we couldn't expect him to be able to recognize that.

Another little report that we have, Mr. Chairman, another group of ranters and ravers in this province, is the Status of Women Committee of the Manitoba Government Employees' Association, which quotes - and I quote from their report called Plan for Action. It says, "The skills of women employed by the Manitoba Government are not being fully utilized, recognized, rewarded or developed." Now I suppose the Minister could call this group ranters and ravers and wild-eyed as well. But it seems, Mr. Chairman, that they would be fairly

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(MR. AXWORTHY cont'd) close to the situation and have some understanding of the problems that are being faced.

Finally, Mr. Chairman, we sort of have an interesting comment that I think is particularly worth bringing to the attention of this House, because of the nature of the person who is giving it. Probably one of the most respected women in the province in terms of the position that she's taken in political action and in women's rights, is Mrs. Muriel Smith, who is President of the Manitoba New Democratic Party. And Mrs. Smith has this to say about the kinds of comments we are making: "Premier Ed Schreyer is a real 'go slow' man when it comes to women's rights, former NDP candidate Muriel Smith said on February 13th in a speech at the University of Winnipeg. She criticized the Premier during a lecture on women in politics for his reluctance to make public a report prepared by the task force on the employment patterns of the Civil Service. When first questioned about the report, Mr. Schreyer said it was prepared for internal study only. She called for positive discrimination plans for women to compensate for past discrimination." Now, Mr. Chairman, I don't think that that's much different from the kind of things we're saying and, I suppose, if this Muriel Smith - who, again, I would assume that the Minister wouldn't want to call a ranter and raver - is prepared to say things that we were saying and ask the kinds of questions we were asking - that perhaps he would be prepared to reconsider some of his more ill-thought positions and statements. Because, after all, I'm not sure that he would want to go on record suggesting that Mrs. Muriel Smith is wild-eyed and out of line, and irresponsible and incompetent, and all the other kinds of adjectives he manages to dredge up in order to describe the presentation that we're making. --(Interjection)--Well, maybe . . . and I certainly concur with the Minister, that from all appearances, that this Muriel Smith probably makes the case much better than I do, and presents it much better than I do - and probably gets a better reception from the Minister than I do. But the fact of the matter is, the substance of the message is the same.

Mr. Chairman, the reason we brought it up, was not to say to the government, that after all, you know - that somehow you alone are sort of the only ones responsible. I think I made quite clear, that the position I was taking was one of trying to raise the issue during the period of International Women's Year as part of something that should be happening in every Legislature in this province, as well as in the House of Commons. And the Minister berated me - and I think that's the word - said, oh, you know, this young fellow doesn't know what he's doing. Why doesn't he go off and tell the Federal Government what they should be doing? Well, Mr. Chairman, I don't know much about the rules of this House, or the procedures of this Chamber - but one thing I do understand is, that when you are elected as a provincial member of the Legislature, you presume to speak upon provincial matters in your own Legislative Chamber. And I wouldn't want to sort of trespass upon, or transgress any rights, and presume to tell the Federal Government or federal members of Parliament how to run their business - that's what they're elected for doing. I assume - and I suppose the Minister could correct me - that the reason one gets elected to this House, is to comment upon the affairs of this province, and comment upon the actions and behaviour of the government with which he is dealing. Now I may be wrong about that. Maybe somewhere along the way I didn't understand what was going on here, and that somehow the Manitoba Legislature should expand its orbit to take into account the problems of the Federal Government - and God willing, I don't know why they would want to do that. They certainly have more problems than I would want to consider.

But the fact of the matter is, the point of our address was to simply say, that within this jurisdiction, within the area of competence and responsibility of this government, what have you done to live up to or try to really meet the kinds of concerns and the kinds of issues and the kinds of problems that have been raised by a variety of groups and organizations within this province - women's groups, human rights' groups and others - to say that it is about time that we took some affirmative action, that we began to establish a better procedure for job evaluation - and the task that was before us, Mr. Chairman, spells out to my mind, very clearly, how that could be done. And we wanted a report from the Minister. Where does it stand? What's happened? And I think that it was unbecoming, in fact; and perhaps shows partially a disrespect for the rights of members of this House that he would suggest, that rather than raising questions like that, he would like to see legislation passed so that he can insist that we sit in our seats and listen to him. And that wasn't exactly the kind of position that I would assume coming from a Minister whose responsibility is to promote human rights.

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(MR. AXWORTHY cont'd) He is saying that the only rights that he thinks is responsible, is for us to shut up and listen to him. Well, Mr. Speaker, that, it seemed to me, was not exactly the kind of statement that was in keeping with the position that the Minister has, nor the responsibility he bears towards trying to achieve a greater range of rights.

And all we wanted at that time was a report. Where do we stand? And we were prepared, Mr. Chairman, to say, have the Minister explain to us, the difficulties in introducing such a program. I can understand that it may not be easy. But we wanted to know what were the difficulties? What problems were they encountering - and the progress that was being made in developing that kind of key statement. That every document that I have read runs through, central to their position is, let's see if we can establish an affirmative action program; let's see if we can reduce the disparities; let's see if we can provide a more sort of aggressive and affirmative kind of recruitment policy and personnel policy. And all we wanted to know was, how's it coming along? Instead of what we got, Mr. Chairman - I would think to be polite about - was somewhat of a defensive, and somewhat combative - not reporting on activities but attacks sort of on the integrity and motivation of individual members of this House. And I think that that, Mr. Chairman, is perhaps more of a comment, really, on the attitude towards human rights than anything I could say. And I say that with great reluctance, because I think that this Minister has declared himself in many cases to be a promoter of rights, and in the past his actions have shown it. But when he sort of assumes somehow, that the role and function of a member of the opposition is simply to roll over and play dead and listen to him, then I think that something has gone wrong. And it may be that that kind of attitude is somewhat more pervasive and may be - and I'm raising the question - may be one of the reasons why the kind of action that's being talked about and recommended and asked for by many of these groups and organizations, and by that task force report, has not been forthcoming.

Now, Mr. Chairman, the Minister finally raised the question of the political position of women, and suggested that somehow I wasn't living up to my own commitments and feelings by having defeated a member of this House who also happened to be a female. Now, Mr. Chairman, I had to think about that for a minute. So what's the logic of that? Well, I suppose the logic of it now is, that if the only way to redress rights for women politically is to sort of say to every member of this House, that next election a competent woman runs against the Member from Osborne, which - and a competent woman did run against the Member from Osborne - I didn't see the Member from Osborne standing meekly and saying, well, we need more women in the House, I won't run this time. I didn't see him offering to withdraw; I didn't see the Speaker of this House, who also had a lady opposing him, withdraw. I mean, there are a number of members. The point about the political rights of women, Mr. Chairman, - and one that has been made by the President of my own party, who is a woman, and the President of the New Democratic Party, who is also a woman, is that if you're going to have women run politically you must ensure first that they get the same rights as men to run, that they get the same resources and the same assistance and the same opportunity to run in seats. But no one, and I went back and read the report because there was a seminar held at the University of Manitoba just three or four months ago, and I went back and read the reports of that seminar, and no one in that seminar said we assume somehow men are going to stop running for office. What they did say is, give us an equal chance to run against you; an equal chance to win, and an equal chance to be defeated, because that's the name of the game.

That's all they were simply asking for, and for the Minister to suggest that somehow we should all of a sudden alter the political process and say, well that what we need in this House are perhaps sort of more competent women, and I agree with him. What we should be doing in each of our political organizations is making sure that they have an equal chance to run. I suppose we could say that native people who are not represented as well in this House as they might be, because we have one or two members of Indian-Metis background, but that may not be enough. Their rights are certainly not being protected or advanced. Well I suppose if someone decides to run against the Minister of Labour next time who happens to be Metis, I suppose he should say well I'm going to resign and not run.

The point we are simply saying is, in the area of politics where there is a number of issues concerned, not just women's rights but the rights of sort of people who can't get

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(MR. AXWORTHY cont'd) decent housing in this province right now, and the rights of older people who can't survive in inflation, and the rights of people who are not finding that their rights in the environment are being protected, there are a number of kinds of issues, and in an election has to choose a candidate who is able to absorb or represent the full range of issues, not just one issue. It would seem to me that that would be a proper perspective and a proper set of measurements and standards to be using. Not just to be suggesting that somehow we sort of start withdrawing or stepping back, but simply that we offer the best people of both sexes so that we are able to provide a full range of opinion in this House.

So, Mr. Chairman, all I can say is that I found that the Minister's comments, when we try to raise this issue of women's rights, to be not as satisfactory as they might have been. That the reason that we tried to raise them is we took him at his word and said that in the time of International Women's Year it is the due right and obligation of every Legislative Chamber to raise the kinds of issues that concern women, to examine how well we are progressing in trying to achieve better standings for them in areas of employment, better areas of responsibility.

Mr. Chairman, I go back and look at the article that was written by Frances Russell in last Thursday's newspaper, talking . . . and reminding me which I had forgotten on Friday, of how in the Throne Speech of this government, the government had committed to bringing in legislation dealing with family property law, and providing some resolution of a very serious and very difficult legal problem in terms of the division of property in marriage. And that legislation, Mr. Chairman, has not been forthcoming at this session. I simply want him to report why because it is the Minister's responsibility, as the Minister responsible for the Women's Bureau and women rights, to report upon such things, to give us reasons why. I'm prepared to understand and to accept plausible explanations as to why these things can't be achieved; but I'm not prepared to accept the kind of statements that the Minister made last Friday which were not explanations, and which were not sort of descriptions, were not an attempt to try to inform members of this committee as to why things weren't happening, or the difficulty in making things happen, but frankly, were a style, a personal attack, which is certainly all right in this House, we're all grown people and we can accept it, but it wasn't what we were looking for.

If the Minister wants to do that then, you know, there are other occasions when the subject matter is less serious and perhaps less important to 50 percent of the people of this province. I think that those 50 percent of the people in the province deserve from the Minister a much better explanation, and a much better sort of statement of understanding as to what the government is trying to do. Because, if I go back to the statement of Muriel Smith, who's President of the New Democratic Party, she doesn't believe that the government makes it much of a priority. Her feeling is that when you read Mr. Schreyer's statement, is that it is not a priority at all with the government. Well if that's the feeling of the President of the New Democratic Party, then, Mr. Chairman, I think that other members of this House should have an explanation from the Minister as to whether it is a priority, and how much of a priority, and how much are they doing to try to achieve it?

That was the kind and reason for our raising the issue last Friday afternoon, Mr. Chairman, and I think that it is of enough significance in this House that while we are all anxious to end the session as quickly as possible, and return to perhaps a more reasonable and rational way of life, that the fact of the matter is that issue must be debated, and should be debated at this time. Because I think if we don't try to discuss it in a calm and non-ranting and raving way, then I think that there are going to be an awful lot of people, perhaps half the population, will be sorely disappointed that this Chamber has not lived up to its responsibilities in treating this subject with the kind of merit and the kind of attention it deserves.

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

HON. IAN TURNBULL (Minister of Consumer, Corporate and Internal Services) (Osborne): Mr. Chairman, the words of the Member for Fort Rouge I don't think can go un-commented on by people other than the Minister of Labour, who, although he is responsible for the Women's Bureau, does not have the complete responsibility for all aspects of the argument raised by the Member for Fort Rouge. The points alluded to by the member with regard to the slowness of the government, I think are well taken. He mentioned that the government has tended to be rather slow with the implementation of day care for example, and I think that is

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(MR. TURNBULL cont'd)true. He mentioned that the laws with regard to property and women have not been forthcoming, and that's obvious. In general, Mr. Chairman, I think that it can be said that for whatever reasons, good or not, the government has not been as responsive in this area of rights of women and equal opportunity for women as they might otherwise have been. However, I do not want the words of the Member for Fort Rouge to pass without commenting that the government has been acting. There have been affirmative action programs, and these programs are ongoing and will continue to be ongoing.

The Member for Fort Rouge was particularly concerned about the evaluation procedure, or the job classification procedure within the government service. This clearly is solely within the responsibility of government, and action can be taken on it, and I can assure him that within the Management Committee of Cabinet, which happens to be responsible for job classification, there is ongoing reclassification of jobs, and one of the purposes of this reclassification is to remove, where possible, any classifications that by coincidence perhaps happen to be apparently related to sexual differences. These job classifications where for example you might have one category of job where men only happen to be employed; another category of job where women only happen to be employed; but the people involved, the men and the women, do almost the same work, those different classifications are being merged into one classification series and consequently the pay will be equal for men and women within those job classifications. That process is ongoing.

I can appreciate the member's impatience. I think many people are impatient with things as they are, and I should caution him though that there are some 800 plus job classifications within the government service, and not all of these, of course, can be reclassified overnight. And, of course, not all of them involve jobs that apparently, by coincidence, seem to involve one category for women and another category for men. So, within Management Committee the affirmative action program with regard to job reclassification is ongoing, and it will continue to be ongoing, and as far as I'm concerned it will be accelerated to the extent feasible and practical.

I can also point out to him that the government has taken action in other areas to try to ensure that women have an equal responsibility and equal pay, and equal opportunity, which is perhaps the most important. For example, some time ago, over a year, now I think ago, I met with the Board of the Manitoba Telephone System and one of the purposes of that meeting was to point out to the board that I thought that the Telephone System had to change its ways in such a manner as to allow a woman more equal opportunity. I particularly had in mind that women within the Telephone System should have an opportunity of moving from one category of employment to another, which was traditionally occupied by men. It's my understanding that the System is slowly moving towards that change, and in general opening up career opportunities within the Telephone System. And as the Member for Fort Rouge knows, the Telephone System does employ a great number of women. So I think that in that System alone, these changes may be significant in their total impact on the female involvement in the work force.

Also with the System I have asked that educational leave assistance be as available to women in comparable jobs as it is to men. And because clearly, and particularly I think, for women, they need access to educational leave and assistance to enable them to qualify for the jobs at the Telephone System, or for that matter any other employer may have available.

I find that a circular argument when dealing with some individuals, asking them why they can't hire more women in a particular occupation, to be told for example that well, if you want to hire engineers it is very difficult to hire women engineers because 99 percent of the graduate engineers are men. That's the kind of situation that makes change, that's the kind of argument, too, that makes change difficult to achieve. That cycle has to be broken if women are going to have the opportunity of achieving their potential within the labour market.

The third area, Mr. Chairman, that I have to allude to here is within my own Department of Consumer Affairs. It is a small department but it is my understanding that there are no inhibitions, no prohibitions, on enabling a department to hire people on what I call a part-time full-time basis. That is an individual can work for the government full time but only be on the job a part of the time. And I have had jobs bulletined, advertised jobs within my department that are on this part-time full-time basis, and indeed have recently hired people on a part-time full-time basis. The purpose for that distinction of course is to enable individuals, and it happens to be particularly women, who because of their position are not available five days a week, eight hours a day, for a job. Because their position does not make them available, I

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(MR. TURNBULL cont'd) thought that perhaps, you know, two half days or three half days a week, or maybe Monday and Tuesday of the week, would be suitable for them. They could work their family situation around that kind of a work schedule, and consequently I've recently approved the hiring of people on that basis.

Well these are three areas, Mr. Chairman, where there is an affirmative action program by the government, and they are not solely within the purview of the Minister of Labour, who I know could address himself to these areas, but they are, certainly, action taken by the government, and I think action in the right direction. I think that they do tend to deal with the matters raised by the Member for Fort Rouge.

MR. CHAIRMAN: Resolution No. 77-passed. Resolved that there be granted to Her Majesty a sum not exceeding \$118, 800 for Labour. Women's Bureau (a)-passed; (b)-passed; 77-passed. Pardon me. 9. National Building Code (a)

MR. PAULLEY: Mr. Chairman, you will note that there is no vote on what was previously this item. That is because, as I explained in the introduction of my remarks, that this is now contained within the appropriation 71.

MR. CHAIRMAN: All right. National Building Code. The Honourable Member for Assiniboia.

MR. STEVE PATRICK (Assiniboia): I believe that comes under the purview of the Minister of Labour, the National Building Code.

MR. PAULLEY: The answer is yes, Mr. Chairman, but as I indicated previously the amount and the jurisdiction was transferred from the separate item of the National Building Code to that of Mechanical and Engineering, and the question of the high rise apartments, apart from fire and construction was contained in the Mechanical and Engineering. But I would suggest, Mr. Chairman, if my honourable friend has some comments that he would like to make, it might be proper for him to make those on the item that I believe we are to deal with next as far as expenditure is concerned, and that is the Minister's Salary. I think that in terms of procedure it may be inappropriate to talk about it now, but I certainly would entertain any comment from my honourable friend when we get to the Minister's Salary.

MR. CHAIRMAN: Fine. 1(a) The Minister's Compensation. The Honourable Member for Assiniboia.

MR. PATRICK: Thank you, Mr. Chairman. I would like to ask the Minister under the National Building Code, has the Minister any kind of report in respect to what success we have achieved since we have adopted the National Building Code standards? It's only in the last I believe, three or four years that we have accepted it in the Province of Manitoba.

I would also like to know if all public buildings that are constructed at the present time, if they have to comply with the minimum standards of the National Building Code, particularly to the ramps, and so on, for the handicapped people? Perhaps the Minister has a report to give in this area, and I'd be very much interested to hear.

The other point that I would like to know in respect to the housing situation, has the Minister got any kind of a report in respect to . . . is there any higher cost in the housing being built in Manitoba today because of the, you know, minimum requirements of the National Building Code? I don't know if there is, and if there is perhaps the Minister can indicate to the House what they are. So, that's the questions I would like to ask him in respect to the National Building Code.

The other point that I wish to make at this time, Mr. Chairman, is . . . We're on the Minister's Salary and that's to do with the Workers Compensation Board and perhaps the Minister can at this time give us an indication if there is any thought of making any changes as far as the board is concerned. I believe the board should be altered to some extent, that the types of injuries compensations should be expanded, not only mere compensation, you know, and procedural rules should be changed, but I believe that the make-up of the board must be changed to more accurately reflect the people that the board serves, Mr. Chairman, and this is the thing that we must be concerned. I think the board should be made up of representatives of labour management and perhaps of someone that's also been injured, from somebody that's had an injury at one time and is receiving compensation. So I think that this would reflect much better and perhaps would be a much more satisfactory means of serving the people who really the board serves. So I hope that the Minister will give us some indication if he has anything in mind, and I know that we have great changes as far as the

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(MR. PATRICK cont'd) Compensation Board is concerned, amendments last session and the year before, and I accept them, they were good changes.

But I think the thing we have to be concerned about, we have to be concerned not only about the injury itself, but I think we have to be concerned as a result of that injury, what are the consequences, and what about psychological problems and mental problems as a result of an injury. So what I'm saying to the Minister, I think that the Compensation Board should have a much wider scope and in the whole benefit procedures, Mr. Speaker, I think that it's important. I think there's an urgent need for substantial increase in the benefits as well. I'm talking about the benefits to people that were injured many years ago. I know that we've made a big step the last time we had amendments to the Workers Compensation Act. But I'm concerned, Mr. Chairman, that the application of the Workers Compensation should be extended to all areas and wider areas, and the one that I'm concerned about, what are the psychological effects, and what are the mental effects after an injury is sustained and someone has had an injury for a few years. So I think that the scope of the Compensation Board should be extended to beyond just compensation and rehabilitation. I think it should include retraining, physical rehabilitation, counselling, and the likes. I think it should be the whole area of social and economic rehabilitation of a worker and the family, Mr. Chairman. So I would like to hear from the Minister.

The other point is, I think that we must accept, Mr. Speaker, the right of appeal on decisions established. And I think that appeal should be an independent appeal from the Workers Compensation Board itself because if you had your claim denied, then you're going back with an appeal to the same board, and it's quite unlikely that the same board will change its mind. I wonder if the Minister has ever given any thought to perhaps that appeal should be to someone else than the same board itself. So what I'm talking about is an independent appeal, and I know that we've talked for some time about a claims advisory service and a means of communication, and perhaps the Minister can be of assistance that the department could offer assistance to anyone that's been injured, say be it legal staff that's required, or some other advisory staff that's required, for the person that's injured. Now I know that the Minister made that provision under one of the Acts that we just passed here the other day or debated on second reading - if I'm not mistaken, I think it's the benefit pension or Payment of Wages Act, that's right, and I think it's a very very important procedure, and it's something different than we have at the present time than any other legislation. So perhaps we can look to that clause, or that clause be implemented as far as appeal is concerned under the Workers Compensation Act. I think that any injured worker who presents a case before the Workers Compensation Board perhaps should have assistance of a legal advisor supplied by the department, and I know that the Minister has accepted that procedure in the other bill that's before the House at the present time - it may have passed second reading - but I think it's a real, real worthwhile considering this procedure and I think that this would be of considerable help to people that are injured.

So these are the few points that I wish to bring to the Minister at the present time, and I know that we've made a big change in the Workers Compensation Act by the amendments last session or, yes, last session, and I think it was a big strike made and perhaps we're overdue. I compliment the Minister, but I do hope he would give some consideration to the points that I've raised at the present time, and I know he can't do very much this session, but perhaps he could see what could be done, and at least we can look in the whole area of what I'm talking about for the next session.

MR. CHAIRMAN: The Honourable Member for Riel.

MR. CRAIK: Mr. Chairman, I just want to make one comment to the Minister regarding the National Building Code item which we've shifted to Item 1. It's really not in the way of a question, but a request that perhaps he could pass on to his staff to - I know that their responsibility is really to administer the National Building Code which is set at the national level, but since there are some variations in climate from area to area across Canada, whether they might have a look at whether or not some change or upgrading of standards should not be initiated quite soon in Manitoba, and in particular because of its cold climate here, in upgrading this requirement for insulation. The codes generally look at a cross-Canada as being sort of homogeneous from a climate and weather point of view, and of course it's not. With the rapidly escalating energy costs that we're facing, and likely to face in the near future, I think we'll find probably that the code, in particular, will have

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(MR. CRAIK cont'd) to be upgraded. I would suggest here that what they might look at for a start is making all construction to what has traditionally been electrical heat standards, and whether the electrical heat standards are adequate even now in this day and age may be open to some question. But it's really a request to give consideration to looking into the National Building Code to see whether upgrading shouldn't be done here in Manitoba now rather than the fairly low standards that are required for insulation.

MR. CHAIRMAN: The Honourable Member for Rock Lake.

MR. HENRY EINARSON (Rock Lake): Well, Mr. Chairman, I want to say at the outset I unfortunately missed part of the Minister's estimates, but I don't think this question was posed. However, I did hear some of the comments made by my colleague, the labour critic from Fort Garry, and I understand that the Minister had made some comments about the Policy Convention of the Conservative Party last spring, or not too many months ago, and also the honourable member, my colleague from Fort Garry, listed some resolutions that were passed by the NDP Convention. Mr. Speaker, I'm concerned about what has gone on in the past and because of the fact that we had a Liberal-NDP collective government just prior to the last election. My colleague from Fort Garry made some comment about a resolution that the NDP Party wanted to pass so that they could break away from that collectivization that was going on, and there were some very serious problems going on within the labour-management situation, and I'm referring to the West Coast, when we had a grain handlers strike. What I would like to know, Mr. Chairman, did the Minister make any effort to contact his federal cohorts during the time that that strike was going on? Now I understand that the Federal Prime Minister of Canada prior to the last federal election, accepted - it was a one-man decision - namely, the Neil Perry report, three weeks, I'm given to understand, prior to the last election. Mr. Chairman, this is a most unusual situation, and I'm not laying the blame to either management or labour in this case. I think it's strictly the Federal Government's responsibility when the Prime Minister accepted a report that indicates to the people of this country that he took a biased position, and because he didn't want to have to bother with answering to either labour or management in the last election campaign when he was up at the West Coast, he took the easy way out, and I think a very irresponsible way out.

So, Mr. Chairman, because his federal counterparts in Ottawa had a responsibility here as well as the federal Liberals, I would like to know if he had any correspondence with his colleagues in Ottawa, or with the Prime Minister for that matter, as to his position in regard to this matter. Because it not only affected the farmers of Western Canada but I think the whole economy when we talk about grain exports to Japan, China, United Kingdom, and many other countries that are buying from us in this country. It has an economic effect on all people of this nation, and I think this is a statement that's been borne out in more cases than one where if we lose sales, and this, I'm given to understand, Mr. Chairman, it is quoted that, a reliable estimate that because of our inability to deliver on this year's contracts - I'm talking about grain contracts - we have permanently lost 20-25 percent of our Japanese market, up to 50 percent in the United Kingdom, and substantial reductions in purchase by China, which is three of Canada's large customers. I say this, Mr. Chairman, I think it is a real concern, and I'm wondering where the Minister of Labour in this province stands in this regard.

Again, I ask him, did he make any comments or make any enquiries or make any protest to the Prime Minister and to the Minister of Labour in regard to the prolongation of those strikes that were going on last summer at the West Coast? Not only at the West Coast, but the amazing part of this whole thing was that it was even worse down at Montreal and the East Coast where nothing was said about it. And Mr. Lang was questioned on this matter but he was very reluctant to make any comment about it. So I wanted to bring this matter up, Mr. Chairman, in the Minister's salary, if we would care to make any comments on this, and we could debate further if necessary.

MR. CHAIRMAN: The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Chairman, just before we conclude consideration of the Minister's estimates for this year in the Department of Labour, I wanted to say one final word with respect to the whole situation, the whole challenge, the whole field facing the Minister. But before I do that, let me raise my annual pry and my annual reminder on behalf of the Injured Workers Association of Manitoba and ask the Minister what progress has been made, what

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(MR. SHERMAN cont'd) progress does he envision making in terms of the recognition of the Injured Workers Association and the kinds of problems that that association represents for persons who've been hurt in industrial occupations? It's my understanding that in the advisory committee to the Minister provision for which was made last year and which he advised us earlier in consideration of these estimates he's working on, and with respect to which he's awaiting confirmation of appointees, or suggests confirmation of suggested appointees from various agencies in the labour community. It's my understanding that there is to be room on that committee, that advisory council, for representation from the Injured Workers Association, and I believe that the association has nominated a possible candidate for membership on that body. I would hope that it's still the Minister's plan to proceed with formulation and finalization of that body, and that it's still his intention to permit representation there from the Injured Workers Association. I believe that he recognizes the role that that association tried to play, hopes to play, in the industrial community and that he agrees with me that persons left in that capacity of injury through accident, and feeling aggrieved, and feeling that they have not had the most equitable settlement of their cases that they might wish, need a forum, need a spokesman, need an outlet through which they can make themselves heard, and through which they can press the case for special consideration that has been alluded to by the Member for Assiniboia in his remarks.

There are many situations where psychological damage is the end product of an injury, and where industrial workers are handicapped far more severely by the kind of psychological and emotional impact that their injury has had upon them than results from the mere physical injury itself. Those people need a forum, need representation, need a spokesman or a body through which they can speak. That point of view deserves representation, and deserves a hearing, and a formal kind of recognition is necessary if those cases are to get the attention that they legitimately deserve. So I believe that the association to which I refer has a place in industry and in the labour community, and I believe that the Minister of Labour feels that, but I think that recognition in a formal sense is still perhaps, still perhaps an elusive kind of a dream in that we do not have the firm commitment, the firm recognition that these people have been promised. And I would hope the Minister is prepared to move fairly quickly on this subject in the months immediately ahead.

Sir, in conclusion, on consideration of the Minister's estimates, I just want to say one or two things and leave a few thoughts with the Minister as he escapes the annual formality of piloting his estimates through the House and gets back to the challenges of running his department. The fact of the matter is that the formalities are over now, or will be within a few more minutes. We're at the closing stages of consideration of his estimates and within an hour, no doubt, the actual formalities of getting his estimates through the House will be over, unless something unforeseen happens either from my left or from my right.

MR. HARRY ENNS (Lakeside): I have yet to speak, Bud.

MR. SHERMAN: Well, that's not unforeseen, Mr. Chairman. I'm anticipating that, but even at that I'm not certain that it would delay the passage of these estimates unnecessarily. But the fact is that this formal procedure is coming to a conclusion, and so we can say that the formalities are over for the Minister and now, starting this afternoon, he's got to get down to work. He's had his time in the committee and in the House dealing with us and engaging in debate, and engaging in sometimes good-natured, sometimes not so good-natured comparisons of his positions and our positions on this side. But that's a mechanical parliamentary procedure, and the challenges and the tasks and the jobs facing him are not mechanical, and are not parliamentary, they're real and they're tough, and in some cases they appear to be almost beyond solution.

And this is what the Minister faces now as he leaves the committee, as he can put consideration of his estimates behind him. The unfortunate part is that this is the last time for eight months probably - unless there's a special Session called - it's probably the last time for seven or eight months that he will have to directly face members of this committee and members of this House in confrontation and communication, eyeball to eyeball, on his programs. Once the House dissolves, once the session is over - once the session ends and members scatter to their other pursuits, the Minister then repairs to the sanctum from which he works and in which he enjoys considerable protection from the outside world. He

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(MR. SHERMAN cont'd) doesn't have the surrogates of the people confronting him, standing up in front of him and dealing with him, and asking him questions about operations of his department on a day-by-day basis, such as happens when the House is in session. He can repair to his office, and he can indulge himself with his colleagues in theory and in hypothesis and in tinkering with the industrial relations' picture in the province. And we can't get at him on a face-to-face basis until the next session goes in.

Now these next seven or eight months before that next session is called, are likely to be, Mr. Chairman, among the most crucial and critical seven or eight months of this decade as far as the state of the Canadian economy is concerned. The Minister needs no reminding of the recession in which we're caught. The Ministers needs no reminding of the grim unemployment picture to the south of us and to the east of us and, in fact, now approaching our own borders. There were reports in the press over the weekend of increases in the unemployment picture, the unemployment rolls here in Manitoba, at the Minister's own doorstep. And so I think we can, without being unnecessarily gloomy or pessimistic, suggest that this next half year or year immediately in front of us, is a period of extreme importance, extremely critical and crucial to the state and the welfare of the Canadian economy. And as a Minister of Labour, this Minister has a direct role to play in one of the most integral parts relating to the condition of that economy; that is, the field of industrial relations and the field of harmony in the labour realm, and the whole area of wage disputes and wage settlements. And we're not going to be able to ask him, face to face, day by day, in those eight months what he's doing - and we're not going to be able to confront him and challenge him for an accounting. So we have to leave that challenge with him now. We have to tell him now that he's going out of this committee and, within a few weeks presumably, out of this House; out of this session, back to the day-to-day job that he must do in his department as Minister of Labour - and that he faces challenges and problems that we've outlined for him here, that we don't feel yet, that we don't feel yet show any promise of early or easy solution.

And he must not leave here thinking that because he succeeded in escaping with his scalp and with his hide, and with his estimates approved - as no doubt will happen - that he's out of the woods, and that the job is done, and that the Labour Department and the field of labour are now safely, tidily wrapped up and all in order for another year. Because they're not in order, they're not safely, tidily wrapped up. And in case the Minister is operating under any illusions about that, I want to just remind him of the points that I think - and I think most of my colleagues think - that the state of industrial relations in this province is one of extreme ferment and extreme concern today, with no promise of solution in the immediate months ahead. And we expect him to be giving leadership, we expect him to be giving leadership - which has not always been forthcoming, I must say, in the past year, Mr. Chairman . . . giving leadership to solve those problems. I asked the Minister, for example, what he thinks about the kinds of predictions from authoritative levels of the economy that have come to us lately on the unemployment scene. We had the president of a leading private economic research organization in this country, an organization called the Conference Board in Canada, a Mr. A.J.R. Smith, stating the other day before a wide-reaching business conference in Eastern Canada, that in his opinion unemployment rates in Canada will be the highest since the depression of the 30s in the next year unless some people start dropping out of the work force and others delay looking for jobs. Well, that's a pretty gloomy prospect, not only for those in our economy who are working, but for those in our economy at the present time who are looking for work or who intend over the course of the next year to be looking for work.

And these are the things that the Minister must wrestle with in realistic terms, once he escapes the artificial world of debate to which he's been exposed for the last few months in this Chamber. So I don't want to let the estimates go, or this particular item pass into the books and into the record, Mr. Chairman, without directing that concluding challenge to the Minister - that he may be out of the committee, and in a few weeks he may be out of the House, but he's nowhere near out of the woods. And the industrial community of Manitoba is nowhere near out of the woods. We need leadership in the area of what I call anticipatory, anticipatory administration, looking ahead to where the holes, where the problems are likely to occur in terms of employment; in terms of skilled trades training;

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(MR. SHERMAN cont'd) in terms of available manpower; in terms of matching up productivity with wages. I asked him on Friday whether he and his colleagues across the country, having satisfied themselves perhaps that Canadian workers now enjoy the parity with U.S. workers that they had so long sought - whether he and his colleagues now are prepared to face the necessary challenge of getting the productivity in the country up. That applies provincially, of course, as well as federally. And this is one of the big challenges that he faces. And one of the big problems - and one of the things that concerns us very much as we allow his estimates to pass and as we allow him to return to the safety - if I may use that term - of his own office, where he doesn't have to face public scrutiny and questioning.

So, with those words and that reminder, Mr. Chairman, I'm prepared to conclude the arguments and the positions with respect to these estimates from my party . . . unless somebody else such as the Member for Lakeside has a comment or two to make in conclusion. But failing that, I want to finish what we have to say on this subject on that note of challenge and reminder - that the estimates are one thing, the \$2-1/2 million of approval is one thing; the problems, the solutions, are entirely different things - and the Minister must face the fact that his job is only now beginning. His work for the next six or eight months is going to be crucially important to this province and to his government and to him, for we shall be looking - when we go into the next session of the House - if not for a solution to all the problems in front of us, at least for a demonstration of imaginative leadership that promises the hope of some solution. Thank you, Mr. Chairman.

MR. CHAIRMAN: The Honourable Member for Flin Flon.

MR. THOMAS BARROW (Flin Flon): Thank you, Mr. Chairman. Mr. Chairman, all the debate on the Minister's estimates seem to be coming from that side of the House, and I would be amiss if I didn't have a few words to say on the Honourable Minister's estimates, on his salary. At one time during the strike . . . I think the strike period in Great Britain, the coal miners - the Member from Swan River elaborated, he seemed sympathetic towards the coal miners. He mentioned in his speech that the Member from Flin Flon would probably go into strikes pertaining to coal miners, I think, would go into a little more detail. I don't want to go into a lot of it, Mr. Chairman, because I realize that most of the members are getting impatient, they want to get home. But I would like to say a few words on strikes from my own personal experience.

The first strike I was involved in was in 1921 - I was 11 years old - it was in northern England, and they struck to form a union. The conditions in those mines, Mr. Chairman, was atrocious. They used the pony system, compressed air. The heat - no miner wore any clothing except boots - this was the conditions. They struck for 11 months and they formed a union. Eleven months of suffering to form this union, but they got it. And then we came to Springhill - I was there from 1932 to 1952. The Springhill mines were noted for their bumps or explosions. A strike was nothing there, we struck for very minor details, Mr. Chairman. And to this day, I don't know whether we were so union conscious or so afraid of those mines. But if you remember, it was in 1956, 1958, they had two bad accidents, they lost 140 men - and the mines, of course, were shut up. The mines should never have been operating in the first place, Mr. Chairman.

And then, of course, they had the big breakthrough in coal mines during the war period, from 1939 to 1944, when John L. Lewis took over the coal mining on the union side. And on his travels through these coal mines in the States, Mr. Chairman, the conditions there were horrible - simple precautions like, say, for instance, stone dust sprayed on the coal faces, on the slopes, would have eradicated or eliminated the bumps, the fires, the explosions. But no way would the company spend that much money on those precautions. So what he did, Mr. Chairman, he called a strike in war time - and I think you remember that period when trains were run by steam. He tied up the war effort. And he introduced in those mines through his leadership, safety precautions, compensation, miners' homes, eight-hour days - where a man was considered not an animal or a slave, where he had a right to stand up and fight for what he wanted. But during the course of his negotiations, they brought him up to Supreme Court - and during his trial, Mr. Chairman, he interjected, as we do, and the judge said to him, "Mr. Lewis," he said, "if you don't stop interjecting, I will fine you one million dollars for contempt of court."

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(MR. BARROW cont'd) Lewis said, "\$2 million wouldn't show my contempt of this court." But anyway, through trial and error, he introduced conditions in coal mines that stand today.

And when I hear the Member from Roblin, the Member from Sturgeon Creek - and they talk about strikes - they're purely on the corporation's side, the Member for Roblin says, "stop strikes". I'm not saying whether it's the corporation's fault, or labour's fault, but do something about it. And that's the attitude of the Conservative group, the middle of the road - don't lose votes on labour, but don't lose on corporation either. It is very understandable, Mr. Chairman, because the corporation in the Flin Flon area, it's well known that they give considerable donations in campaigns, both Liberal and Conservative, and it's acknowledged, they don't want a labour government, they want the old line parties that did nothing for labour.

We've come a long way, as I said, Mr. Chairman, on compensation. Silicosis - now there was a thing. If you want to look back a few years, where a woman sat on the steps in B.C. for two weeks, her husband dying from silicosis, to prove her point - and she did with an autopsy, where his lungs were petrified with stone dust. And then it was our breakthrough, we now recognize silicosis as a hazard.

I'll give you a little example of how the corporation works in the Flin Flon area, Snow Lake. We have a hoist man there who is very very safety conscious, very union conscious. He wouldn't touch that hoist, Mr. Chairman, he wouldn't touch it because of the safety device on there - they call them dogs or clasps - and if anything happens to that cable, these come out and they catch the guides as they go down, and the cage stops instantly. Many times these dogs don't work, and they use the cage - but he won't do this; if the brakes are a little out, he won't do it. He gets the manager of that mine to come down and sign, that who reported it, it's acceptable to him, and that is the only way he will run it. Now they had to get rid of this man, so what they did - the company doctor, he gave him an examination, pulse and temperature - and he suffered from a heart attack, so he lost his job on the hoist. Well, I was successful in getting him an appointment in Winnipeg with neutral doctors - no heart trouble, just to get him off that hoist. So today they are paying him a high rate - \$2.00 above the mucker rate, to do practically nothing - but anything to get him off that hoist. They don't definitely, don't believe in safety.

I see the Member from . . . the Honourable past - the Minister of Labour, the Minister of Mines - has left the House, so I won't go into the performance of the safety that that government had - who totally ignored it - production, not safety. But, Mr. Chairman, I want to commend the Minister of Labour for the performance, and his work, and no doubt the strain he's had with the strikes. And I thought, I thought myself that we were ahead of most provinces, or all the provinces. But one mistake we've made, Mr. Chairman, was this safety clause, that we introduced through the Minister of Mines and the Minister of Labour - they found a way around it. So it's not as effective as it should be. And what I would like to do, is enter into the record, Mr. Chairman, if I may, the safety regulations that they have in Saskatchewan.

A letter from the Local Union 7106. "Further to discussions held in Thompson over the weekend, please find enclosed copy of Section 68(b) and 68(c), the Saskatchewan Labour Standards Act Amendments (1973). If these two sections were put into legislation in their entirety, Manitoba would be on a par with Saskatchewan.

"To go one step further, I would suggest 68(d), that if an employee refused to work in an area he feels is unsafe, no other employee should be allowed to work there until it is declared safe by the mine inspector" - that's the government mine inspector, of course - "or co-chairman of the Safety Committee.

"I trust you will take immediate action to have this legislation implemented as further protection for the health and lives of Manitoba workers."

Mr. Chairman, I'd just like to read into the record, their Act, and how it stands today.

"Labour Standards Act Amendments (1973) regarding occupational health. The following sections are inserted after Section 68(a): 68(b)(1) - No employer shall discriminate against any employee in respect to wages, or promotional opportunities; or dismiss any employee by reason of employees' participation in; or associated with an

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(MR. BARROW cont'd) occupational health committee established in a place of employment pursuant to the Occupational Act (1972).

"(2) - Where an employee who participated in, or is associated with an occupational health committee, is discriminated against with respect to wages or promotional opportunities, or is dismissed by his employer, there shall be a presumption in favour of the employee, that he was so discriminated against, or was dismissed because of his participation in, or association with the Occupational Health Committee and the onus shall be upon the employer to establish that the employee was discriminated against or dismissed for good and sufficient reason.

68(c) An employee may refuse to do any particular act or series of acts at his place of employment where he has reasonable grounds for believing that the act or series of acts is, or are, unusually dangerous to his health or safety until an Occupational Health Officer under the Occupational Health Act (1972) or an Occupational Health Committee . . . establishing of that Act has investigated the matter and advised that acts or series of acts is, or are, not unusually dangerous, or until sufficient steps have been taken so the employee has reasonable grounds to believe that the act, or series of acts, is or are not unusually dangerous to his health or safety.

2. No employee shall be suspended or dismissed or have his wages reduced by reason of the fact alone that he has refused to act as set out in Section 1. Where an employee has refused to act as set out in subsection 1 has been suspended or dismissed, or has had his wages reduced, there should be a presumption in favour of the employee that he was suspended or dismissed, or had his wages reduced because he refused to act as set out in sub-section 1, and the onus shall be upon the employer to establish that the employee was suspended or dismissed, or had his wages reduced, for good and sufficient reason.

Mr. Chairman, this is no criticism to the Minister of Labour or the Minister of Mines. In fact, I think he's done a real job since I've met him in 1969. And I will finish by recommending or moving, Mr. Chairman, that the Minister's salary be doubled from this day on. Thank you.

MR. CHAIRMAN: The Honourable Minister of Labour.

MR. PAULLEY: On that happy note, Mr. Chairman, maybe I shouldn't say anything further providing such was accomplished. Of course, as my colleague the Minister of Mines says, the Honourable Member for Flin Flon hasn't got a message from His Honour and therefore, of course, that motion cannot be entertained, but the sentiment certainly can.

I think possibly, Mr. Chairman, I should answer one or two questions apart from Workers Compensation in my reply to the remarks of the members of the Assembly, and then I would like to dwell for a moment or two on the general overall assessment of the department and the Minister particularly referred to by the Honourable Member for Fort Garry. I think what he said deserves some specific comment, not in rebuttal per se, but rather an indicator of what really does happen over in Room 227 when we're not in session. I think maybe my honourable friend might have a little bit of a different idea of involvement, so I'll reserve that just for the time being if that's okay, Mr. Chairman.

I would like to, and as I say, dealing with the other two or three items, handle them if I may in order, one dealing with the question of the National Building Code.

The Honourable Member for Riel mentioned changes in standards insofar as the building code is concerned, and I want to say to him that we have representations on the ongoing Review Committee of the National Building Code, but in addition to that, we have established within our own jurisdiction a Building Standards Board charged with the responsibility of taking a look at the requirements for Manitoba in concert with the National Building Code, and they are meeting constantly, and are representative of the various organizations concerned with buildings and building construction generally. I'm informed by the Director of the Employment Standards, not Employment Standards - mechanical and engineer section of the department - that the Building Standards Board has held eight meetings in total since it was formed and the affiliated committees - what happened, Mr. Chairman, was that the Building Standards Board was established and then there were sub-committees established on detailed information to be forwarded to the board, which would include the point raised by the Honourable Member for Riel insofar as construction due to climatic variances across Canada. So I say that the board itself has had eight meetings and the affiliated committees have held 57 meetings,

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(MR. PAULLEY cont'd) for a total of 65 since they started, and that the board has set a deadline of June 30 of this year for a completion of all work on each section of the National Building Code, and it is expected that their recommendations will be received shortly thereafter. I just want to assure my honourable friend from Riel that this is the type of work that's going on as a result of the changes in the legislation, which were adopted I believe last year, Mr. Chairman. This is also in relation to inspections and investigations into mobile homes, and as far as mobile homes are concerned there's a representative or two on one or two of these committees.

The Honourable Member for Assiniboia wondered whether or not, as a result of our more intense involvement in the overall checking of building standards, whether or not this has been reflected in an increased cost to the purchaser or developer of a home? I think my answer is no, not to any material degree. But I can assure all honourable members of the committee that there is greater activity going on today than there ever has insofar as involvement of inspections and the like in construction. There are certain areas of construction that doesn't precisely come under the purview of the provincial authority, but we're pretty well doing it in any case where it's required.

As far as public buildings are concerned, the answer is that while we always did have in legislation - and at that particular time, it was in the Department of the Municipal Affairs, I don't berate what they used to do - but it's more intensified now in the Department of Labour, mechanical and engineers, that is, the inspection of all plans for all public buildings being drafted before tendering. I might say it not only deals with the matter of construction in the broad sense, but the department is also looking into the provision within all of our public buildings that are being created proper access, facilities and ingress for the handicapped and wheelchair victims, or people who have to use wheelchairs. So we're trying to really intensify our activities in this field. I think that generally speaking dealt with the varying standards under the Building Code, and I, too, am awaiting with a great deal of interest the report of the Building Standards Board which I will anticipate receiving at the end of this month.

The Honourable Member for Rock Lake referred to the question as to whether or not I'd had correspondence with the federal authority dealing with the strikes that were taking place that affected agriculture. I think I explained that to some considerable length during my estimates, and I would recommend that the Honourable Member for Rock Lake read Hansard and hear my remarks. He did make some reference to some comments that I had made insofar as the program of the Progressive Conservative Party as reflected at their convention. I think that enough of that was said between the Honourable Member from Fort Garry and myself, that I suggest it should not be re-opened, at least at this time.

The matter of Workers Compensation is a matter of continuing concern, of course, to myself as the Minister responsible to the Assembly to answer for the Workers Compensation Board. My honourable friend, the Member for Assiniboia, I give him credit as being most interested in this field of human endeavour ever since I first had the opportunity of listening to him in the House when he joined the Assembly, and many of the suggestions made by my honourable friend have, possibly slowly, but nonetheless have been gradually accepted, not totally, and some even far exceeding the requests of my honourable friend. Quite frankly, Mr. Chairman, listening to him this morning, I didn't know whether he was condemning me or complimenting me from time to time because it seemed to be six of one and half a dozen of the other.

He raised the question of representation on the board, the Workers Compensation Board and the change. I'd like to know what changes, Mr. Chairman, my honourable friend would suggest so that it could be more, reflect more the opinions of those concerned because the present Workers Compensation Board is comprised of equal representation by management and labour, with a chairman appointed by Order in Council of the government. Now I don't know how much more one can do in order to have a more representative membership of the actual Workers Compensation Board, and I would like to hear - not necessarily this morning or during the consideration of the Estimates - I would like to hear more precisely from my honourable friend what he means by a more representative board, or changes of the board itself, and I considered he was talking of the administrative board that reports to me, not the internal workings. There may be some point that the honourable member may have on certain sections but as far as the board itself is concerned, as a result of changes

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(MR. PAULLEY cont'd) made by this administration we have six, I believe, representatives of either side, three on the board from each - I believe that is so - and three alternates for each of the two groups that I mention. Now this entailed changes in legislation to make it permissive from the old type of operation where we only had three members of the board, a chairman appointed - well they are all appointed actually by Order in Council - but there was only one representative of the employees, there was only one representative say of the management with the chairman. To make it more representative I introduced, and the Assembly accepted, changes in the legislation to provide for greater representation on the board and in my opinion it has worked out well, and I want to pay a tribute, a real tribute, to the work that has been ongoing in the Workers Compensation Board. I would like, too, to pay a tribute to those who are involved in the day-to-day operation of the Workers Compensation Board in such areas as rehabilitation, consultation and other activities of the board. I guess, Mr. Chairman, I would be remiss if I didn't just in passing at least take a little credit for what is being done in 227 insofar as cases are concerned, and the problems of the injured worker - I'm not particularly referring to the association but all of those that are injured - not what the Minister is doing, but I say the credit into 227 because I have one of the most efficient individuals that any Minister has, who has a great concern for the injured workers in my executive assistant, Arthur Wright.

Now my friend from Assiniboia raised a question that I think, Mr. Chairman, we can't take lightly, that is the question of the appeal of decisions from the Workers Compensation Board. I've had the opportunity for the last number of years of meeting with my fellow labour ministers or commissioners from across the line, and indeed in July I'll meet with them again in Montreal. One of the big problems is the question of appeals. And my colleagues in the United States particularly say to me, thank goodness you at least in Canada - this is fairly universal across Canada - had the common sense that when you went into the area of workers compensation, you didn't adopt the adversary system that we have here in the United States. And if what my honourable friend is suggesting in reference to appeals, that we should take out of our legislation the type of conclusion in appeals that we have that their final - it says final. They're never final because any claim can be opened at any time that there is additional evidence given as to how an injury affects an individual. A claim is never closed. It's true that in some cases people feel that the claim should be opened, and that the board are hard and unconcerned with their problems, but I say, Mr. Chairman, such is not the case. An individual's file is never closed, new evidence forthcoming it's reviewed.

But imagine, Mr. Chairman, that if we adopted what some people think of an appeal to the judiciary in cases, the whole principle that has been adopted right across Canada would be subject to such vast change that the workers would be the ones that would be most adversely affected. I've read numerous reports of judicial inquiries, of Royal commissions looking into the question of workers compensation, and I have yet to find anyone involved to ask for an appeal from the decisions of the board - other than on a stated point of law and, that's all was there - a revision or appeal to anybody else other than the board.

So I'd like my honourable friend to consider that if that is what he means --(Interjection)-- then not during my period as Minister of Labour will legislation be introduced accordingly.

A MEMBER: Pass.

MR. PAULLEY: No, I can't pass. I don't know if the Chairman wants to call it 12:30, or call the Speaker, I guess. He should report because of the special separate session, but I cannot stop - finishing my report, because there are a number of other items of great importance dealing with workers compensation that I couldn't just sit down and allow the estimates to pass without some comment.

MR. CHAIRMAN: Committee rise. Call in the Speaker.

Mr. Speaker, the Committee of Supply has adopted certain resolutions, has directed me to report same, and asks leave to sit again.

IN SESSION

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

MR. WALLY JOHANNSON (St. Matthews): Mr. Speaker, I move, seconded by the Honourable Member for Radisson, that the report of the Committee be received.

MOTION presented and carried.

MR. SPEAKER: The hour being 12:30, the House now stands adjourned until 2:30 this afternoon.