



Third Session — Thirty-First Legislature
of the
Legislative Assembly of Manitoba
DEBATES
and
PROCEEDINGS

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LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, May 30, 1979

Time: 2:30 p.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. Harry E. Graham (Birtle-Russell): Before we proceed I should like to direct the honourable members' attention to the gallery where we have 60 students of Grade 5 standing of Meadows School under the direction of Mr. Craig Manson. This school is in the constituency of the Honourable Member for Brandon West, the Minister for Manitoba Telephone System, and the Manitoba Public Insurance Corporation.

We have Grade 8 students from the Hugh John McDonald School under the direction of Mr. Zilkey and Miss Ogal. This school is in the constituency of the Honourable Member for Winnipeg Centre.

We have 25 students of Grade 9 standing from the Beliveau Junior High School under the direction of Mrs. Koswin. This school is in the constituency of the Honourable Member for Radisson.

We have 20 students of Grade 5 standing from the Balmoral Girls School under the direction of Mrs. Klymkiw. This school is in the constituency of the Honourable Member for Wolseley.

On behalf of all the honourable members, we welcome you here this afternoon.

Presenting Petitions . . . Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees.

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

MR. SPEAKER: The Honourable Minister of Health.

HON. L. R. (Bud) SHERMAN (Fort Garry): Mr. Speaker, yesterday the Honourable, the Leader of the Opposition asked me if I would table a telex that I sent to the executive of the Manitoba Association of Registered Nurses in connection with their annual meeting last week in Brandon. I will do so now, Sir.

MR. SPEAKER: Notices of Motions.

INTRODUCTION OF BILLS

HON. EDWARD MCGILL (Brandon West) introduced Bill No. 66, An Act to amend The Motive Fuel Tax Act. (Recommended by the Lieutenant-Governor)

MR. WILLIAM JENKINS introduced Bill No. 67, An Act to amend The Consumer Protection Act.

ORAL QUESTIONS

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. HOWARD PAWLEY (Selkirk): Mr. Speaker, my question is to the Minister of Education. In view of the reports which we have received on the radio this morning outside this House, can the Minister confirm that in fact Bills 22 and 23 will be set over for intersessional study and later to be dealt with in the Special Session this fall?

MR. SPEAKER: The Honourable Minister of Education.

HON. KEITH A. COSENS (Gimli): Mr. Speaker, I cannot confirm that. I have not made any statement that would reinforce that particular speculation that apparently has arisen in the media.

MR. SPEAKER: The Honourable Member for Transcona,

MR. WILSON PARASIUK: Mr. Speaker, my question is directed to the Minister of Government Services. In view of the fact that the Governor-General of Canada will allow television coverage for the first time of the ceremony at Rideau Hall when federal political power officially passes to Joe Clark and his Progressive Conservatives, and this act is part of the Governor-General's policy of opening up access to the public of the sovereign institutions of Canada, would the Minister indicate if he considers this latest act of the Governor-General to be crass politicking?

MR. SPEAKER: The Honourable Minister of Highways.

HON. HARRY J. ENNS (Lakeside): Mr. Speaker, no.

MR. PARASIUK: Yes, a supplementary to the Minister. In view of the outrageous attacks by the Minister of Government Services on the institution of the monarchy and on the person occupying the Governor-General's office, attacks which the Minister later withdrew, I would like. . .

MR. SPEAKER: Order please. Order please. The question is out of order. The Honourable Member for Transcona,

MR. PARASIUK: A supplementary to the Minister. I would like to ask the Minister if he will send a formal letter of apology to the Governor-General for his outrageous attacks on the person yesterday?

MR. ENNS: Mr. Speaker, I was asked yesterday to withdraw a particular statement that I had made. I complied with that request, Mr. Speaker.

MR. PARASIUK: My final supplementary is to the Acting Premier since the Minister is avoiding the question. Since the Cabinet is collectively responsible for actions of its members, will the Acting Premier send an apology to the Governor-General on behalf of the Government of Manitoba apologizing for the outrageous remarks and behaviour. . .

MR. SPEAKER: Order, order please. Order please. May I suggest to the honourable member that a matter that is once handled by Committee is final and cannot be reflected on.
The Honourable Member for Transcona.

MR. PARASIUK: On a point of order.

MR. SPEAKER: The Honourable Member for Transcona on a point of order.

MR. PARASIUK: On the point of order, Mr. Speaker, the Minister yesterday twice refused to withdraw the remarks; only did so after caucusing with the House Leader, did not respond to the Chairman of the Committee and did so because the House Leader asked him to. But, Mr. Speaker, that was after he made those outrageous and untrue statements about the Governor-General.

MR. SPEAKER: Order please. May I suggest to the honourable member that there is only one way that he can deal with the ruling of any Committee and that is when the report is presented in the House, and the member failed to do that last evening.
The Honourable Member for Winnipeg Centre.

MR. J.R. (Bud) BOYCE: Mr. Speaker, through you to the Minister of Education. During your Estimates, you had advised us that you would give us an expression of your opinion relative to the recommendation of the Task Force. Perhaps the Minister could advise us if he's going to provide us with the position of the government vis-a-vis those recommendations in the Task Force Report before we discuss the bills under consideration by the House.

MR. COSENS: Mr. Speaker, that particular request was one of several for particular material, for particular information. I'm gathering that information together at this time and would hope to have it in the member's hands in the next day or two.

MR. BOYCE: Mr. Speaker, it is correct and I want to thank the Minister for his co-operation in forwarding other information relative to the changes within the department. But nevertheless, it is paramount, Mr. Speaker, so I'd ask the Minister to answer my question if he possibly could, if we're

going to be in possession of the government's position vis-a-vis the Task Force Report before we consider Bill 22 and 23.

MR. COSENS: That particular material, as I have said before, Mr. Speaker, will be in the hands of the honourable member in the next day or two.

MR. BOYCE: Well, Mr. Speaker, I want to be brief, but nevertheless, it is paramount that we understand just exactly the milieu in which we're discussing Bills 22 and 23. The two horrendous bills, which in effect, will establish a centralized gestapo-controlled system. So, Mr. Speaker, through you . . .

MR. SPEAKER: Order, order please. May I suggest to the honourable member he may be debating the subject matter, rather than asking questions. The Honourable Member for Winnipeg Centre.

MR. BOYCE: Mr. Speaker, I don't want to use unparliamentary language, but I recall the speech made by the Minister of Health, with its muffled cadence of jackboots, and I don't want to get into the subject matter of the particular Bill, Mr. Speaker. But nevertheless, there are rumours afoot, that the public is becoming aware of what is contained in these two horrendous bills, and it is important that this House understands just exactly in what milieu we're going to debate these Bills. So, that if the Minister can give us some assurance that this will be referred to an intersessional committee to which the public, the parents and the students can have some involvement rather than just the bureaucracy established through the Lieutenant-Governor-in-Council — can the Minister give us an assurance that the public will have some opportunity to express their views relative to where this government is intending to take education through the back door and under the carpet?

MR. COSENS: Mr. Speaker, without accepting the words "horrendous" or the word "gestapo", which I suggest are the grossest exaggerations and almost ridiculous in description, I can assure the member that the public will have opportunity to make representation.

MR. SPEAKER: The Honourable Minister of Mines, Resources and the Environment.

HON. BRIAN RANSOM (Souris-Killarney): Mr. Speaker, yesterday the Honourable Member for Rupertsland asked a question concerning stumpage rates in the new agreement with Abitibi Paper Company, and I had advised him, I believe, that the rate was \$9 a cord on the forest management licence area and \$2.90 on the integrated wood supply area. I wish to correct the statement — it is in fact, \$9 on the forest management licence area. From January 1, 1979 to June 30, 1979, it will be \$3 for each cord or cord equivalent of spruce and \$2.50 for each cord or cord equivalent of jack pine harvested, and after July 1, 1980, the charges in the integrated wood supply area will be the same as those for any other party.

I also said yesterday, Mr. Speaker, that I would table copies of the Agreement, and I have those copies for tabling now.

MR. SPEAKER: The Honourable Member for Rupertsland.

MR. HARVEY BOSTROM: Thank you, Mr. Speaker. My question to the Minister is, can he indicate what change is reflected in this new arrangement for royalties? Can he tell us what the royalty rate was in effect in the Interim Agreement which was signed in 1975 by the New Democratic administration for the area I believe described as the designated cutting area for Abitibi? Can he indicate what change, reduction or increase, is reflected in the amounts he has indicated to us today in the House?

MR. RANSOM: Without having worked out the specific areas on a map, Mr. Speaker, it's not possible to be definitive in responding to that. But it's my understanding that the price, the stumpage paid in what is now the Forest Management Licence area, was in the range of \$7 and something for pine, and \$9 for spruce previously; that will now be \$9.00. And in part of the other area, the price paid I believe was in excess of \$7 per cord if it was cut directly by the company. If it was cut by a third party, and purchased by the company, then the rate was in the neighbourhood of \$2.90 or \$3.00. So, in those other areas, in the integrated wood supply areas, the company will be treated the same as any other user/buyer of wood.

MR. BOSTROM: So what the Minister is saying, if I can just get a confirmation on this, Mr. Speaker, is that in the forest management area, which I assume is similar to the same area as I refer to as the designated cutting area under the old arrangement — the old Agreement — signed by the New Democratic administration, am I to believe that the present government, the Progressive Conservative government, has reduced the royalty to the Abitibi Paper Company from \$7.00 and \$9.00 to the figure of \$2.90 per cord?

MR. RANSOM: No, Mr. Speaker, in what I refer to as the Forest Management Licence area, the stumpage rate is \$9.00.

MR. SPEAKER: The Honourable Member for The Pas.

MR. RONALD McBRYDE: Mr. Speaker, before I ask my question, I'd like to make a correction to Debates and Proceedings for Wednesday, May 23rd. On Page 4583, it says, "Mr. Speaker, I'd like to address a question to the Minister of Northern Affairs and the Inter-Member of the Legislature for Thompson."

Mr. Chairman, that should read, "I'd like to address a question to the Minister of Northern Affairs and the Interim Member of the Legislature for Thompson."

Mr. Speaker, my question is to the Attorney-General, and I wonder if the Attorney-General is concerned about or intends to take any action on the report of Mr. Justice Roy Matas, which indicates that the University of Manitoba Law Faculty, and the Law Society of Manitoba's Bar Admissions Course, are in serious financial trouble.

MR. SPEAKER: The Honourable Attorney-General.

HON. GERALD W.J. MERCIER (Osborne): Mr. Speaker, I have just received a copy of the report from Mr. Justice Matas through the President of the Law Society, who advises me that the benchers of the Law Society, and the members of the Law Society, will be considering the document over the next few months and coming to some conclusion on the recommendations contained in the report. There is a recommendation 17 in the report that asks me to — and the Minister of Education to consider funding the instructional program of the bar admission course under the Educational Budget of the province. I intend to pass on to the Minister of Education a copy of the report for his consideration.

MR. McBRYDE: Mr. Speaker, I'd like to ask a supplementary to the Minister of Education. I wonder if the Minister of Education, in light of the serious consequences of his government's programs on the university in general and particularly on the Law Faculty, whether the government will consider providing funding to the universities that will at least keep pace with the rate of inflation.

MR. SPEAKER: The Honourable Minister of Education.

MR. COSENS: Well Mr. Speaker, again without accepting the basic premise of the Member for The Pas, I would be quite prepared to look at the report in concert with my colleague, the Attorney-General, and give it due consideration.

MR. SPEAKER: The Honourable Member for Brandon East.

MR. LEONARD S. EVANS: Mr. Speaker, I'd like to address a question to the Minister of Health and Social Services. I wonder if the Minister could advise the House about the position of the government — what is the position of the government of Manitoba respecting the rights of persons who are university students and who may be eligible for social assistance from the province but are now being required to take out student loans and thus go into debt before receiving welfare assistance?

MR. SPEAKER: The Honourable Minister of Health.

MR. SHERMAN: Mr. Speaker, the provisions are clearly stipulated under the regulations to the Act. I understand that a test case is apparently to go forward to the courts in the fall; it'll be interesting to see what the results of that test case are. My opinion is that the best solution to this problem is a healthy, vigorous economy which provides job opportunities for our young people, something that was neglected in this province for eight years.

MR. EVANS: Mr. Speaker, I share the Honourable Minister's thoughts. I wish too that there were enough jobs in the province of Manitoba for our young people so we wouldn't have the exodus that we're having over the past 18 months. On the question in point, I'd like to ask the Honourable Minister that since previous legislation required that students had only to prove their need, their need to be eligible, will the Minister look into the regulations as they exist, which he referred to, and satisfy himself that as they now exist that they do not unfairly or unjustly discriminate against university students as a group in our society.

MR. SHERMAN: Well, I will certainly, in the spirit in which the honourable member has asked me the question, look at the legislation, the regulations again and discuss them with my colleague, the Minister of Education, Mr. Speaker, but at the present time I would have to say to him that our disposition would be that, until demonstrated otherwise, that the legislation treats social allowance recipients in general equitably and fairly. Most social allowance applicants don't have the income earning opportunities that all of us did when we were university students and that university students, hopefully will have again in this province today.

MR. SPEAKER: The Honourable Member for Kildonan.

MR. PETER FOX: Thank you, Mr. Speaker. My question is directed to the Minister of Health as well. In view of the fact that a number of the media have indicated there is rat infestation in some of the new developments, and the fact that I've also had some phone calls from an area in my particular end of the city, will the Minister undertake to ascertain how prolific this problem is, and to eradicate it as fast as possible?

MR. SPEAKER: The Honourable Minister of Health.

MR. SHERMAN: Mr. Speaker, my understanding is that that subject, that matter, is being investigated by the City of Winnipeg Public Health Department. I certainly will contact them for an update on the subject, but it's in their area of responsibility.

MR. FOX: I concur that the inner-city core does have health inspectors from the city, but according to our latest discussion in the Estimates, there are these suburban areas which are also City of Winnipeg, but they're taken care of by the provincial health inspectors and that is part of the problem, that it's not being done. So would the Minister look into it?

MR. SHERMAN: Mr. Speaker, I will investigate the situation for the honourable member and report back.

MR. SPEAKER: The Honourable Minister of Mines, Resources and the Environment.

MR. RANSOM: Mr. Speaker, a couple of days ago the Member for St. Vital asked if I was the member in charge of garden plots, or the Minister in charge of garden plots. I find that that is indeed the case, and I also have learned that the permits were issued last Friday, May 25th, so that may be the concern that the member had.

A MEMBER: Let's hear it for gardens.

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

MR. D. JAMES WALDING: Thank you, Mr. Speaker. I thank the honourable member, and he did anticipate the next question that I had. Could he also tell me why the permits are so late in being sent out this year?

MR. SPEAKER: The Honourable Minister of Mines, Resources and the Environment.

MR. RANSOM: That is a matter that I am pursuing, Mr. Speaker.

MR. SPEAKER: The Honourable Minister of Labour. HON. KEN MacMASTER(Thompson): Mr. Speaker, I gave assurance to the Member for Churchill I would find out as much as I could about the Savage Island operation and get back to him. He should be made aware that the operation at Savage Island in relationship to the fishing is totally under the jurisdiction of the Freshwater Fish Marketing Corporation.

They do, in fact, negotiate subsidies for the fishermen from DIAND — being Department of Indian Affairs and Northern Development, the federal government. We did, in fact, step in last year with a substantial one-term, one-shot effort of several thousand dollars to help out what had developed into a very bad situation, to help clear it up. We made the FFMC and the federal department of DIAND aware that that was not to be considered as a precedent, it wasn't something that we were prepared to continue to do.

In relationship to the lateness this year of what appears to be inactivity in that particular area, I have been informed that because of the lateness of the ice going out of the north — and I think the member will be aware also that it's probably a month later this year in the lakes in the north than it was before — has caused a great deal of difficulty. The FFMC are presently using helicopters to get parts in to correct the deficiencies in the plant itself, and they're projecting the opening date for the plant of July 1, 1979.

MR. SPEAKER: The Honourable Member for Elmwood.

MR. RUSSELL DOERN: Mr. Speaker, I would like to direct a question to the Minister of Tourism and ask her whether she could confirm that the Manitoba Horsebreeders Association receives over \$1 million in government grants annually, and that part of that funding should be for the development of trainers?

MR. SPEAKER: The Honourable Minister of Tourism.

HON. NORMA L. PRICE (Assiniboia): I'm not aware that that's how part of the money should be spent, Mr. Speaker, but however, as I mentioned the other day in my Budget Speech, I have a committee struck that is looking into all aspects of the horse racing industry.

MR. DOERN: Mr. Speaker, has the Minister received any complaints about U.S. horsemen depriving Canadians of jobs at Assiniboia Downs?

MRS. PRICE: No I haven't, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Elmwood with a final supplementary.

MR. DOERN: Mr. Speaker, can the Minister indicate on what basis Americans are working in Canada during the racing season, for example, are these on visas or working permits, because there has been charges made that there are alleged loopholes in immigration that are enabling American trainers to come and work in our province?

MRS. PRICE: Mr. Speaker, I don't know what criteria they have for crossing the line, but I'm sure it must be through regular channels.

MR. SPEAKER: The Honourable Minister of Highways.

MR. ENNS: Mr. Speaker, some time ago the Honourable Member for Logan asked me a question about some land in the industrial park at Gimli. I can indicate to him that there is no intention on the part of government to dispose of any of the land in question.

MR. JENKINS: Yes, I thank the Honourable Minister for that information.

MR. SPEAKER: The Honourable Member for Transcona.

MR. PARASIUK: Thank you, Mr. Speaker. My question is directed to the Minister responsible for Provincial Parks.

Can the Minister confirm that 240 cottage owners at the Blacks Point Provincial Park Cottage Development don't have access to their cottages in which they've invested over \$3 million, because the provincial road is completely impassable?

MR. SPEAKER: The Honourable Minister of Mines, Resources and the Environment.

MR. RANSOM: Mr. Speaker, I have not been advised of that particular situation, but I do think that there are many roads in the province, due to an unusual breakup situation, there are many roads in the province which are impassable now and so this would not particularly surprise

MR. PARASIUK: To the Minister on the same topic. Would the Minister look into this matter since his staff have informed some of those cottage owners that they cannot inform the cottage owners as to when the road will be improved, since somebody apparently forgot to budget or put moneys in the Budget for the maintenance of that particular road, and that is what those people have been told. So could the Minister investigate that so the people can be assured that they might be able to get access to their cottages some time this year? —(Interjections)—

MR. RANSOM: Mr. Speaker, it is interesting now to see the . . .

MR. SPEAKER: Order please. The Honourable Minister of Mines, Resources and the Environment.

MR. RANSOM: It is interesting now, Mr. Speaker, to see the concern that the honourable members have had for road construction recently, but certainly it is a concern to us, Mr. Speaker, when there is a road in the province that is not in satisfactory condition. I am sure though that the Honourable Minister in charge of Highways will be looking into this situation. I would imagine that his priorities perhaps might be those roads which are required for the day to day commerce of the province before we move to deal with some of the recreational areas but those will be taken care of as quickly as possible, Mr. Speaker.

And while I'm on feet I wonder if I might respond to a question raised by the Honourable Member for Rupertsland concerning wild rice leases. He asked specifically about the situation in the Whiteshell and leases that had existed with Algonquin Wild Rice producers. Mr. Speaker, it was not the intention of any new policy to result in any existing leases being broken; existing leases were to be honoured. But I am advised that the Algonquin Wild Rice Producers Limited in fact do not exist any longer. The intention was to allocate the wild rice resources within the Whiteshell Park to the traditional native users and that my department will in fact be meeting tomorrow I believe, to discuss that situation. It is the intention to form a committee that will have representatives from the various bands to decide specifically how the resources will be allocated there, but certainly they will be allocated to the traditional users, but perhaps in a different manner of lease holding than has been the case in the past.

MR. SPEAKER: The Honourable Member for Rupertsland.

MR. BOSTROM: Thank you, Mr. Speaker. As a follow-up to the information provided by the Minister, I believe just by way of a preamble, Mr. Speaker, that the Algonquin Wild Rice Producers Company Limited is being revived. And given that that is a fact, Mr. Speaker, that the company is being revived, can the Minister make a commitment to this company that the government will honour the wild rice lease commitments that have been made in the past to this company? These are long range commitments; some of which I believe are five to ten years in duration.

MR. RANSOM: Mr. Speaker, I'm quite prepared to review the nature of the leases and the nature of the Algonquin Wild Rice Company, but my understanding remains as I stated to the honourable member.

MR. BOSTROM: As a follow-up question to the information provided earlier regarding the Abitibi agreement, Mr. Speaker, I would like to ask the Minister if he can confirm that in the integrated wood supply area which he referred to, can he confirm that the stumpage rate charged to the Abitibi Paper Company has been reduced from \$9 to \$3 on spruce pulpwood and from \$7 to \$2.50 on jack pine species of pulpwood?

MR. RANSOM: Mr. Speaker, much of the area that is now allocated to the Abitibi Paper Company was not in fact allocated to them before. They were not cutting there at all and so stumpage rates were not being applied of course. The prices which he refers to there are for the period between the first of January and the end of June in 1980, I believe, and then subsequent to that time, the stumpage rates that will be charged outside of the forest management licence area, will be the same as those rates that are charged to any other user of wood in the same area, Mr. Speaker.

MR. BOSTROM: In other words, Mr. Speaker, the Minister is confirming the information I have put to him by way of question, and I would ask him further why the government saw it necessary to make what is the equivalent of a very significant gift to the Abitibi Paper Company, and that

is \$6 a cord for the spruce pulpwood and some \$4.50 a cord for the jack pine pulpwood in that area? Why did they see it necessary to make this gift at a time when the government is supposedly under great fear of overspending and pursuing a policy of restraint in every other area of expenditure and collection of revenue in the province?

MR. RANSOM: Mr. Speaker, we are interested in seeing the Paper Company continue its operations in Manitoba as they have been since 1925, and we hope their operations will in fact be expanded in time. Much of the area to which the honourable member refers, was not allocated to the company at all and therefore the rates which he refers to did not apply at all. The situation was that the company simply was able to buy pulp from third party operators at a particular stumpage rate, if they cut it themselves, then it cost more. And there is an area involved which was part of the old cutting area which is now in the integrated wood supply area to which that situation applies. The company now is in the same position as any other user of wood would be in that area. If the honourable member is advocating that all stumpage rates should be raised to \$9 then that's a position that he may wish to take.

MR. SPEAKER: The Honourable Member for Pembina.

MR. DON ORCHARD: Thank you, Mr. Speaker. I have a question for the Minister of Highways, Mr. Speaker. In view of the fact that many farmers in rural Manitoba are not able to deliver grain to the elevators and thus get much needed cash flow to help defray the expenses of spring planting, when does the Minister anticipate that road restrictions might be lifted so that grain deliveries can proceed as required by the farming community?

MR. SPEAKER: The Honourable Minister of Highways.

MR. ENNS: Mr. Speaker, I appreciate the concern the member expresses for the farmers who are attempting to move into the seeding operation at this time. I'm meeting later on this afternoon at 3:30 with my Deputy Minister and some other senior officials to see whether or not we cannot remove those restrictions. We were hoping for more sunshine and better weather to help us speed that up as I indicated I think towards the end of last week that that was my hope. But weather conditions prevailing as they are, moisture conditions prevailing as they are, tend to delay the lifting of restrictions.

MR. SPEAKER: The Honourable Member for Pembina with a supplementary.

MR. ORCHARD: Yes, Mr. Speaker, a supplementary to that. Since not only the rural communities and farmers have problems with road restrictions and road conditions, could the Minister possibly comment on the problem of cottage owners gaining access to their properties as questioned by the Member for Transcona? Could the Minister of Highways indicate whether this lack of access to cottages is a direct result of roads being built without shoulders as recommended by the Member for Transcona during Health Estimates; when at that point in time he thought that this government was spending far too much money on highways. . .

MR. SPEAKER: Order, order please. Order please. The Honourable Minister of Highways.

MR. ENNS: Mr. Speaker, certainly the lack of adequate shoulders on any road tends to aggravate the problem and weakens the road when roads are put under stress. Mr. Speaker, I am thankful for the honourable member's question in the sense that in that particular case, and particularly I know the concern that the Honourable Member for Rupertsland has expressed about that particular piece of road. But that is a prime example of illegal use of the road by truckers hauling when restrictions were already in place, and I might add that these were in most instances individual independent truckers that were hauling, not specific commercial firms. We are very concerned about that in the Department of Highways. They were largely responsible for the impassable condition of the Provincial Road 304. We are attempting to investigate the matter further to see whether or not, even at this late date, charges cannot be laid. But it was a situation where the law was being broken. The road was not in condition to carry those kind of weights, and for the sake of a few selfish truckers they have put that road in that condition that children couldn't attend Shrine Circuses and that people that are otherwise serviced by that road were put to that inconvenience. It's a prime example, Mr. Speaker — I ask your forgiveness for this rather lengthy reply about the need for restrictions on roads.

MR. SPEAKER: The Honourable Member for Rupertsland.

MR. BOSTROM: Thank you, Mr. Speaker. I appreciate the fact that the Minister of Highways is finally taking notice of the problems on that road. My question, however, is to the Minister of Mines and follows the questions on Abitibi. Given that the Manitoba government has seen fit to give virtually complete control to the Abitibi Paper Company to approximately 10,400 square miles of forestland and furthermore the first right of refusal on a great deal of additional forest area in Manitoba, and in addition to that a gift of \$6.00 a cord on wood cut by the company in the integrated forest area, can the Minister indicate if there is any connection between this favourable treatment of Abitibi Paper Company and the Abitibi Paper Company's obvious support of the Progressive Conservative Party in the last provincial election?

MR. SPEAKER: The Honourable Minister of Mines.

MR. RANSOM: Well Mr. Speaker, that is rather a typical response, which I would expect from the honourable members opposite, in that every time there is any kind of a commercial transaction that takes place in this province, then they have to be looking for some kind of a motive behind that other than one which is the real one of generating some economic activity in this province. He refers to 10,000 square miles being given over to the virtual control of the company.

Mr. Speaker, I provided him with a copy of the agreement, and anyone who is prepared to look at that agreement will see that they do not have virtual control over that 10,000 square miles. There is an area which is referred to as a Forest Management Licence Area, where they have the responsibility for the long-term management of the forest and where the rights of other users are protected when the company does not wish to use or does not have a need for that timber. Now that is something that is foreign to those gentlemen opposite, that any kind of a private corporation should have a long-term interest in a resource of that nature. It is something that we said in the campaign of the 1977 election, that we would do.

In the other area, Mr. Speaker, he referred to an area outside of 10,000 square miles where they had first priority. The total area which we referred to, in my recollection, is about 10,000 square miles. 6,000 of that is the integrated wood supply area where they have the first right of refusal to purchase wood and if the price is not satisfactory to the third party, there is provision for the government to act as an arbitrator.

MR. BOSTROM: Well, Mr. Speaker, the first look at the agreement would give an indication that this area has certainly been given over to that company in a way in which it gives them virtual complete control. And I would challenge the Minister to explain that otherwise.

Mr. Speaker, I would ask him to follow up an answer which I had requested from him yesterday regarding the rights of third party operators, and also the rights of communities that exist in that area, Mr. Speaker. I would ask him if he can show me where, in this agreement, there is any protection built in of any adequate nature to protect the third party operators and the communities in that area without having to go hat in hand to the Abitibi Paper Company in order to get some forestry cutting rights in that area. Where does it show in this agreement that the government can assist the communities to have their rights as well as the Abitibi Paper Company, Mr. Speaker, because I believe from this agreement that the company has complete rights.

MR. SPEAKER: Order please. The time for Question Period having expired . . .

MATTER OF PRIVILEGE

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

MR. GEORGE MINAKER: Mr. Speaker, I rise on a personal privilege. Mr. Speaker, yesterday the Honourable Member for Burrows made false allegations of statements that I was said to have made in this House, and upon hearing that — I wasn't present at the time when the Honourable Member for Burrows made his false allegations — but I took it upon myself at the earliest possible time to peruse the unedited Hansard relating to his speech, and at the first opportunity I'd like to advise the House, Mr. Speaker, that first I have not and did not slander any ethnic groups in Canada. Number two, I made no slanderous reference to any racial groups in Canada. Number three, I did not make any reference to length of Canadian citizenship to qualify for membership in this Legislature. Number four, I did not stipulate any qualifications for membership in this Legislature.

Mr. Speaker, what I said during the Labour Debate the other evening on student employment

program is now shown on Page 4755, and I would read it so that the Honourable Member for Burrows realizes what I said, and I quote: "And what really makes me mad, Mr. Chairman, is when the Honourable Member for Churchill stands up and calls these students scabs, because they were prepared to stand up and work for their education, where he would not stand up and defend his country. And he comes to this country and calls them scabs, whether he knows it or not, and that's when I get mad — that's when I get mad. Because that's wrong. When the students of Manitoba want to work for their living, want to earn their education, stand up for their country and somebody comes in and starts calling them scabs — something's wrong, Mr. Chairman. That's when I get mad."

Mr. Speaker, based on the remarks that I said in that debate, I would, I think, in fairness that the House ask the Honourable Member for Burrows to withdraw his false allegations, as none of those allegations that he made in his speech were ever said by me in this House or contained in any speeches that I ever made.

MR. SPEAKER: I have not had the opportunity to peruse the remarks of the Honourable Member for Burrows and I'll take the matter under advisement. The Honourable Government House Leader.

MR. JORGENSON: Mr. Speaker, will you call the resolution standing in my name, please?

ORDERS OF THE DAY — SPEEDUP RESOLUTION

MR. SPEAKER: The Honourable Member for Transcona. The proposed motion of the Honourable Government House Leader — the Honourable Member for Elmwood.

MR. DOERN: Mr. Speaker, I would like to have this matter stand; however, if someone else wishes to speak at this time they may do so.

MR. SPEAKER: It's been suggested or requested by the Honourable Member . . . The Honourable Member for Winnipeg Centre.

MR. BOYCE: Mr. Speaker, in speaking to this motion, and why I can't support the motion at the present time, it is the first time since I've been here that I've done so, because it is usually a matter of course that, after a few jibes at each other we pass this resolution and get about passing the Estimates or the considerations of the House.

But nevertheless, Mr. Speaker, a situation has arisen where, in my view, it is not in the public interest that this Resolution be passed. Over the past few months, the attention of Manitobans has been directed to the problem of flooding, which has absorbed much of the press and much of the public attention, and the election of a federal government.

The government, in addressing itself to the problem of education in the Province of Manitoba, has proceeded, in my view, to put the skids under the total system. So that, Mr. Speaker, the main reason that I can't support it is because the public, in my view, has not had an opportunity to view in any depth that which the government proposes to do.

Now I don't want to be out of order, Mr. Speaker, by either anticipating or in duplication of debates. But nevertheless, Mr. Speaker, there are several alternatives open to the government with reference to two bills that are up for consideration before this Assembly. The government can either allow the bills to die on the Order Paper, they can refer to a sessional committee, or they can proceed. We have no indication at this point in time that the government intends to co-operate and discuss the problems of education with any one else except themselves.

On behalf of the New Democratic Party, I proffered the government, through the Minister of Education, the co-operation of this side of the House, in trying as best as we could to take politics out of education in the redevising or the redesigning of the educational system. The Minister tabled in this House a report which he meant to imply, in my view, that it was the culmination of several years of looking into this total system in education.

On the front of this report was listed the Manitoba Teachers' Society, the Manitoba Association of School Trustees, the Manitoba Association of School Superintendents, the Manitoba Association of Business Educators. And in my view, Mr. Speaker, in putting this on the flyleaf, or the front page of this particular report, it was the intention of the government to imply that the government had the support of these groups, and what was reflected in the bills which were going to be presented to the House, was a reflection of the consensus of opinion of these very responsible people in the Province of Manitoba.

Because, as I said earlier, Mr. Speaker, the flood having attracted so much attention, the federal

election having attracted attention, in discussing it quietly — in the conspiracy of silence, almost, I think somebody had referred to it — it became obvious that this was not the case.

So, Mr. Speaker, we in the opposition are put in the position, because of a change of circumstances, and the members opposite should realize it, that we represent at this present time 51 percent of the voters, not 49 percent of the voters. And we're forced into a position, because of so many manifestations of this government's attitude towards any one outside of their inner circle as far as the importance, or the utility, or the seriousness, of any concern which we raise on this side of the House. And there are implications in these two bills, Mr. Speaker, that we have no assurance whatsoever we will get an opportunity to discuss.

So we have to, in my view, see what we can do to . . . We can only delay things. The reality of the legislative process is that the government with its majority can impose its will when it so chooses to do so. And, Mr. Speaker, people should remember that the legislatures in our society are absolute as far as power is concerned, and they can dictate almost anything.

I recall one case in the Inquiry into Civil Rights that, on one particular occasion, the Parliamentary body passed the resolution that one Richard Bowles will be boiled in oil without benefit of clergy.

And I don't want to try and go into all of the details why I think that it is almost comparable, what this government intends to do if they're allowed to proceed through a fast passage of a bunch of bills, including two particular bills which, if the public doesn't see what is being suggested, or trying to be implemented by the Conservative government, the educational system, Mr. Speaker, in my judgment, will take years to recover. Because you cannot destroy the foundation of a system, or a building, or any other thing, and then hope to patch up the superstructure at some future point in time.

What is before this Legislature are a number of bills, and I'm thinking primarily of two in particular, which will have horrendous, horrendous, consequences. And, Mr. Speaker, I recalled earlier in a question, the Minister of Health when he was debating back in 1970 — I forget the particular point — but he went on with the muffled cadence of jackboots. If we, the New Democratic Party government, had ever proposed the bills which are before the House, that press would have run banner headlines. Because I'm sure, Mr. Chairman, that those people opposite, if they'd read the bills, would not want us to have the authority that they're asking for themselves.

And, Mr. Speaker, neither would I. I would not want the authority that these people are asking for, because they're quietly trying to slip these bills through the House in the late stages of the processes of the House, and in what kind of a milieu are they presenting this to us? They're presenting this to us with a continual suggestion that what they're trying to do is carry out restraint.

Mr. Speaker, this I have tried to get across to many people, and I'm having more and more success, thank God, that it is not a restraint program, it is the imposition of the Conservative government's policy. They have absolutely no use for the public system, totally, and if the public school system goes down the drain, so be it. Because they are geared to one type of thinking, it's the private sector can solve all the problems.

Private sectors can solve all the problems, whether it's a school system, a hospital system, or an economic system. And they're trying to slip this through the House, and they want us now to get through with it, get it out of here, get it in there.

I don't know, Mr. Speaker, if I would be out of order, if I referred to a concept which they're asking us to rush through the House, that I can't support. I could support perhaps, Mr. Speaker, the idea that, if the government — which we offered to do from this side of the House, Mr. Speaker, and it should go on the record — that we will support the reference of these two particular bills, Bill 22 and Bill 23, to an intersessional committee or task force of this Legislature, to go to the public and listen to the public on what they have to say.

But, Mr. Speaker, no way can we support two things at the same time: One is speedup, and two, the considerations of Bills 22 and 23. Mr. Speaker, it can't be done, because it is our responsibility in the interests in the public of the Province of Manitoba, to give the public the opportunity — I've got too much to say in too short a time. —(Interjections)— I'll take my time.

Mr. Speaker, I'm speaking too fast, and I realize that. But, Mr. Speaker, the members of that side of the House can have their view of things, and they're entitled to it. I think I'm entitled to the same thing. And, Mr. Speaker, in my view, this action of the government in trying to speed through the Legislature two bills, which strike at the foundation of the educational system, it's more important than Autopac, it's more important than CFI, it's more important than Saunders Aircraft, it's more important than the Conservative Party, it's more important than the New Democratic Party and if I have to walk on my hands in the House to get the public's attention, I'll do so.

MR. SPEAKER: Order please. Order please. I realize the honourable member is having some difficulty talking to the Resolution that's in front of him, without making some reference to bills that are going to be debated in the House but I do hope the honourable member would make a conscious effort to stay with the subject matter of the Resolution before us, rather than attempt to debate the bills that will have ample opportunity to debate later on. The Honourable Member for Winnipeg Centre.

MR. BOYCE: Mr. Speaker, you're right, I shouldn't react to the members opposite, but this, Mr. Speaker, the subject matter of a couple of the bills which the government is asking us to speed up consideration of which — for which, I forget where the preposition should come in that sentence. But, Mr. Speaker, I've been in the House now, some 10 years and this is the most important responsibility I have been asked to assume by my colleagues.

I have to confess I feel somewhat inadequate, because I've spent several hours — how can I get across to the public the importance of some things which are under consideration by this Legislature, in light of the public attention being rightfully, and the press' attention rightfully directed to immediate, drastic problems. I've even gone back to a thesis I wrote and, Mr. Speaker, we're talking about systems and I won't refer to the legislation. But nevertheless, if the public is supposed to understand, perhaps I can borrow something from Lorenz, when he was writing on aggression. And when Lorenz was writing on aggression, he started out too and if I read into the record, Mr. Speaker, for consideration — because I used to think and I still believe it — that there is some utility, there is some reason for having faith in the legislative process. If something we say will get into the heads of enough people opposite that they will reconsider their actions.

I make my arguments the best I can, Mr. Speaker, and I will borrow from Lorenz. And he says, Aware that the task that I have set myself makes excessive demands upon my family, I admit that my colleagues have put excessive demands on me, but it is almost impossible to portray in words the functioning of a system in which every part is related to every other in such a way that each has a causal influence on the other. Even if one is only trying to explain a gasoline engine, it is hard to know where to begin, because the person to whom one seeks to explain it can only understand the nature of the crankshaft if he has first grasped that of the connecting rods, the pistons, the valves and the camshaft and so on.

Mr. Speaker, that is what this is about. This is of what my argument is about — that the public of Manitoba is not aware of what the government intends to do in a couple of areas and this Legislature is being asked to pass a motion, speeding up this process, before the public of Manitoba becomes aware of it. Because the legislative process is the only thing that we have which separates us from the apes, I believe, and it relies on the fact that we, as elected representatives consider matters put before us and we take it outside this House and we send it to a committee so that the public can make their views known. The fact once again of the flood and the election has delayed the attention of the important organizations within the educational system. Mr. Speaker, I have reason to believe that the public is totally unaware of what the government is intending to do with two bills which are under consideration in the House.

I'm sure, Mr. Speaker, that even this government — even this government, if they had an opportunity to get some feedback from the people they would see that it is not in anybody's interest to proceed with some of the aspects of the bills which are being presented. This is the only opportunity that I'll have to discuss this particular concern of mine, because of the government presenting this resolution to speed up the activities of the House.

But, Mr. Speaker, we have offered the government our co-operation in establishing another instrument so that the public can have an opportunity to review these bills. We hope that they're not so blind — and I know the First Minister had said that he hates all Socialists, he hates anything that even smacks of Socialism, even smells like Socialism, but nevertheless, I'll try to prevail upon more reasonable people on that side of the House. I'm not talking about Socialism; I'm talking about the educational system which you will have to live with when we become the government, as we will. I'm sure that you wouldn't like me to have the responsibility which will be given to the Minister — I am sure that you wouldn't like the Cabinet on this side to have the authority that you're asking this House to pass. And I'm sure, Mr. Speaker, if the public of Manitoba knew what the government was proposing, that they would not support it.

I think it's incumbent upon the government to tell the public what their educational philosophy is, what their educational policy is, what the principle of the systems are, because we have pressured the government and pressured the government and pressured the government during the Estimates what are the basics, what is the educational system, where should it take us, what should it accomplish? We put the questions in every conceivable form that we could think of. They refused to answer.

Even earlier in this session today, Mr. Speaker, we asked the Minister and I want to hedge just

a bit, because the Minister is co-operative in providing information on the directives which he sends out to superintendents and the rest, but nevertheless, as a Minister, as part of the government, he is not in a position to announce government policy. So I don't fault the Minister of Education personally; I fault the government. They made a big to-do about a task force report some 19 months ago, Mr. Speaker, and to this day, they're not in a position to say what their intention is vis-a-vis the recommendations of the Task Force on educational matters. And how in heaven's name, Mr. Speaker, can we consider bills which replace the very foundation of the public school system? How can we, if we don't know what the government's intentions are? This is asking the impossible not only of the opposition, but of the people of the province of Manitoba.

Mr. Speaker, during the election campaign I saw campaigns about freeing the doves. They didn't show the rest of that picture where they free doves and they go through a plucking machine and they come out and they shake their heads and they don't know where they're at. But I heard nothing about the government having a mandate to what effectively, in my view, will destroy the public education system. I heard nothing in the hustings about them putting back into the educational system. . .

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

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSON: I rise on the point of order that you raised earlier about the honourable gentlemen debating a subject that is a subject for debate. There is a Bill on the Order Paper, Bill 22 and Bill 23, that deals with that very subject that my honourable friend is now discussing. Now he would have had in the normal course of events during the calling of the legislation today, that Bill might have been called, and he would have had an opportunity then to have made those remarks quite properly on second reading of that Bill. I don't know why he chose this opportunity. This opportunity is provided for honourable members to discuss the motion that is before the House. It is a very simple motion, it's a very straightforward one, it is one that has been dealt with on successive occasions. Honourable friends complain about rushing Bills through; they didn't know what rushing Bills was like. About 75 percent of the legislation of my honourable friends when they were on this side of the House, was introduced, first, second and third reading after speedup.

MR. SPEAKER: Order, order please. Order please. —(Interjection)—

MR. JORGENSON: I'm on a point of order.

MR. SPEAKER: Order please. Order please. May I suggest to the honourable member that he contain his remarks to the point of order that he is trying to make.

MR. JORGENSON: Mr. Speaker, my point of order is simply — and I will bow to your ruling if you say that I am not permitted to discuss that subject, which is I know a lot more than my honourable friends will do — I just simply say that if my honourable friend wants to discuss this subject, he's going to have an opportunity on second reading of that Bill.

MR. SPEAKER: I realize it's very difficult for the Honourable Member for Winnipeg Centre to contain his remarks to the resolution that is before us. I was hoping, however, that he would very shortly get back to the subject matter of the resolution and leave his remarks for the education Bills to a later date.

The Honourable Member for Winnipeg Centre.

MR. BOYCE: Mr. Speaker, I certainly appreciate your co-operation and I don't want to make your task difficult because the House Leader's point is well taken as far as anticipation is concerned. But as I said earlier, I don't know if the House Leader heard me or not, if the Minister in a response to the Leader of the Opposition's question earlier had said definitively that the Bills will be considered, or that the Bills will be referred. But nevertheless and somewhat of a dilemma but I won't try your patience on that, Mr. Speaker. I will speak to the difficulty with speedup and what the House Leader says is true. And many of the Bills which are before us are of housekeeping nature and we could speed up consideration of most of the Order Paper. But what I'm suggesting, Mr. Speaker, that when I say most, that doesn't mean all, and the ones which we shouldn't speed up include a couple of Bills which as far as the Order Paper is concerned, the government has said that we are going to consider. But nevertheless, outside the House we hear on the radio that they're not going to consider it. So it puts us in a position that we don't know — I don't want to try the rules — but

why should we speed up something which is of such importance? Because what happens to these Bills which are sped up? I don't know how many Bills — we pass then through second reading and they go to Law Amendments Committee — and what happens? The public comes and they sit there till one or two o'clock in the morning; the public who? Who? We are asking the government; we are asking the government to reconsider, when we're considering the speedup motion, then tell us what are we speeding up? Are we speeding up all of the things that are on the Order Paper? Because if that is the case then, Mr. Speaker, we would ask the government to reconsider speeding up considerations of two of the items which are on the Order Paper: Bills 22 and 23. That if the government wants to reconsider and withdraw those Bills, I have reason to believe that we would have the unanimous consent of the House that these two Bills be withdrawn and then we can pass this motion.

And I think my remarks, Mr. Speaker, are in order, because the matter up for debate is whether or not this House should speed up the considerations of the House. And we would be willing to pass this motion if the government will reconsider their positions vis-a-vis Bills 22 and 23. If the government wishes the unanimous consent of the House, I believe it would be forthcoming. If they withdrew these two Bills with the understanding that they would be referred to in intercessional Task Force so that the public of Manitoba who elects all members, can be heard.

MR. SPEAKER: It's been suggested that the Bill be allowed to stand.
The Honourable Minister of Economic Development.

HON. J. FRANK JOHNSTON (Sturgeon Creek): Mr. Speaker, the Member for Winnipeg Centre is not usually taken to sensationalism. I have been in the House with him for ten years and he is probably one of the more normal members on the other side of the House. But, Mr. Speaker, I would say this, that the member obviously did some reading in the paper last night that had been spread around which was a rumour in this House, and been out in the halls, and the newspaper people rightly so, if you have a rumour that they feel is justified, they should print it; I don't criticize them.

But the honourable members on the other side, under the leadership of the Member for Selkirk decided that they would now have some sensationalism because it's possibly going to be pulled, that he would stand up and now demand — now demand they wouldn't go into speedup — unless that Bill was pulled. Now, Mr. Speaker, let's get the situation very clear. There is no intention of pulling the Bill. The Bill could be referred to a committee, Mr. Speaker, but it can't be referred; we wouldn't even have the choice of considering referring it to a committee for study in between sessions unless it passes second reading and that decision is made. So, Mr. Speaker, the normal procedure in the House is to do that.

Honourable members opposite don't realize we've spent 326 hours on Estimates. We had a flood in 1974 and in 1976, and the House was never disturbed, it carried on. Seventy-five percent of the legislation, which my honourable colleague was going to mention, or any major legislation that was ever produced by that group over there when they were in government, was presented after speedup came in and I would ask honourable members to go back and check. You will find that 75 percent of the major legislation came into this House after the speedup motion went through the House.

Mr. Speaker, only in 1950 — only in 1950 — was this House adjourned for two or three days for flood, otherwise it kept right on going. Honourable members opposite talk about speedup. I can remember walking up and down the halls of this building at 2:00 and 3:00 o'clock in the morning, and I tell you also, Sir, I can remember when we had the Family Law Legislation, which had an effect on everybody in this province, where there were five amendments made, and every amendment had more clauses in it than the original bill, and the honourable members on the other side put it through.

Now, Mr. Speaker, the House Leader and the Minister of Education have given some indication that there would be consideration to accommodate the members opposite and the people of this province on that Bill. But then there had to be, under the leadership of the Member for Selkirk, who had an indication around the halls of what was going on, to pull this sensationalism today. Mr. Speaker, I have learned that it would happen. It can happen. It can happen, Mr. Speaker, from the opposite side. The one person I did not expect to go through that type of hypocrisy, or sensationalism, was the Member for Winnipeg Centre, because he has had integrity in this House for many years.

So, Mr. Speaker, don't let the honourable members . . .

MR. SPEAKER: Order please. Order please.
The Honourable Member for Winnipeg Centre.

MR. BOYCE: On a matter of personal privilege, Mr. Speaker. I'm sure in the heat of debate that my friend and colleague would not consider another member of the House to be a hypocrite; I'm sure he wouldn't.

MR. JOHNSTON: Of course not.

MR. BOYCE: I can understand his chagrin . . .

MR. JOHNSTON: I'm not . . .

MR. BOYCE: . . . but the use of that term, I'm sure we're all agreed that it's unparliamentary.

MR. SPEAKER: The Honourable Minister of Economic Development.

MR. JOHNSTON: Mr. Speaker, I said I didn't expect hypocrisy from that member of the House. —(Interjection)— And maybe it came close. Well, let me put it this way: I'm surprised that the Honourable Member for Winnipeg Centre would agree to go through that kind of nonsense for the Member for Selkirk, on his behalf, because I'll tell you it was just straight sensationalism that he asked the Member for Winnipeg Centre to go through. Mr. Speaker, and I say to the honourable members of the press gallery: Do me a favour, go and check. It's all there, and you will find that 75 percent of the major legislation that came into this House by the previous government was presented after speedup. And I will tell you that this session, this government, will prove that speedup will be done on the proper basis. And if the House Leader, and the government, and the Minister of Education make the decision that they have indicated, it will be done, but be done in the proper fashion, and we don't really need all that smiling sensationalism from the other side. —(Interjections)—

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSON: Mr. Speaker, will you call Bills No. 30, 46, 47, 48, 51 and 56.

SECOND READING — GOVERNMENT BILLS

BILL NO. 30 — AN ACT TO AMEND THE CHILD WELFARE ACT

MR. SHERMAN presented Bill No. 30, An Act to amend The Child Welfare Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister of Health.

MR. SHERMAN: Mr. Speaker, the purpose of Bill 30 is to repeal, improve and update the application of The Child Welfare Act. The Bill in front of members offers changes that are based on several years of experience with the existing provisions of The Act, and the changes have been recommended by the child caring agencies, judges, lawyers, other agencies and individuals who come in contact with clients of the child welfare system, and in particular, come in contact with children-at-risk.

The Bill also represents revisions recommended by the committee which reviewed The Child Welfare Act in light of the new concepts which have been or are being incorporated in the statutes of other provinces dealing with child welfare, notably those of Quebec and Nova Scotia, Ontario and British Columbia respectively.

That committee, Sir, which was made up of persons who deal in the child-at-risk field in a variety of disciplines, ranging from social work and child-caring agencies to the Courts and the judiciary and the police, and other disciplines; that committee reviewed 58 issues during the course of the past couple of years, and made 45 recommendations for change or addition to The Child Welfare Act. The proposed amendments were circulated to agencies and interested persons. Their views and comments were solicited and obtained. Judges of the County and of the Family Courts were also consulted.

So, in short, Mr. Speaker, the Bill is the end result of some four years of diligent preparatory

work, where both practical and conceptual issues received very careful review and consideration. Most of the amendments are of a procedural nature. They attempt to improve Court or agency procedures in dealing with matters of children-at-risk and their families. Some amendments provide for certain rights, others are intended to regulate the application of those rights in a more satisfactory and acceptable fashion.

There are a number of major features highlighting the proposed innovations, Mr. Speaker. I would say at this juncture that perhaps the most important initiative and thrust to be emphasized is the thrust that the Bill — the proposed Bill — attets to take in the area of prevention, intervention, identification of child abuse.

This being the International Year of the Child as declared by the United Nations, being a year of recognition in which this government believes, and to which this government has given its endorsement. We feel it is a particularly appropriate time, Sir, to be introducing amendments in this particular field of legislation, which will attack more vigorously and more positively the problem of child abuse in our society, and help to streamline procedures, legislative, judicial, agency and otherwise, that will make it easier and more positive for those with responsibilities in this field to act to defend and protect children-at-risk. They may be children who are disadvantaged, who have been abandoned, who have been neglected, who lack proper care and affection, or they may be children who are victims of actual cases of child abuse.

In any event, Sir, the requirements for getting at those problems and protecting those children are recognized herewith, and there are improved mechanisms for coming to the aid of those children incorporated in the amendments being proposed in Bill 30.

I commend it to the consideration, Sir, of all members of the House.

MR. FOX: Mr. Speaker, I move, seconded by the Honourable Member for St. George, that debate by adjourned.

MOTION presented and carried.

BILL NO. 46 — THE CIVIL SERVICE SUPERANNUATION ACT AMENDMENT

MR. MacMASTER presented Bill No. 46, An Act to amend The Civil Service Superannuation Act, for second reading.

MOTION presented.

MR. DEPUTY SPEAKER: The Honourable Minister.

MR. MacMASTER: Yes, Mr. Speaker, the proposals in the bill are by and large —(Interjection)— administrative in nature. We will be proposing in the bill, Mr. Speaker, to change in several areas reference to the Minister of Finance and give the Board, themselves, the responsibilities which, in practise, in the majority of cases they have today. We are proposing that the cheque signing take place by the Board, themselves, in lieu of the Minister of Finance.

There is a proposal, also, Mr. Speaker, to extend the year to delete reference to 1979 and replace it with reference to 1980 in relationship to the interest that will be paid on the funds that are to accrue to each employee's account for more than one year. The reason we wish to extend it for one particular year, Mr. Speaker, is that consideration is now being given to earlier vesting possibilities and it hasn't been possible to get that in place at the moment for consideration and we would propose that the normal routine that's in place now, three percent interest rate which accrues to each employee's account, that that be extended for one further year.

MR. DEPUTY SPEAKER: The Member for St. George.

MR. BILLIE URUSKI: Thank you, Mr. Speaker. The Act in itself follows the course of action, I believe, that has taken over the last number of years in terms of the responsibility of The Superannuation Act to the Board that is in charge of it now, and the amendments that I see in it, primarily housekeeping and moving along that line, and we have no reason to hold this bill up and send it to commiteee.

QUESTION put, MOTION carried.

BILL NO. 47 — THE PERSONAL PROPERTY SECURITY ACT AMENDMENT

MR. MERCIER presented Bill No. 47, An Act to amend The Personal Property Security Act, for second reading.

MOTION presented.

MR. DEPUTY SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, the main thrust of this bill is to effect minor changes to areas of the Act, which have caused procedural difficulties for registrants during the first eight months that the Act has been in force.

Definitions of the terms "consumer goods" and "secured party" are amended to remove ambiguity. The word "declaration" is changed to "statement", and the expression "true copy" is substituted for "certified copy" also to remove ambiguity.

The wording of Section 44, covering the production of Certificates of Registration, is amended to authorize searching by motor vehicle serial number as well as debtor name.

Part 5 is amended to eliminate conflicting requirements of the Act and The Consumer Protection Act, which currently combine to require that two slightly different Notices of Repossession must be issued to a delinquent debtor at two different points in time.

A new provision is inserted to allow registration of the appointment of a Receiver or a Receiver Manager of the assets of a business, which was previously part of the The Corporations Act but was repealed when that Act came fully into force.

Other minor changes simply cover the manner in which certain documents are to be filed and how information is to be declared. Mr. Speaker, these amendments have been discussed with the Chairperson of the Corporate Commercial Subsection and other representatives of the Manitoba Bar Association.

I will, perhaps, provide the Member for Kildonan with detailed explanations of the various sections, because they are somewhat technical in nature, Mr. Speaker, and perhaps they can assist members opposite in consideration of this bill.

MR. SPEAKER: The Honourable Member for Kildonan.

MR. FOX: I move, seconded by the Honourable Member for Lac du Bonnet, that debate be adjourned, and I thank the Minister for his offer.

MOTION presented and carried.

MR. SPEAKER: Before we carry on, I want to apologize to the House for not turning my mike off when I left the Chamber.

BILL NO. 48 — AN ACT TO AMEND THE CIVIL SERVICE ACT

MR. MacMASTER presented Bill No. 48, An Act to amend The Civil Service Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister of Labour.

MR. MacMASTER: Mr. Speaker, there's several areas that I'll go through that we will be proposing.

The first one is that Officers of the Legislative Assembly . . . we wish to confirm that these people have the right of appeal to the Civil Service Commission. There was a situation which rightfully caused some concern; I'd like to believe that it was resolved, but it was on an ad hoc sort of a basis, and it is felt that this should be put in the Act so that there is no question about their rights in the future.

Another point that we hope to clear up, Mr. Speaker, is the full-time Commissioner of the Civil Service Commission. It has been brought to my attention that there is some question as to whether that person can maintain or qualify for a Civil Service Statute once he moves on to that particular position, and we hope to be able to rectify this particular position.

Another area that we will be addressing, Mr. Speaker, is the change of anniversary date on certain promotions. This area is proposed to be amended to provide that an employee's anniversary date will change following a promotion only when that promotion involves an increase in pay equal

to two or more merit increases, and where the promotion involves only one increment, the employee will be eligible for his annual increment on his existing anniversary date.

Another area, and this particular area is in relationship to pay after disciplinary reduction of classification; a rate of pay on re-employment. In these particular areas, it is proposed that these areas be deleted as they are largely administrative in nature and may be subject to the collective bargaining process, which is already in effect. It seems that there is a duplication of wording which is not absolutely necessary.

Another area which we wish to propose, we wish to restrict selection appeals to the Civil Service Commission to those employees not covered by the collective agreement, and to remove the procedure whereby selection appeal decision of the Commission may be further appealed to the Minister responsible for The Civil Service Act. I think it spells out exactly what I'm saying, and if it's not totally clear, what I wish to do is take the right of appeal away from those who wish to further appeal the decision of the Civil Service Commission. Today they have the right to appeal to the Minister, and I think that particular reference should be deleted.

The last area that we will be addressing is the powers of the Commission, which was transferred to the Executive-Council sometime ago. We wish to refer it and amend it; those particular powers back to the Civil Service Commission, Mr. Speaker.

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

MR. URUSKI: Would the Minister permit a question of clarification? Mr. Speaker, would the Minister indicate specifically in respect to No. 4 Amendment, with the repeal of Subsections 11, 7 and 8, what mechanism will there be in place for employees who are outside of the collective bargaining agreement, should any disciplinary action be handed out in terms of their status within the Civil Service? What mechanism will the Minister use in terms of their positions within the Act, those employees who are outside the bargaining unit and, of course, most of these were for . . .

MR. SPEAKER: Order please. I suggest to the honourable member that he is now debating rather than asking questions of clarification. —(Interjection)—

MR. URUSKI: No, I've asked him a question.

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

MR. FOX: I was just waiting, Mr. Speaker, for the Minister to answer, but since he doesn't wish to, I move, seconded by the Honourable Member for Inkster, that debate be adjourned.

MR. JORGENSON: There was no question.

MR. FOX: There was a question, unfortunately the House Leader didn't understand it.

MR. SPEAKER: Order please. I suggest to all members that if they want to take part in debate, that they rise in their place and make their points.

MOTION on the adjournment presented and carried.

BILL NO. 51 — AN ACT TO AMEND THE COUNTY COURTS ACT

MR. MERCIER presented Bill No. 51, An Act to amend The County Courts Act, for second reading.

MOTION presented.

MR. MERCIER: Mr. Speaker, the amendments to The County Courts Act are basically housekeeping in nature. The present Section 6 of the Act requires municipalities to bear the expenses of the maintenance of County Courts, and of course municipalities have not borne this expense for several years, and therefore this section is being repealed.

The amendment to Section 11 will simply allow, Mr. Speaker, a change in allowing any judge of the Court of Appeal or Court of Queen's Bench to swear in a County Court judge. When this has been required previously it has been necessary to pass an Order-in-Council for the taking of an oath of office before the Chief Justice of the Court of Queen's Bench. The balance of the bill, Mr. Speaker, basically relates to a simplification of the procedure where a person wishes to object

to a hearing in Small Claims Court and desires a hearing before a County Court Judge. The present procedure requires the filing and serving of a Notice of Objection within certain time limits and then the filing and serving of his Statement of Defence within other time limits. This has been an awkward procedure and has caused some confusion and the amendment will provide for filing and service within 16 days of service of the Statement of Claim of a single simple document called a Notice of Objection and Statement of Defence.

MR. SPEAKER: The Honourable Member for Kildonan.

MR. FOX: Mr. Speaker, I move, seconded by the Honourable Member for Rupertsland, that debate be adjourned.

MOTION presented and carried.

BILL NO. 56 — THE FAMILY MAINTENANCE ACT AMENDMENT

MR. MERCIER presented Bill No. 56, an Act to Amend the Family Maintenance Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, I believe members on both sides of the House will recall during hearings by the Committee on Statutory Regulations and Orders last year on Family Law legislation, we all heard many criticisms of the existing Family Law legislation because it did not include any new enforcement provisions. The lack of an effective system of maintenance, Mr. Speaker, is a major concern, as obviously it questions the very existence of any maintenance legislation.

Immediately thereafter, Mr. Speaker, I ordered my department to review this particular matter and the initial report at that time revealed confusion, a lack of information and a lack of co-operation amongst the departments involved. The report reaffirmed the concern expressed by the many people who presented their views to the Committee on Statutory Regulations and Orders, and as a result I established an interdepartmental committee to make a thorough study of this area and to offer concrete recommendations. Members of my department, in addition to the Department of Health and Community Services and Corrections and Rehabilitation made up the committee.

The committee very carefully considered and made good use, Mr. Speaker, of submissions which came from various women's groups, including the YWCA and the Provincial Council of Women in Manitoba, as well as from interested individuals. I would take this opportunity to acknowledge the contribution, Mr. Speaker, of these groups and individuals. Their submissions were of value to the committee in its formulation of recommendations and were the very basis of the proposed amendments now before the Legislature. And I would thank the committee for its efforts, Mr. Speaker.

The proposed amendments will provide a more effective means of enforcing the payment of maintenance orders. The legislation reflects the government's commitment to the principles of spousal and parental responsibility contained in the Family Maintenance Act. We're concerned that spouses recognize and fulfill their obligations to provide for their children and support of one another. The proposed legislation will require that all orders made under the Family Maintenance Act be monitored unless the spouse who is to receive payment wants to opt out of the system. For those orders made prior to the coming into force of these provisions, the receiving spouse may opt into the monitoring system. This in itself is a very important innovation, Mr. Speaker. It establishes a centralized monitoring system, and with such a system we'll be able to obtain data as to the number of orders outstanding and the amounts and rates of payments made on those orders. At present, even such basic and necessary data is not available. The enforcement system could not possibly attempt to deal effectively with the problem, given this lack of information.

During last year's public submissions, many people quoted a figure of 25 percent as a percentage of Maintenance Orders that were enforced. Apparently this figure came from a report issued by the Law Reform Commission of Canada. Mr. Speaker, I don't know how they arrived at that figure. As I mentioned, there are no complete statistics available for Manitoba. We did find out, however, from the very meager and inadequate statistics available, that of the approximately 300 Maintenance Orders issued by the Family Court in Winnipeg in 1977, only 10 to 15 percent were placed on enforcement. Of that number, payments were not made, either voluntarily or by means of an enforcement on approximately 30 percent of those Orders. Given this new legislation which

automatic enforcement of Maintenance Orders and more power given to enforcement officers, I'm confident that the enforcement of maintenance payments will become more effective in Manitoba.

Another provision contained in the amendments gives the executive director of Social Services the power to place a person's order into the system of automatic enforcement where that person has an order made in his or her favour and is also receiving social assistance. This provision reaffirms the government's commitment to spousal responsibility for the support and maintenance of one's spouse and one's children, and a spouse cannot abdicate from that responsibility because the other spouse is receiving social assistance. The executive director has had this power for some time under the Social Allowances Act, but he has rarely exercised the power, if at all. Part of the reason for this may be that the Department of Health and Community Services was getting itself involved into an area of enforcement which is not their area. Now only the Attorney-General's department will be concerned with the enforcement of Maintenance Orders.

We will direct the executive director to exercise this power. And it is possible that in Law Amendments the wording of the power sections, 31.24 to the Family Maintenance Act and section 75 of the Social Allowances Act will be changed by replacing may with "shall" so that the executive director will have to obtain and/or place Maintenance Orders made in favour of a person receiving social assistance payments on automatic enforcement.

Mr. Speaker, I emphasize the importance of this provision by giving out some statistics, albeit incomplete statistics. Yet they are the only ones available. In 1977 only 37 of the approximately 300 Maintenance Orders issued by the Winnipeg Family Court were put on enforcement. Of the remainder we do not know how many were not honoured, but it is fair to estimate that a goodly proportion, at least half, if not more, were probably not honoured. One can presume that most of the potential payees would need some sort of monetary assistance and one can further presume those persons would apply for social assistance payments from the government. Each year the government spends millions of dollars on social assistance payments. An increase in the efficiency of the enforcement of Maintenance Orders will mean that fewer persons will have to apply for social assistance, and hopefully social assistance costs will be lower.

We're determined, Mr. Speaker, to have a tighter control over the enforcement of Maintenance Orders and at the same time diminish taxpayer subsidies in those cases where a spouse or parent is responsible for maintenance and support.

Mr. Speaker, the virtue of the proposed system lies in the fact that the appropriate authorities are becoming aware of non-payment immediately, will thereby allow for prompt action to be taken. There's more likelihood of recovery of arrears if such amounts are small than if they are of a considerable amount. In the past, authorities had to wait for receiving spouses to complain before something could be done. What little data we have, Mr. Speaker, shows that in 1977 only, as I said, only 10 to 15 percent of spouses who received in their favour Maintenance Orders from the Winnipeg Family Court had their orders enforced. If the orders were an enforcement, given the inadequate system of monitoring, it took some time and maybe even months before the defaulted payment was discovered. A system of enforcement is automatic and that the receiving spouse does not have to do anything when payment is not received from the payor spouse, rather the enforcement will be done automatically from the Winnipeg Family Court. The new system is expected to be computerized, Mr. Speaker, and in Ontario manual system of enforcement is used and members of the department and the special studies group of the Department of Health reviewed that particular system and recommended a computerized system would be better for our situation. It will take a number of months for the development of the computerized system, but we hope to have that system on line relatively quickly.

The new system will require that all cheques be made payable to the receiving spouse but be sent to the monitoring office. The monitoring office is to be located at the Winnipeg Family Court. When the cheque is received, the designated officer, likely an enforcement officer or clerk will record the entry and immediately forward the cheque to the receiving spouse. This will minimize the time a receiving spouse will have to wait for the cheque. One small improvement that has been made in the system over the past few months is that previously the cheques had to be made payable to the court. They were then received, deposited and new cheques were made out to the receiving spouse, but this procedure has been changed, Mr. Speaker.

Another important amendment to the Act permits a designated officer to take such investigative measures as are necessary to ascertain the whereabouts of a person who is in default of payment. This information may be obtained from any person, government or government agency. Tracing a defaulting spouse has always been one of the major defects of the enforcement system and it is hoped that this provision will allow for a more effective means of tracing within the province. I must add, Mr. Speaker, that this provision is not meant to infringe upon anyone's privacy, but only, and I repeat only, to aid in the enforcement of Maintenance Orders in those situations where

a spouse or parent has acted irresponsibly by not paying for the maintenance and support of his family as the court has required.

This provision will undoubtedly help in the tracing of a person within the province of Manitoba. Unfortunately, a problem in enforcement arises when people leave the province and live elsewhere. All provinces in Canada do have reciprocal enforcement of Maintenance Orders legislation, but a problem still exists in trying to locate a person outside of Manitoba. Access to national records would be of help in this matter, Mr. Speaker, but unfortunately access in many instances is within federal jurisdiction. I intend, Mr. Speaker, to discuss this matter with the new federal government in the near future in order to determine if there could be a more effective national system of tracing of defaulting spouses.

The new legislation also permits the designated officer to initiate appropriate action, for example Garnishment Order, Writ of Execution or a Show Cause hearing. Penalties up to \$500 or imprisonment can be given after such hearings. While the Act requires that orders under the Family Maintenance Act be included in the new monitoring system, the court, in its discretion, may order that maintenance payments with respect to judicial separation or divorce may also be made through the central monitoring system, which will be located in the city of Winnipeg and where both spouses reside outside of Winnipeg payments will be made to the local court of that area and then fed to the centralized monitoring system in Winnipeg in order to keep a central record of maintenance payments.

Mr. Speaker, there obviously has been a very serious problem in the area of enforcement of Maintenance Orders. We have very thoroughly, I think, between my department and the Department of Health and Community Services, reviewed this particular problem, dealt with many interested women's groups and interested individuals who have submitted briefs, and my hope certainly is, as I believe it will be, of members opposite, Mr. Speaker, that this legislation will improve the effectiveness of the present system of enforcing Maintenance Orders within this province.

MR. SPEAKER: The Honourable Member for Kildonan.

MR. FOX: Yes, Mr. Speaker. I move, seconded by the Honourable Member for St. George, that debate be adjourned.

May I ask whether the Honourable Attorney-General would pass us some of his notes? In view of the fact that we're going into speedup, I would suggest as a matter of procedure whether we could have the courtesy of these speaking notes, because Hansard is going to be way behind, we'll never be able to catch up.

MR. SPEAKER: The Honourable Member for Lac du Bonnet.

MR. USKIW: Mr. Speaker, I rise on a matter of personal privilege. Yesterday . . .

MR. SPEAKER: Order please. We have a question on the floor that still has not been resolved. The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, I will supply the Member for Kildonan with . . . a question about speaking notes.

MR. FOX: Would you also put my motion, Mr. Speaker?

MOTION presented and carried.

MR. SPEAKER: The Honourable Member for Lac du Bonnet.

MR. SAMUEL USKIW: Yes Mr. Speaker. Yesterday in the course of the evening debate the Member for St. James made reference to myself and made reference to certain business that he alleged that I was either a participant in or that I actually owned; and I would like him to clarify, Mr. Speaker, if that is in order because that information is incorrect. I ask him to withdraw it. I point out to you, Sir, that possibly — possibly the Member for St. James suffers from the "big lie" technique of the Tory Party, because this is not a new . . .

MR. SPEAKER: Order, order please. Order please. Order please. The honourable member has risen on a point of order and asked for a withdrawal from the Honourable Member for St. James. Is the Honourable Member for St. James prepared to withdraw that statement?

MR. GEORGE MINAKER: Mr. Speaker, if the Honourable Member for Lac du Bonnet is not involved

with Lakeshore Gravel, I will gladly withdraw that statement and I apologize.

MR. SPEAKER: Does that suit the Honourable Member for Lac du Bonnet?

MR. USKIW: Yes, Mr. Speaker.

MR. SPEAKER: The Honourable Acting Government House Leader.

MR. MCGILL: Will you call Bill No. 50 under Second Readings?

BILL NO. 50 — AN ACT TO AMEND THE MANITOBA TELEPHONE ACT

MR. SPEAKER: The Honourable Minister responsible for Telephones will be closing debate.

MR. MCGILL: Thank you, Mr. Speaker. I just remind members that this Bill was introduced on May 16th, and was responded to at that time by the Member for St. Johns. I was given to understand in his early remarks that he really had no objection to the intent of the Bill, which was in brief to change the limits on short-term borrowing for the Manitoba Telephone System, and bring these up to date and the precise amendment was to substitute the figures \$25 million for \$10 million.

Mr. Speaker, I had very little time on that day in which to deal with the remarks of the Member for St. Johns, because he did go on after making his preliminary statement that he was not too interested in discussing the Bill. He did proceed to discuss a matter relating to the Budget Debate and to compare the operations of the Manitoba Telephone System with those of Manitoba Hydro. I wanted to examine his remarks in Hansard before closing debate and I have done so, and after perusal I would suggest that perhaps his remarks were more appropriate to the Budget Debate than they are to a discussion of the terms of this Bill.

If there are further matters, of course, relating to the amendment contained in this Bill, there will be an opportunity at Law Amendments to discuss them. I might also remind members that we will be considering in the Standing Committee of Public Utilities tomorrow morning at 10 o'clock, the Manitoba Telephone System statement. So therefore, Mr. Speaker, I thank the Member for St. Johns for his brief comments on this Bill and suggest that it now be referred to Law Amendments.

MOTION presented and carried.

MR. SPEAKER: The hour being 4:30, we'll proceed with Private Members' Hour.

MR. SPEAKER: The Honourable Member for Kildonan.

MR. PETER FOX: On a matter of procedure, Mr. Speaker, did I hear the Minister of Manitoba Telephones announce there's going to be a committee meeting tomorrow morning? I don't believe there's been any notice of it and if that is the case, I would suggest that it is probably not a matter of procedure that we've been adopting up to the present.

MR. SPEAKER: The Honourable Minister responsible for Telephones.

MR. MCGILL: Well, Mr. Speaker, if this has not already been announced by the Government House Leader, then I will withdraw that remark. I had understood that that arrangement had been made. I'm sorry.

MR. FOX: On a matter of procedure, Mr. Speaker, I'm not aware that anyone has been notified — at least none of our people have. So therefore, if the House Leader mentioned it — he may have mentioned it but he didn't make arrangements to have anyone notified.

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSON: If my honourable friend is asking about Public Utilities committee meeting tomorrow morning — yes, the Committee will meet tomorrow morning to consider the report of the Manitoba Telephone System.

MR. SPEAKER: The Honourable Member for Kildonan on a point of order.

MR. FOX: Yes, Mr. Speaker, I just indicated to the Honourable Minister responsible for Telephones, that there had been no notice issued to any of the members of the Committee and that the announcement comes as a surprise now. If this is going to be the procedure, I think that we're departing from our normal process.

MR. JORGENSEN: If I've been remiss in notifying my honourable friends opposite, but I don't know whether that's such a great departure from what we've experienced in the past. But nonetheless, I do apologize if the notice is short, but the Committee will be meeting tomorrow morning at 10:00.

PRIVATE MEMBERS' HOUR

MR. SPEAKER: On the proposed resolutions, the resolution of the Honourable Member for St. Vital — Resolution No. 10. The Honourable Member for Burrows has 20 minutes.

MR. BEN HANUSCHAK: Mr. Speaker, in rising to speak on this resolution introduced by the Honourable Member for St. Matthews, I believe that he had tried to make a point with reference to injecting a flavour of Canadianism into one's teaching — that if a teacher is in possession of a Canadian citizenship certificate, that that makes one a better Canadian citizen and hence, a better Canadian teacher within the Canadian school system. Well, Mr. Speaker, I doubt very much whether suddenly coming into possession of a certificate of citizenship would bring about any sort of transformation within the thinking and the teaching ability or the teaching philosophy of the teacher and thus make him a better teacher than he may have been a day or a week or a month prior to having become a Canadian citizen.

And secondly, Mr. Speaker, there is the assumption that all Canadians are equally committed to Canadianism and if a teacher is a Canadian, that automatically he will reflect the views of the majority of Canadians, that he will reflect those views endorsed by those committed to Canadianism. Mr. Speaker, all of us know that that is not necessarily so, but within our country of Canada there are people of differing views on the matter and those people are in significant numbers.

Another point that is overlooked by those who support the position that a teacher should be in possession of a Canadian citizenship, they overlook the fact that the schoolhouse, the classroom is not the only source of education; that even within the classroom much of the material that's used therein is published beyond the boundaries of Canada; that much education reaches the child's mind from sources other than the teacher than the classroom. The printed word in the magazine and books printed wherever, radio, television programs produced outside of Canada, all of which do have an educational impact upon the child. So, what has disseminated in the classroom is only a portion of the sum total of the education that a child obtains.

Now it's true, Mr. Speaker, that I was Minister of Education while this was law and I must confess that I did agonize over it considerably and I did seek advice from various sources. And at that time, the Manitoba Teachers' Society did favour the retention of the citizenship requirement to hold a permanent teaching certificate, and I don't think that this is anything rare or unusual. After all the whole business of a Legislative Assembly is an example of that — that governments see need to change legislation from time to time and bills are brought in — and I must admit, Mr. Speaker, that I have changed my views on this issue and I would support the Honourable Member for St. Vital in his resolution asking for the removal of the citizenship requirement. I would do so for three reasons.

Firstly, there are those who may have a perfectly valid personal reason for not wanting to take out Canadian citizenship within the time prescribed by the Minister of Education if they want to retain a teaching certificate. Last year during the Education Estimates, I brought a case in point to mind to the Minister. A case of a teacher, who was not a Canadian citizen, she had come here and taught for some period of time — two or three years and married, I suppose, and I believe that she did have — yes, I know she did — have the hope at that time of becoming a Canadian citizen. However, unfortunately, within a year or two after her marriage, her husband passed away. And during that period of time she was teaching under a renewal of her temporary teaching certificate. Well, upon the passing of her husband she wasn't quite certain whether she wanted to remain in Canada or return to the United States for a number of reasons that — well, her future in either area was somewhat uncertain.

On the one hand, she did see a reasonably promising future in remaining in teaching in Canada. On the other hand, she saw the future possibility of having to return to her home city in the United States. Her parents were getting up in years and it appeared to her that their days were pretty well numbered and she felt that she may have to go back home and take over the family

And so hence, in the meantime, until these things get sorted out, be it back home or her teaching career here, she did want to keep her options open. The option to return back home without any difficulty as an American citizen, and also as long as she remained in Canada, the option to teach. Unfortunately, she was running up against this upper limit beyond which her teaching certificate could no longer be renewed.

Now, Mr. Speaker, I know that the Minister indicated that he could exercise ministerial discretion and offer her a renewal of her certificate but, Mr. Speaker, that puts that type of individual upon the personal kindness and generosity and mercy of the Minister. So rather than be dependent upon the personal characteristics and traits of a minister of the day, I really do believe, Mr. Speaker, that it would be far better to remove the citizenship requirement in its entirety. In other words, if a person arrives in Canada, and by his or her teaching performance satisfies the authorities and has the competence to teach and in addition to that provides the evidence of the fact that he or she has completed the teacher training requirements comparable to what we demand of our teachers, then that teacher should be granted a teaching certificate.

And now, as my colleague, the Honourable Member for Winnipeg Centre points, when this new creature, the education administrative assistant comes into being which is proposed in Bill 22, the security and the future of individuals of this kind will become even less certain, particularly if it should become known that they did not vote or didn't put their X on the same spot on the ballot as the education administrative assistant did.

Now, the other reason, Mr. Speaker — the first was the matter of personal hardship that this could create in the example such as I've given and in others, the other is this — we know, Mr. Speaker, that despite the declining enrolment that we've had over the past number of years, and despite the apparent surplus of teachers from time to time that we've heard about, but there is a shortage of teachers in the Province of Manitoba in certain geographic areas, in certain subject areas. And we've had cases where school divisions have had to go beyond the boundaries of the Province of Manitoba to find teachers, either to teach for example in northern Manitoba to teach in certain specialty areas: music, art, industrial arts and physical education and the like. And teachers have been brought in for that purpose.

Mr. Speaker, we've gone out to other jurisdictions and encouraged these people to come and they came and did a good job, but then they may have come two, three, four, five years ago; now they see the handwriting on the wall, the enrolment is declining, and they could see that perhaps two or three down the road that their job will become extinct. But, Mr. Speaker, because of the timing of their arrival and their application for a teaching certificate and they find themselves in the predicament where they could see employment for themselves two or three years down the road but unfortunately their teaching certificate expires this year. And it cannot be renewed beyond this year because of this regulation, Mr. Speaker, not unless the Minister, you know, should be kind enough out of his own good heart to renew the certificate for them. So because their certificate cannot be renewed, then they are forced to terminate their employment now, whereas if they were granted a permanent certificate, then they could serve out the term, or their teaching career in Manitoba for as long as there is employment here and then, well, cross that bridge when they come to it, a year or two hence.

In other words what I'm saying, Mr. Speaker, is that in this type of situation with the surplus of teachers on the one hand, but a shortage on the other — and I know of some rural school divisions who could not get music teachers locally and they had to go to North Dakota — and the enrolment is declining but they're juggling their staff around the best they can to keep their music teacher and then eventually they say to the music teacher: "Well now, look, there is an opportunity that we could keep you on staff for another couple of years but if you want to remain here you'll have to obtain Canadian citizenship and we'd like you to remain here because we don't have another music teacher, or we don't have another art teacher available locally; we'd like you to remain." But the teacher says: "But my certificate is expiring this year." So then the teacher is told: "Well, take out Canadian citizenship." But the teacher says: "But there's only employment for me for two years down the road and I would rather not take out Canadian citizenship." Because either the teacher may want to — as I've said in the previous case — to keep his or her options open. They either wish to return to his or her country of national origin or it may be that in the case of that individual, emigration to another country of his or her choice may be easier from the country of his origin than from Canada, and therefore would not wish to become a Canadian citizen.

And thirdly, Mr. Speaker, we in Canada in particular, we have a number of teachers who have come here, who have appeared on the Canadian scene not necessarily by choice but perhaps they were victims of circumstances. Not that they regret it, because they're glad that they came, but this may not be their last port of call — as one may wish to call it — that they would eventually wish to establish permanent residence and then wish to take up citizenship.

I'm referring to many political refugees who, at that particular point in time, may have found that in order to escape from the crisis that they may have found themselves in, that it was easiest to come to Canada and they came to Canada. But given their training, given their particular hopes and aspirations and what they wish to do, they may find that there's a better future for them in another country. But having escaped as a political refugee, from wherever, it may take them a few years time to recover that which they may have lost in the process of escape, in the process of emigration to Canada, to acquire sufficient material resources and funds to move elsewhere and it may take a period of a year or two beyond that which the present regulation permits them to teach.

So really, Mr. Speaker, it may in some cases be creating a problem for that group of teachers who may wish to eventually settle in another country, but in the meantime there is need for the type of service they could render our education system but because of the existing regulation, they may be precluded or denied the opportunity to do so for the lack of a Canadian citizenship certificate.

So I would suggest, Mr. Speaker, and I would urge the Minister to reconsider the existing regulation and remove the citizenship requirement. And in saying that, I would not wish anyone to feel that I am in any way overlooking or disregarding or looking down upon the desire and the value of preserving Canadian content and Canadian views and attitudes within our education program; I'm not saying that at all. I think, Mr. Speaker, that the type of education program which we were developing prior to October 11th, 1977, would have offered sufficient protection for that when we were encouraging community involvement, community participation in the school, parental involvement, and in the administration the operation of our school system and I think that that would have offered adequate and sufficient control checks in balances and control to ensure that our education program reflected the type of and a degree of Canadian content which we would wish it to contain. I think that if any teacher would have not measured up to the requirements and the demands of the particular community within which he or she would be teaching, that that would soon make itself apparent through the parents' committee, through the school system in general, and the matter could thus be taken care of.

So, I don't think that it's anything so horrendous to be feared; that if there should happen to be a teacher holding a permanent teaching certificate and not a Canadian citizen, that the quality of education, or that the degree of Canadianism that will be contained within that teacher's teaching, would be less than that contained within the teaching of a teacher born in Canada or having become a Canadian citizen.

So, I think that the type of education program that we have, the mechanism that is presently contained within the Act governing the control of teaching certificates, their removal, suspension and so forth, I think that that mechanism is quite sufficient, Mr. Speaker, to assure the people of Manitoba that the teachers do deliver an education program of sufficient Canadian content and of a type that Canadians would want delivered to their children, without the added necessity . . . And about the only occupation, the only profession, with the exception of the judiciary and the law enforcement officers and those responsible for the public purse, where Canadian citizenship is a prerequisite.

MR. SPEAKER: The Honourable Member for St. Vital will be closing debate.
The Honourable Member for St. Vital.

MR. WALDING: Mr. Speaker, I would like to thank the members of the House who have participated in this debate so far. It has been a rather brief debate, but it would seem that with speedup expected to be passed within the fairly near future, that the Resolution, if not dealt with today, might not come back to the Houses in this Session.

I'd just like to reiterate what I said on introducing the Resolution, Mr. Speaker, and that was that I considered it an ideal resolution, an ideal subject for discussion by the members of the Legislature generally. For one reason, that it was not a partisan issue; it was a matter involving human rights and also involving quality of opportunity and the ability of a person, or the right of a person to follow his selected choice of employment.

It also is an ideal topic for this House to discuss because it deals with a matter of policy — public policy — which has not been discussed and decided upon by the elected representatives of the people. But it's a resolution that has been evolved by a committee, or by a group of bureaucrats, and passed into law without reference to this Assembly.

I was rather intrigued to listen to the Honourable Member for St. Matthews speak on this issue, because he had indicated to me privately that he was inclined to support this Resolution. When I heard the reasons that he announced for opposing it, I found them a little confusing and his logic somewhat convoluted. He gave one particular instance of a teacher that he had known and worked

with at a particular school, who he said was an excellent teacher. He was liked by the other members of the staff, by the students, and by inference by the school board by whom he was employed.

But because a certain number of the years had elapsed, and there was a resolution in place this particular teacher was forced to leave, and that his employers, the school board, were no longer allowed to keep that very desirable teacher in their employ — which would seem to me to be arguing in favour of the Resolution.

But another part of the honourable member's remarks seemed to indicate that he wished to go much farther than the present regulations suggest. Because he said that this matter of Canadianism, Canadian citizenship, and the biases that a person acquires in living in a particular place, growing up under a certain set of circumstances, were most important in the school system. And he, the Member for St. Matthews, knew because he was a teacher and other people who were not teachers really didn't understand what the situation was.

If we follow his argument to its next logical step, it would seem that even a person who had come to this country from somewhere else and decided to take out his citizenship would still not qualify for that ideal situation that the Member for St. Matthews sees as being necessary so as not to give any foreign biases to the students by a teacher.

Mr. Speaker, there was another matter involving a subject something similar to this in another resolution that has now been dealt with, and it had to do with Canadian books as opposed to books written, or published, printed in another country. I look to the Honourable Member for Lakeside who said on that particular resolution that he doesn't like discrimination and he would like to see that books were treated equally, and that Canadian books were not given preference over any imported books.

I recall the Honourable Member for St. James, who made similar remarks, that he'd like to see Canadian books sold and authors improved upon, but he did not want to see this discrimination brought in.

In the same manner, this particular Resolution deals with discrimination, Mr. Speaker. As I outlined in my opening remarks, The Manitoba Human Rights Act is very clear in its intent and purpose, in that it says there shall be no discrimination in the matters of employment, housing, notices and a few other things on certain specified grounds, one of which is nationality.

So I look to those members and to any other members of the House who are also opposed to discrimination on these particular grounds, to support the Resolution. What it really boils down to, Mr. Speaker, is that the force of this Resolution prevents certain teachers from competing fairly with other teachers for employment. Now if in fact the case was that certain school boards were refusing to employ certain teachers because of race, creed, colour, nationality and the other reasons given there, they would have a clear case before the Human Rights Commission on the grounds of discrimination.

What happens in this particular case is that they are not allowed to even have an opinion on whether there should be discrimination there, because the provincial government, through this regulation that it has passed, prevents them from applying to a school board to see whether that school board is prepared to employ that particular teacher to teach those students within its jurisdiction. All that the Department of Education is asked to do — and in my opinion should do — is to judge that teacher on his professional qualifications to teach. Once he has been given that clearance and is allowed to then go out onto the market and compete with all other teachers for employment, he can then go to the local school board and say, "Look, I have been approved as a competent teacher by the Department; these are my qualifications; it is now up to you to judge whether to employ me or not, whether you think that I will fit in with the general atmosphere" — milieu as my colleague has said of that particular school division. Really, that is all that is being asked, Mr. Speaker.

The federal government, after all, through its Department of Immigration, sets up certain standards to allow and indeed attract persons from other countries to come here. It sets certain standards. Once that person has been allowed into the country, he is allowed to pass over interprovincial borders without let or hindrance, he is allowed to earn his living at whatever his own chosen occupation is. It then becomes a matter between him and a potential employer as to whether he can gather employment or not.

What the provincial government is doing — just in this one case of teachers, Mr. Speaker, not in other trades and professions — is that it says for six years you may go out and apply to a school board for a position to teach. After that, you may not apply to any school board on equal terms with any other teacher for a teaching position. Mr. Speaker, it has been implied that six years . . . I'll rephrase that. It's been implied that if a teacher does not become a citizen after six years he is somehow having an effect adverse on the students within his classroom.

Well, Mr. Speaker, if there is some corrupting or evil influence on those students — even

that that happens, which I don't for one moment — surely, Mr. Speaker, that would happen moreso in the first six years of a teacher coming to this country than it would after six years. After all, any landed immigrant into this country has a number of new things to learn about the country; about the language, about the customs, the institutions. He also picks up, perhaps, new attitudes, a new method of speaking and understanding, an understanding of the various institutions of this country.

Surely, Mr. Speaker, after six years he would become more of a Canadian than he was when he first came in. But that's not what the Minister's regulations say. They say that coming in cold into this country or into this province, that a teacher may teach for six years. Presumably, after that six years is over then there is something more to be feared from him if he does not take out his citizenship after that time. I find that argument rather peculiar.

So, Mr. Speaker, the basis of the Resolution says that this Assembly and all of the members in it, may decide to look at this particular regulation that is brought in, and that they have the opportunity to choose that it be rescinded and revoked. I am suggesting to members of the Legislature that this has to do with the human rights of a teacher to be given the equal opportunity with any other teacher in the province to seek to convince a school board that he, rather than another teacher, should get any particular teaching position.

I am suggesting, Mr. Speaker, that we should make professional competence the only means of earning and deserving to have and hold a teaching certificate, and I seek the support of honourable members supporting this Resolution.

QUESTION put, MOTION declared defeated.

MR. WALDING: Yeas and Nays, Mr. Speaker.

MR. SPEAKER: Call in the members.

MR. SPEAKER: Order please. The question before the House is Resolution No. 10, moved by the Honourable Member for St. Vital.

A STANDING VOTE was taken, the result being as follows:

YEAS: *Messrs. Adam, Barrow, Bostrom, Corrin, Cowan, Evans, Fox, Green, Hanuschak, Jenkins, Malinowski, Parasiuk, Pawley, Uruski and Walding.*

NAYS: *Messrs. Anderson, Banman, Blake, Boyce, Brown, Cosens, Domino, Downey, Driedger, Einarson, Enns, Ferguson, Galbraith, Gourlay, Hyde, Johnston, Jorgenson, MacMaster, McGill, McKenzie, Miller, Minaker, Orchard, Ransom, Sherman, Steen and Wilson.*

MR. CLERK: Yeas 15, Nays 27.

MR. SPEAKER: I declare the motion lost.
The Honourable Government House Leader.

MR. JORGENSEN: Call the next item.

RESOLUTION NO. 11 — ROYAL COMMISSION ON LEAD CONTAMINATION.

MR. SPEAKER: The next resolution is Resolution No. 11, standing in the name of the Honourable Member for Churchill. —(Interjection)— It's open. The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Speaker, do you wish to call it 5:30? If not, I'm prepared to proceed.

Mr. Speaker, I believe that in view of the revelations during the past several months that there is mounting evidence to support the request in this resolution for a Royal Commission on Lead Poisoning. It seems, Mr. Speaker, that there are too many questions that remain unanswered, and I say this not in a manner which intends to be critical of the Minister of Labour, because I do think that in the space of this session it has been difficult for the Minister of Labour to provide answers to all the questions that are posed or, in fact, for the government to provide us with the information that is required. Nor do I view, Mr. Speaker, it necessarily the best forum that a matter such as the safety and health and lives of workmen be dealt with in a manner that is restricted to the actions of this particular forum. I believe that if there ever was an occasion in which a commission was required in order to investigate blood poisoning in our jurisdiction and to provide

some answers to a number of areas that this is certainly the time when such should be the case.

Mr. Speaker, first I believe that it is important that Manitobans are fully informed as to what information was available to this government or to past governments that action could have been undertaken earlier in order to prevent the action which took place only some two weeks ago insofar as the closing of Canadian Bronze. I believe it's important that Manitobans know that. I believe that a Royal Commission would be the best instrument by which this information could be revealed in a manner that would be acceptable to Manitobans.

Secondly, I believe it to be very important that we know whether or not, based upon the information that was there, whether preventive steps could have been undertaken, could have been undertaken in order to prevent the drastic action of some two weeks ago which we all support at that particular time. But whether steps could have been undertaken, preventive steps, in order to ensure that the workmen and the workwomen of Canadian Bronze would not have been affected in such — and as well the employer — would not have been affected in such a drastic way, affecting their wages and their earnings and the uncertainty that lies ahead insofar as those that are connected with Canadian Bronze. Certainly those involved in that industry are entitled to know, as are all Manitobans.

And thirdly, Mr. Speaker, I believe it is important that we do develop guidelines and regulations so that we know whether workmen and workwomen that are laid off as a result of lead poisoning and other industrial illnesses brought about in large measure, either through the neglect of government or through the fault of the employer, that they receive adequate compensation, that that compensation be of such a nature as to ensure that no workman, no workwoman would receive less than that which they deserve, the totally innocent party insofar as the shutdown is concerned. And I believe it is incumbent upon this government and upon all members of this Legislature to attempt to develop such guidelines and such procedures and that those procedures be translated into law, whether it be in The Labour Relations Act or in The Employment Standards Act. I believe anything short of that, Mr. Speaker, would be dereliction on the part of the government of the day, and I would hope that the government of the day would look forward to the assistance and to the co-operation that would flow from the establishment of such a Royal Commission.

Mr. Speaker, in addition, I believe it to be important that we determine through those that are experts insofar as questions of health and lead poisoning, whether or not the present levels that are stated to be the levels beyond which it is unsafe, whether in fact those levels are too high, whether in fact lower levels ought to be imposed insofar as industry is concerned. Is the present level of 80 too high? Ought the level be lower as it is in many other jurisdictions? Mr. Speaker, it is important that a commission be given the facilities and the expertise so that Manitoba can re-examine this. Re-examine whether or not our workpeople are being affected by levels which may have thought to be safe a few years ago but not safe today. I believe that to be fundamentally important and should be undertaken by such an enquiry and investigation.

So Mr. Speaker, there are many other areas that I'm sure that ought to be carefully examined and analyzed by a Royal Commission. The issue is important, the need is great, and I would hope that honourable members across the way would set aside their partisan blinkers and exercise a desire on their part to share with us a determination in order to ensure that we fulfill our duty to all those that are affected by blood lead poisoning in order to ensure that there is the best possible policies and programs developed in order to deal with this problem and to benefit those that might be otherwise detrimentally affected by lead poisoning in their workplaces.

QUESTION put, MOTION lost.

MR. COWAN: Yeas and nays, Mr. Speaker.

MR. SPEAKER: Call in the members.

MR. SPEAKER: Order please. The question before the House is the resolution of the Honourable Member for Churchill, Resolution No. 11.

A STANDING VOTE was taken, the result being as follows:

YEAS: Messrs. Adam, Barrow, Bostrom, Boyce, Corrin, Cowan, Doern, Evans, Fox, Green, Hanuschak, Jenkins, Malinowski, Miller, Parasiuk, Pawley, Uruski, Uskiw, Walding.

NAYS: Messrs. Anderson, Banman, Blake, Brown, Cosens, Domino, Downey, Driedger,

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Einarson, Ferguson, Galbraith, Gourlay, Hyde, Johnston, Jorgenson, MacMaster, McGill, McKenzie, Minaker, Orchard, Ransom, Sherman, Steen, Wilson.

MR. SPEAKER: Order please. May I point out to all members that decorum in the Chamber should be respected while votes are being carried out and that applies to all members in this Chamber. —(Interjection)— Order please. There is only one way that the ruling of the Chair can be challenged in any way.

MR. CLERK: Yeas 19, Nays 24.

MR. SPEAKER: I declare the motion lost.

The hour being 5:30, the House is adjourned and stands adjourned until 2:30 tomorrow afternoon. (Thursday)