

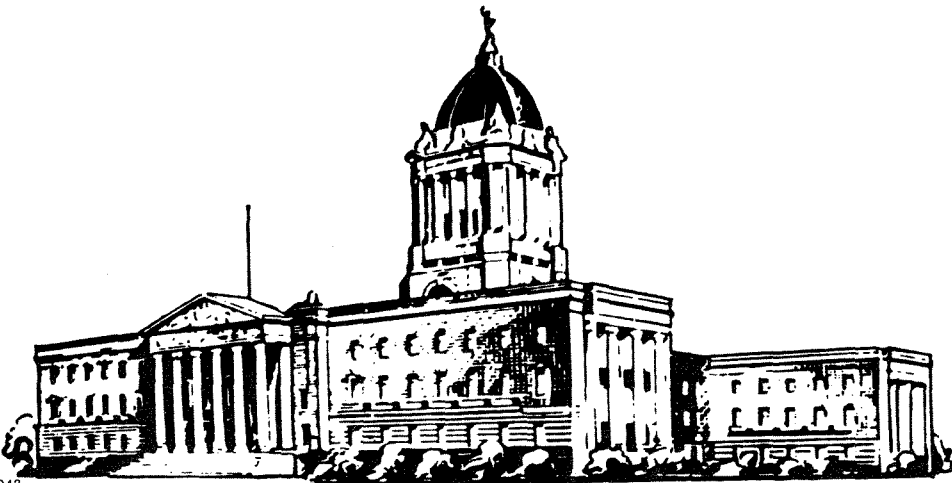


Second Session — Thirty-Second Legislature
of the
Legislative Assembly of Manitoba

DEBATES
and
PROCEEDINGS

31-32 Elizabeth II

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Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

Members, Constituencies and Political Affiliation

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, 30 May, 1983.

Time — 2:00 p.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. J. Walding: Presenting Petitions . . . Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees . . . Ministerial Statements and Tabling of Reports . . . Notices of Motion . . . Introduction of Bills . . .

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we reach Oral Questions, may I direct the attention of honourable members to the gallery where we have 53 students of Grade 5 standing from the Southwood School. The students are under the direction of Mr. Dueck and Mr. Penner. The school is in the constituency of the Honourable Member for La Verendrye. On behalf of all of the members, I welcome you here this afternoon.

Also, in the gallery we have 40 students of Grade 11 standing from the Shaftesbury School under the direction of Mr. Semotok. The school is in the constituency of the Honourable Member for Tuxedo.

There are 30 students from Grades 10 and 11 from the Kelvin High School under the direction of Mrs. Bailey. The school is in the constituency of the Honourable Member for River Heights. On behalf of all of the members, I welcome you here this afternoon.

ORAL QUESTIONS

Adoption Moratorium

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. SHERMAN: Mr. Speaker, I would like to direct a question to the Honourable First Minister and ask him whether it is the intention of the Provincial Government to accept the recommendations of the review on Indian and Metis adoptions and placements, proffered in interim form by Judge Kimelman; and whether it is the intention of the Provincial Government to accept Judge Kimelman's recommendation with respect to the Children's Aid Society in Winnipeg?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, I believe that we are proceeding into Estimates of the Minister responsible for Community Services this evening, and I think that would be a better time to have a discussion pertaining to the recommendations. The recommendations will be reviewed at the earliest possible time by Cabinet based on recommendations from the Minister.

MR. L. SHERMAN: Mr. Speaker, I do intend to discuss the subject with the Minister of Community Services when we do move into the Estimates of that department.

In the meantime, I wonder if the First Minister could advise me and advise the House whether the other groups that were appointed in representational form to Judge Kimelman's review committee are going to be polled for their recommendations? I ask that question in view of the fact that Judge Kimelman, by his own admission, in his report says that, "the suggestions contained herein reflect my thinking alone." He points out in his report that he took on the authority for putting the report together and reduced the status of the other committee members to that of mere advisers because he didn't think he could achieve unanimity any other way.

Can the Minister advise the House whether those other groups which include the Children's Aid Society of Winnipeg and the Dakota-Ojibway Child and Family Services for example will be solicited for their recommendations relative to these issues?

HON. H. PAWLEY: Mr. Speaker, I would be surprised, it may very well indeed be the case that the Children's Aid Society of Winnipeg has already submitted their views to the Minister. If not, I am sure - and we would want to receive the views of the Children's Aid Society of Winnipeg pertaining to the report. Insofar as polling, I don't think that is necessary. I would assume that those groups of interest will make their views heard and make their views heard to the Minister directly.

MR. L. SHERMAN: In other words, Mr. Speaker, can we conclude then that the government will not act on this report until the positions of the other agencies that were involved on that review committee are thoroughly studied by the government?

HON. H. PAWLEY: Mr. Speaker, I wouldn't be prepared to make that kind of commitment at this point. I would certainly assume that those groups and those that were in advisory capacity would make their views heard to the Minister. If they choose not to make their views heard, or if there is a considerable delay in respect to making their views heard, then I would assume that the government would clearly want to provide leadership by way of response to the recommendations from Judge Kimelman in the report.

MR. L. SHERMAN: A final question to the First Minister, Mr. Speaker. I'd ask him whether, notwithstanding the fact that apparently only 11 people were present on Sunday, at an all-day general meeting called by the Winnipeg Coalition on Native Child Welfare, the government is still determined to maintain its moratorium on out-of-province aboriginal adoptions and the government is still convinced that sufficient Native homes are going to be available to absorb the homeless Native child caseload?

HON. H. PAWLEY: Mr. Speaker, there is no intention of removing the moratorium.

Translation of Statutes

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

MR. G. MERCIER: My question is to the Minister of Cultural Affairs, Mr. Speaker. Could he advise as to the amount of money spent to date by the Government of Manitoba since late 1979 with respect to the translation of statutes and regulations?

MR. SPEAKER: The Honourable Minister of Cultural Affairs.

HON. E. KOSTYRA: Thank you, Mr. Speaker. I'm afraid I do not have that detailed information at my disposal at the present time, so I will take that question as notice and provide it to the member as soon as I can bring it together.

MR. G. MERCIER: Mr. Speaker, I wonder if the Minister, in dealing with this could confirm that the amount may be in the vicinity of \$2 million to date. Could he advise the House as to the expected costs of translation up to and including the year 1993 under the proposed amendment to The Manitoba Act, would the cost up to that date be in the order of \$15 million to \$20 million?

HON. E. KOSTYRA: Thank you, Mr. Speaker. No, I can't confirm the amounts suggested by the member, but I will take that question also as notice and provide him with that information as soon as I'm able to get that information.

MR. G. MERCIER: Mr. Speaker, could the Minister of Cultural Affairs confirm that since the translation of statutes has begun, the Queen's Printer's Office have sold 25 French statutes?

HON. E. KOSTYRA: Thank you, Mr. Speaker. I can't confirm the amount of statutes that have been purchased by the Queen's Printer, but I will provide that information as soon as I'm able to get it from the Queen's Printer.

MR. G. MERCIER: A final question to the Attorney-General, Mr. Speaker. Could the Attorney-General inform the House as to what, if any, negotiations took place with the Federal Government in the Franco-Manitoban Society with respect to the obligation of the Provincial Government to translate statutes into both languages in Manitoba, in light of I believe a viewpoint of a significant number of French-speaking people in Manitoba, that they they do not require all of the statutes of Manitoba to be translated into French and that there is a significant waste of money because of the strict requirement to translate all statutes and regulations?

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: In fact, Mr. Speaker, the Honourable Member for St. Norbert has it all wrong. Had we allowed the matter to proceed and be faced with a decision that the language of Section 23 of The Manitoba Act was mandatory, that is, that we were under an obligation

to translate our statutes, we would have been faced with the kind of cost that he's talking about in perhaps tens of millions of dollars.

The result of the accord, which will come forward in this House by way of an amending resolution, is that we have saved most of that money because the part of the accord is that rather than being obligated to translate all of our statutes, including the private charters and some of the municipal charters, there will be a relatively short annex to the accord, representing perhaps a tenth of what we might otherwise have to translate in that particular area of the law, and the saving to the Province of Manitoba can be measured in millions of dollars.

The amending provision which, as I say, will be presented to the House by way of resolution requires us to have a general revision of the statutes by 1993 in both languages, and certain of the Acts which normally would not be contained in a revision. The Acts of character that I described, private charters of institutions and certain municipalities, some of those will have to be translated but the vast bulk will not.

Bilodeau case negotiations

MR. G. MERCIER: Mr. Speaker, the other day the Attorney-General indicated he had no written legal opinion as to the likelihood of success in the Bilodeau case on the part of the province. Would the Attorney-General undertake to provide the House with a written opinion from council retained by the Government of Manitoba in this case with respect to the possibility of Mr. Bilodeau succeeding?

HON. R. PENNER: Perhaps the Honourable Member for St. Norbert had better define what he means by succeeding. In any event, I should say this - correcting an answer which I gave last week on that question in perusing my now numerous files - indeed there was an opinion by outside council Professor Gibson at the Faculty of Law, a leading Canadian constitutional scholar, who estimates the various possibilities and makes some advice. I'd be very glad to table that opinion by Professor Gibson.

I will be meeting with council on the case tomorrow to look at some of the remaining problems to be dealt with in bringing this matter to a conclusion. I'll be glad to discuss that matter with them and see whether he's in a position to give a written opinion on that particular aspect of estimating the chances of success, if the Member for St. Norbert will be good enough between now and 11 o'clock tomorrow morning to tell me what he means by success.

Grain shutdown - west coast

MR. SPEAKER: The Honourable Member for Arthur.

MR. D. ORCHARD: Pretty slippery, Rolly.

MR. J. DOWNEY: Mr. Speaker, to the Minister of Agriculture. Last week, the Minister had indicated that he had not to that point, prior to Thursday of last week, done anything to speak out on the behalf of the farmers who could be facing a shutdown on the movement of

grain at the west coast port. The Minister indicated that he was going to Ottawa and would be talking to the Minister of Agriculture. Was he able to succeed in persuading the Federal Minister of Agriculture and the Federal Government to intervene in the west coast labour management dispute and resolve the movement of grain through that port on a longer-term basis?

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. B. URUSKI: Thank you, Mr. Speaker. The honourable member, first of all, has premised that the movement of grain has somehow been impeded. The honourable member should be aware that there is no lockout and there is no strike at the present time at the west coast.

I should advise the honourable member that I did have discussions with the Minister of Agriculture, the Minister responsible for the Canadian Wheat Board, and officials within the Federal Ministry of Labour. I have been given the assurance that they are doing what they can to try and have both parties together, and that normal course of bargaining can take place. Any disputes, we are advised by the federal people on both sides that there's no desire for either a lockout or a strike on behalf of both parties. They are hopeful that bargaining can resume and successful negotiations can be completed as soon as possible.

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOWNEY: Mr. Speaker, in view of the fact that the Minister of Agriculture has at times not been able to come forward with all the information in the Legislature that is sometimes required, does he have any formal document or any way in which he can prove that the Federal Government said that they would, in fact, deal with it, if the labour dispute did break down that they would get involved? Has he got anything to substantiate that precisely happened in Ottawa?

HON. B. URUSKI: Mr. Speaker, the honourable member should be aware that the discussions took place. I had personally those discussions there. If he doesn't like the answers, Mr. Speaker, he can do what he likes.

First of all, he leaves the impression, Sir, that there is a strike in the west coast port. We are hopeful as anyone that there should be no disruption in the west coast port. The authority for the negotiations and for discussions at the west coast port is and rests with the Federal Government. We have raised our concerns in the hope that there will not be a disruption so that this year might become the largest shipping year in the history of this country for the shipping of grain. As I understand it, the shipments have been going well.

We have raised our concerns and we have asked that everything that can be done under the authority of the Federal Government be done so that shipments will not be disrupted.

Meeting of Federal-Provincial Agriculture Ministers

MR. J. DOWNEY: Mr. Speaker, could the Minister tell us what other areas of extreme importance were discussed at the Federal-Provincial Ministers of Agriculture meeting in Ottawa last Thursday?

HON. B. URUSKI: Mr. Speaker, the honourable member should be aware that the meeting was primarily called for the discussion by the signatories to the egg plan, the turkey marketing plan and the broiler chicken marketing plan nationally. The discussions that took place centred around a proposal made by Ontario to strengthen the role of the Federal Natural Farm Products Marketing Council in their dealings with their provincial counterparts.

There is no doubt that Ontario's predicament dealing with overproduction in broiler chickens has risen to their suggestion, but I can tell the honourable member that the dilemma that is faced by many provinces is that which was allowed by the former administration of the turkey producers of this country to move away from the historical base and to allow increased overbase quotas on the basis of population and that, Mr. Speaker, we have resisted and will continue to resist. It was through the efforts of my colleague, the Minister of Transportation, that the federal legislation, Natural Products Marketing legislation was amended to include the major point in the legislation dealing with the basic criteria for overbased quota production will be on the basis of comparative advantage, and Manitoba has reaffirmed that position very strongly and we continue to hold that position there.

MR. J. DOWNEY: Mr. Speaker, a final supplementary.

Is it correct that the Federal Minister indicated to the Provincial Ministers if they did not clean up their act that he would in fact remove all the marketing board legislation and everything would open back up to a free marketing system, Mr. Speaker?

HON. B. URUSKI: Certainly the Honourable Federal Minister made those kinds of general statements that he felt that there was much that individual provinces can do. Much of those statements, of course, were aimed at provinces who, in his words, used blackmail on the basis of negotiating for over-based quota, as well as at provinces whose agreement in the national agreement did not flow because they had allowed overproduction to occur over and above what they had been granted in quota. Those are the two issues that were raised.

I can tell the honourable member that Manitoba stood firm along with other provinces in support of the National Supply Management scheme in those three areas. But, Mr. Speaker, I repeat again the basic problem that comes into play here was the allowance by the former Minister of Agriculture of the Turkey Board to allow the National Turkey Agreement to be amended; to be amended to use the criteria of population and self-sufficiency as an increasing basis for renegotiating agreements. Mr. Speaker, we stand firm opposed to that, that the major changes in over-based production should be on the basis of production cost or comparative advantage plus transportation costs.

Homes in Manitoba Program - housing starts

MR. SPEAKER: The Honourable Member for Tuxedo.

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

My question is for the Honourable Minister of Housing. In view of the fact that the termination of the Federal Government's \$3,000 first-time homeowner grant has resulted in an immediate sharp decline in housing starts in Winnipeg for the month of May, does the Minister have any plans to improve the situation?

MR. SPEAKER: The Honourable Minister of Housing.

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

I suppose that someone that was better informed on a matter of housing would understand that when the house-buying public saw the end of a very good federal program, an opportunity to have \$3,000 subtracted off the cost of their house, that they would naturally take advantage of it. I would assume as well, as the statistics are indicating, that there will be a hiatus of a month or two months while that backlog of home buyers works itself through the market.

I think that the home builders are quite correct in their optimistic outlook that the interest rate has stabilized and there is apparently some long-term hope that interest rates will remain stable and the home-buying public, I think, will gradually pick up, and the end result will be a very successful year, 1983, in terms of housing construction starts.

MR. G. FILMON: Well, Mr. Speaker, my second question for the Minister, who is so well-informed on housing matters, is - in view of the fact that the recent quarterly report of CMHC only credits the \$3,000 federal grant and the lower prevailing interest rates for the increase in housing starts in the first quarter in Manitoba, and in view of the fact that housing starts have shown an immediate sharp decline with the termination of this federal plan, will the Minister stop trying to take false credit for the improved housing construction figure in the province for the first quarter of 1983?

HON. J. STORIE: Mr. Speaker, I would prefer to accept the opinion of the home builders who have indicated that the lower interest rate offered by the Homes in Manitoba Program is what has made the difference.

Mr. Speaker, rather than a survey that is done by CMHC, I would indicate that CMHC did in fact acknowledge the fact that the provincial programs had worked well in conjunction with the federal programs.

Mr. Speaker, the bottom line is not whether the program takes credit or the Federal Government. The bottom line is that the housing construction starts are back where they should be, thanks to activity that this government undertook and the Federal Government as well - it worked well to initiate that activity. That's the key factor. The fact that there are people back working in the house construction industry and credit is due where credit is due.

MR. G. FILMON: Mr. Speaker, we agree with that comment. The problem is that the Premier keeps trying to take false credit in every speech that he makes these days for the increase in housing starts.

In view of the fact that housing starts for the entire year of 1982 in Winnipeg were only 562, the lowest figure in over a decade, and in view of the fact that in a recent article in the Free Press, the President of

the House Builders Association doesn't even mention the provincial program. He just says that the Federal Government Program was the best ever created. It was simple, it was efficient, it created jobs. Will the Minister and his Premier stop trying to take false credit for their provincial initiatives for the increase in housing starts this year?

HON. J. STORIE: Mr. Speaker, I wish the honourable member would not be so selective in his readings. Starting last August, the Home Builders Association, and the public relations person of the Home Builders, including its President, Albert DeFehr, indicated very strongly that the provincial program had been the single most important impetus in the creation.

Mr. Speaker, I find it rather amusing that we have a quote from Mr. Janzen concerning the end of the \$3,000 program and he refers to it - I don't find that amazing. What I find amazing is that the Honourable Member for Tuxedo was not here quoting the previous President of the Manitoba Home Builders Association, Albert DeFehr, when he said in a public meeting that the house building industry, the construction industry, had seen boom times from 1970 to 1977, had seen disaster from 1977 to 1981, and we're seeing the light at the end of the tunnel again.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please, order please.
The Honourable Member for Tuxedo.

MR. G. FILMON: Thank you, Mr. Speaker. Further to the Housing Minister, in view of the fact that 1978 showed the greatest number of housing starts in the entire decade of the '70s in this province, over 12,000, how does the Minister explain that then?

HON. J. STORIE: Mr. Speaker, the member is quite correct that 1978 was a banner year in terms of house construction. Mr. Speaker, I have said previously that the housing starts in the first three-quarters of 1983 were the second-best in the last 10 years. Mr. Speaker, the member opposite can check with the previous President of the Manitoba Homebuilders Association if he has any questions about whether what I suggested he said was, in fact, said. It was at a public meeting at the University of Manitoba.

Mr. Speaker, those points aside, we have to acknowledge the fact that 1982 was a poor year. It wasn't a poor year in just Manitoba. It was a poor year across the country as everyone acknowledges. The fact is as well that something had to be done. Indeed the Federal Government took some initiative and the Province of Manitoba took some initiative and the result was a success. Mr. Speaker, it is also a matter of record that the Manitoba Homebuilders Association and the thousands of homeowners that have taken advantage of the affordable new home section also acknowledge that this program has been very successful.

I should indicate as well that of all the housing starts that occurred in 1982 and the first quarter of 1983, 65 percent of the ones that CMHC approved had Homes in Manitoba Program mortgages. So the evidence is there that certainly the Homes in Manitoba Program

was a successful component of the resurgence that we see in the housing industry.

MR. G. FILMON: Mr. Speaker, can the Minister inform us then how many of those that took Homes in Manitoba Program loans did not take the Federal Government's \$3,000 grant? How many only took the Provincial Government assistance?

HON. J. STORIE: Mr. Speaker, the member may or may not know that part of the conditions for the approval of a Homes in Manitoba Program mortgage was an application approval by CMHC \$3,000 grant.

Consumer Price Index

MR. SPEAKER: The Member for Turtle Mountain.

HON. S. LYON: Ah, what a tangled web we weave.

MR. B. RANSOM: Mr. Speaker, my question is for the Minister of Consumer Affairs. For a substantial period of time measured in years, I believe, during our government and into the first year or so of the New Democratic Party Government, Winnipeg enjoyed a Consumer Price Index that was substantially below that of the country. For the last three months now, the Statistics Canada information has shown that the Consumer Price Index has been rising faster in Winnipeg than it has in the rest of the country. Is this a concern to the Minister of Consumer Affairs?

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

HON. J. BUCKLASCHUK: Thank you, Mr. Speaker. All increases in consumer prices are of concern to this government, but I should remind the member that the last year, 1982 I believe, the consumer price index had the lowest increase for all the major cities in Canada.

MR. B. RANSOM: Mr. Speaker, has the Minister of Consumer Affairs had any consultation or discussion with his colleague, the Minister of Finance, to inform the Minister of Finance the sort of impact that the payroll tax is having and the other tax increases which the Minister of Finance has imposed on the public of Manitoba?

HON. J. BUCKLASCHUK: The Member for Turtle Mountain forgets or ignores the fact that the Budget that was brought down in Manitoba was the first provincial Budget brought down amongst the 10 provinces. So whatever the impact it may have had in Manitoba, certainly the impact of the other provinces will be showing up in their CPI's at a later date.

MR. B. RANSOM: A final supplementary to the Minister of Consumer Affairs then, is the Minister of Consumer Affairs confident that over the next two or three months as the impact of other province's Budgets take effect that we can expect Manitoba to once again enjoy the position that it has for many years of having a lower Consumer Price Index?

HON. J. BUCKLASCHUK: I can assure the Member for Turtle Mountain that our government will be watching the CPI and we will take whatever steps we can to keep the increase to a minimum.

ORDERS OF THE DAY

MR. SPEAKER: The time for Oral Questions has expired.

The Honourable Member for The Pas.

MR. H. HARAPIAK: Mr. Speaker, I would like leave to make a Non-Political Statement.

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

The Honourable Member for The Pas.

NON-POLITICAL STATEMENT

MR. H. HARAPIAK: Mr. Speaker, I would like to congratulate the CAMR on another successful marathon. I am sure that many handicapped people in the province will benefit because of it. Proceeds will be going to their cause. I would like to congratulate all who participated in the race, and I would especially like to congratulate the person who was the top Manitoban. He is Roger Schwagel from The Pas, and he came in in two hours, 23 minutes and 35 seconds.

MR. SPEAKER: The Honourable Government House Leader.

HON. R. PENNER: Mr. Speaker, would you please call the adjourned debate, second reading of Bill 60, standing in the name of the Member for Swan River.

ADJOURNED DEBATES ON SECOND READING

BILL 60 - THE HIGHWAY TRAFFIC ACT

MR. SPEAKER: On the proposed resolution of the Honourable Minister of Highways, Bill No. 60. The Honourable Member for Swan River has 35 minutes remaining.

MR. D. GOURLAY: Thank you, Mr. Speaker. I addressed this bill a few days back, and I had dealt at that time specifically with seat-belt legislation. Just to briefly recap what I had said, I think that the people who support Bill 60, those people that are working in the medical field, doctors, nurses and many other organizations that support this bill certainly are to be commended, because they are working with the results of serious car accidents, truck accidents and what have you.

However, I think that there is a side of the story that they are not bringing forth, and that is the problem with those people that do wear seat belts and it works to their detriment. Although we do not have many statistics to indicate that this is the case, I think it is fairly readily known that many people do lose their lives as a result of wearing seat belts in certain types of accidents.

I think the proof is in the fact that where there have been a number of accidents where people have not worn seat belts and the vehicle bursts into flames or rolls over and is completely demolished, and the people, if they were strapped in the car, would have absolutely no chance of survival. There's no doubt it's very difficult to get the kind of statistics that would indicate the number of people that would have lost their lives had they been wearing seat belts.

I find it difficult to make the use of seat belts mandatory when you have that sort of situation where individuals certainly could lose their lives or be seriously injured because of the fact that they do wear seat belts.

I happen to live adjacent to the Saskatchewan border, and in the province of Saskatchewan it is mandatory to wear seat belts. Without a doubt, the fact that the wearing of seat belts is legislated, you can notice the number of people that do wear seat belts in that province. So you can't dispute the fact that once you legislate the use of seat belts that people do buckle up. They would prefer to do that than pay the fine. They certainly, I think, recognize too that your chances of reduced injury or escaping injury are increased many times because of the fact that you do wear seat belts. But nevertheless, I think it's difficult for Legislatures to make it mandatory where there is a certain percentage where it would work to the passengers' disadvantage.

Personally, I wear a seat belt some of the time, certainly not all of the time. I don't mind wearing a seat belt, particularly on longer trips. I find it difficult to get into the habit of wearing it all the time when you're in and out of the car on short trips. But nevertheless, I guess if a person is going to benefit from the wearing of seat belts, you have to wear them all the time because you never know when you're going to get hit. I guess the number of accidents happening within a few miles of your residence is really quite a high percentage, so it's important if you're going to wear a seat belt, you wear it all the time.

As has been said by a number of speakers before me, to legislate the wearing of seat belts would be very difficult to enforce and it's also costly to enforce. I know that many of us complain from time to time, the fact that the cost of protective services is going up considerably each year. Those people that have been involved in municipal work realize the cost of police services as one item, a very major situation that municipal councillors have to contend with and indeed provincial Legislatures as well, because that cost has certainly gone up many times over the last decade.

To enforce the use of seat belts is going to take quite a bit of time, I think, to make it effective, because if the bill is passed and there's no attempt made to enforce the use of seat belts then the whole purpose of the bill is therefore defeated as well. So for a period of time, and I would think for some time, the use of our police force to enforce the legislation with respect to seat belts is going to be a costly one, and it's also been said it's going to be very difficult to stand up in court that a person was or was not wearing a seat belt at the time of an inspection by a policeman.

The question is, how much additional dollars are taxpayers prepared to pay to enforce seat-belt legislation? This is a very real factor, I think, in this case. We are already at the breaking point for many

of the protective service charges that we have upon us at the present time.

As I pointed out the other day, a vast majority of my constituents say they don't support seat-belt legislation for any number of given reasons . . .

A MEMBER: Not too many of Andy's do either . . .

MR. D. GOURLAY: . . . in most cases they point to examples of where they know of accidents that . . .

A MEMBER: Thirty-two percent.

MR. D. GOURLAY: . . . because of the situation, people were not wearing seat belts and if they had they would have been seriously injured or, in fact, killed. — (Interjection) — At the same time, I have not had many calls. I recall being stopped in the post office recently by a constituent who said that he would like to see me support the seat-belt legislation, and I've had a number of copies of documents signed by nurses and nurse's aides and these have been directed to the Minister of Highways to support the legislation. I respect, as I said earlier, these people that are promoting Bill No. 60, but for the majority rank and file constituent in my area, they certainly are not supportive of the legislation and many of them are very outspoken in opposition to the fact that they are going to be forced to wear seat belts in the future if this bill happens to be passed.

By legislating the mandatory use of seat belts, I see that we are really doing two things. We will sacrifice X number of lives by going this route, in that I pointed out there are cases where people wearing seat belts will probably lose their lives because of the type of accidents they could possibly find themselves in. However, we are also saying that we are going to save Y number of lives by the use of seat belts. I think that there's good evidence to point out that seat belts do save injuries and lives in other types of accidents.

Mr. Speaker, I certainly can't support this type of legislation where we are prepared to sacrifice perhaps only a few lives in one case, but on the other hand to save additional lives on the other case. I think the matter has to be left up to the individual as a matter of education to feel it's a decision to buckle up in the use of motor vehicles. Mr. Speaker, for that reason I can't support Bill No. 60.

With respect to the use of helmets, basically, the same principle applies, I guess. However it's not so clear-cut in the case of helmet legislation as far as I am concerned. I am not that familiar with the use of motorcycles and the types of accidents that happen in motorcycles. However, on the surface I think it's hard to visualize anyone riding a motorcycle without the use of some protective means, particularly for the head, but the bikers I think are a pretty conscientious group for the most part. I know that we have met with a number of representatives from time to time supporting the motorcyclist cause and that the use of helmets should be on a voluntary basis. They do provide very good evidence that perhaps the use of helmets does curtail in their ability to hear properly with those helmets on, and in some cases the helmets could be detrimental in certain types of accidents as well for causing injury.

I believe that the bikers' associations do provide a good source of education and motorcycle driving etiquette. Perhaps it would be well for the province to co-operate with the bikers' association and the promotion of driver education and safety in the use of motorcycles. As I understand it, too, the safety record in Manitoba is probably in second place. As a matter of fact, the number of deaths per thousand people using motorcycles, the rate of accidents, there is only one other province that has a better record than that of Manitoba. So I think with the Minister of Transportation co-operating with the promotion of safety in the case of the use of helmets might be the route to go in this case.

As I say, I am not completely familiar with all of the problems associated with the use of motorcycles, but again I think the same principles apply with respect to forcing the use of helmets. The same principle applied to the use of seat belts.

We come to the third part of Bill 60 and that is the use of child restraints. I certainly support the fact that children should be strapped into recommended types of restraints. I know that many children are injured. They are not really aware of what is happening around them and they're not aware of the serious consequences of accidents. There is no doubt, by children being strapped into restraining seats, that it will be beneficial. They aren't really aware, as I mentioned, of the consequences and do not really fear what can happen. Again, I think that the adults responsible for these children certainly will wish to have them strapped in. I think there are more and more people taking advantage of child restraints. However, it is unfortunate that this is also part of Bill No. 60. I think that certainly I would be supporting legislation to include child restraints if it was a separate bill.

Mr. Speaker, those are the three areas that are covered in Bill No. 60 and I have stated my case. I appreciate the opportunity to speak on this bill, but I will not be supporting it when it comes to vote.

MR. SPEAKER: If there is no other member wishing to speak to the bill, it will stand in the name of the Honourable Member for Roblin-Russell.

The Honourable Attorney-General, Bill No. 64.

HON. R. PENNER: Just before calling for second reading, 64, 65 and 66, I, Sir, know I've advised you I would be calling those on second readings first, would you please call Bill 57, standing in the name of the Minister of Corporate and Consumer Affairs.

SECOND READING - GOVERNMENT BILLS

BILL 57 - THE CO-OPERATIVES ACT

HON. J. BUCKLASCHUK presented Bill No. 57, An Act to amend The Co-operatives Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister.

HON. J. BUCKLASCHUK: Thank you, Mr. Speaker. I would like to present to the House for its consideration

Bill No. 57, An Act to amend The Co-operatives Act. The Co-operatives Act came into effect June 1, 1977. It is an Act which is based on co-operative principles and principles of corporate law designed to suit the specific nature of the co-operative corporation. Proposed amendments result from changes to The Corporations Act. Changes to that Act deleted the requirement for registration of co-operatives incorporated under The Co-operatives Act.

To be consistent, it is proposed that any references to registration under The Corporations Act be deleted from The Co-operatives Act. The other change is the form which the certificates issued by the Registrar will take. It is proposed that the certificate be issued in a similar manner and form as they are under The Corporations Act. Both changes are mainly for administrative purposes and will eliminate unnecessary paperwork and formalities and are the only changes deemed necessary at this time. They do not in any way affect the authority of the Registrar under the Act or the rights of co-operatives or of the public.

I recommend this bill to the honourable members for their careful consideration and adoption.

MR. SPEAKER: The Honourable Member for Emerson.

MR. A. DRIEDGER: Mr. Speaker, I move, seconded by the Member for Assinboia, that debate be adjourned.

MOTION presented and carried.

BILL 64 - THE MARITAL PROPERTY ACT

HON. R. PENNER presented Bill No. 64, An Act to amend The Marital Property Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Thank you, Mr. Speaker. Mr. Speaker, in rising to speak to this bill, let me just say by way of informal preparatory remarks, or prefatory remarks, that this afternoon I will be moving second readings of the first of several bills that deal with family law: One is the present bill, The Marital Property Act; and subsequently, The Family Maintenance Act; and later, The Child Welfare Act.

Later in this Session, within the next few days, I hope to move a bill with respect to the Family Division of the Court of Queen's Bench, sometimes referred to as Unified Family Court and there will be some other bills dealing with other matters of family legislation.

I should point out that to a consideration extent these pieces of legislation flow from a report which was commissioned by myself early on in my term of office from Judge Carr, who sits as a part-time Provincial Judge in the Family Division, and teaches family law. When that report was received, it was widely circulated and representations were made by several groups. In excess of 30 groups made representations in whole or in part on the recommendations of Judge Carr; some, by no means all, of those recommendations are being brought forward in this Session. The chief of the them will be, when we come to it, the bill dealing with the Family Division in the Court of Queen's Bench.

I should only like to say in concluding the prefatory remarks it will be my proposal that I will discuss later with the opposition House Leader that when all of the family legislation has been referred to committee that we'd consider referring them to one of the smaller committees, so that all of the groups that wanted to make representations on family law would be able to do so at one time in a comprehensive way. But that's something to be worked out.

With respect then, Sir, to Bill No. 64, this bill does not provide any radical changes to the existing legislation. As stated in the Carr Report, The Marital Property Act in its present form, which provides for a division of assets upon marriage breakdown, is a reasonable and workable basis for property sharing. It is, the House will recall, the result of an evolution over time, through two successive governments and now into a third. The only substantial amendment contained in the bill provides for the inclusion of jewellery as a shareable asset. The other amendments are intended to clarify the Act and respond, Mr. Speaker, to problems which have been noted by the case law that has developed since The Marital Property Act was first introduced some four or five years ago - about six years ago, I suppose, now.

These amendments are as follows: First of all, assets acquired in contemplation of marriage will be included in an accounting under the Act, regardless of the marital status of the purchaser at the time of the acquisition as long as the asset was not acquired while the person was living with a former spouse. Again, Sir, appreciation in the value of assets that are exempt from sharing under the Act will itself be exempt. It would be anomalous to have an asset exempt and to include an appreciation of value in the asset thrown into the pot for division.

A provision in The Marital Property Act presently provides that gifts or an inheritance, which are received from a third party, are exempt from sharing, and appreciation on those will also be exempt from sharing.

Another section of the Act has been changed to provide that debts incurred with respect to non-shareable assets are not to be included in an accounting. You can't have it both ways; we've heard that frequently enough in this House. You can't have something that is exempt and or ask in order to relieve yourself of some of the responsibility for inequitable sharing, that debts that are associated with that asset, which is itself exempt, be included in the accounting. The present legislation, we think, is inconsistent as it requires that assets that are not shareable are to be included in an accounting. The amendment removes this inconsistency.

Again, Sir, a further section of the statute has been changed, or is proposed that it will be changed, by providing that spouses have a right upon application to the court to an accounting of assets. Under the present legislation, a spouse cannot obtain an accounting until and unless the marriage has broken down. This amendment gives the spouses the right to apply for an accounting at any time, even where the marriage has not broken down. To correspond with this amendment, a section of the bill has been changed to provide that the closing date and the evaluation date shall be as the spouses agree, and in the absence of an agreement, the date when the spouses last

cohabited, or where spouses continue to cohabit, and strange as it may appear, spouses who have decided to separate sometimes do that for a period of time - it certainly saves on the rent - the date either of them make an application, or makes an application for an accounting of assets, will be the governing date.

A further new provision, Mr. Speaker, provides that the court, in exercising its discretion to vary an equal division of assets, shall not consider conduct, unless the conduct amounts to dissipation - dissipation is a technical, legal term and I'm not talking about what happens after a long night's drinking - of the asset or has otherwise been substantially detrimental to the financial standing of one or both of the spouses. This amendment clarifies the problem of the present wording found in a section of the Act, which leaves room to argue that conduct in certain circumstances should be a factor taken into account by the court, in the exercise of its discretion to vary an equal division of assets.

I may say, Sir, although there is some question about the meaning of those words in the Act, whether it refers to conduct in general or just dissipation of assets, the section in its present form has been used but once, or argued but once, I believe in seeking to alter what otherwise should be an equal sharing.

Further sections of the Act are to be amended by substituting the word "accounting" wherever the phrase "division of assets" is found. This, Mr. Speaker, will remove, or at least we hope it will remove an ambiguity found in the present legislation between various sections of the Act, which in some cases use the term "accounting" and in other places use the phrase "division of assets." What the Act really is concerned with, Sir, is an accounting and then an equal sharing.

A new provision that is being urged in the bill to be debated in this Legislature provides for disclosure of assets by both parties in their pleadings on commencement of proceedings under The Marital Property Act. Presently, Mr. Speaker, you see, if marital property proceedings are brought alone; that is, independently of other relief, separation and so on, then financial disclosure is not required at the outset.

However, if an application under The Marital Property Act, as things presently are, is joined with The Family Maintenance Act application, disclosure is required, so that this amendment merely remedies an inconsistency.

Mr. Speaker, I recommend this bill to the House for consideration, debate and ultimately passage.

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

MR. G. MERCIER: Mr. Speaker, I have a question of clarification from the Minister. He indicated that he proposes to allow parties, while they are living together, to apply for an accounting of assets and a sharing of assets while they are living together, which will change the situation from the present where it only applies whether separated or divorced, or there is a separation agreement or a court order. Could the Minister explain why is proposing this change to the legislation? Why allow parties in those circumstances, while they are living together, to seek a formal accounting and sharing of assets?

HON. R. PENNER: There has been considerable debate about the whole question of marital property. There

are those who hold that there should be something called instant sharing. This is sometimes referred to as community of property law. Presently community of property law is extant in some states in the United States, not as many as was once the case, and nowhere to my knowledge is it still extant in Canada. It once was the law in the Province of Quebec, but even in the Province of Quebec I think that the notion of instant sharing has not, in fact, been the law.

Instant sharing, of course, means that the assets which may, while the marriage is viable and in place, stand in the name of one or another of the spouses under the control of that spouse, since it's the property of that spouse, becomes in effect the property of both. There is arguments both ways, but it is not, let me say, in any event the intention of this government, certainly at present, to bring in the concept of instant sharing.

However, it was pressed upon us and recommended in the Carr Report that spouses are entitled to know at anytime, even if the marriage hasn't broken down, what the relative position of each is in terms of property owned and accumulated during the course of that marriage. It seems to us that this is just and equitable. I don't expect that this is going to be a provision greatly used, but nevertheless it establishes a principle with respect to the family as a community in which there is basically the concept of equality as well equity. If that is so, such that upon the marriage breaking down, if that should ever happen, and statistically we know, Sir, that it happens all too often, that the principle of equal sharing then comes into effect.

We're saying that if the principle of equal sharing comes into effect at that time, at least the spouses should know at any particular juncture in the marriage what the situation of the family is in terms of its holdings. You see what happens is this, that a marriage may not yet have broken down formally. There is still — (!interjection) — well, those members seem to have some experiences with that problem, which I haven't encountered to date, so I will leave it for them to explain their concern about keeping that untold wealth which they have buried down on the back 40 from the spouse.

I think, and we think, in presenting this that it is only equitable that a spouse should know, because I'll just finish the point that I was making, that it may well be the case that for very good cause, a spouse has reason to believe that indeed the assets are being dissipated. That, if may I use a cliché, the family farm is about to go. Not, of course, to a foreign owner because our Farm Land Protection bill will have been passed by then. Indeed there is this kind of a serious threat to the family assets and if that will not be disclosed voluntarily, it seems only fair that the spouse should have the right to know and be able to apply it accordingly.

MR. G. MERCIER: Just one further question, Mr. Speaker, then. The Minister would have been aware that the section he proposes to delete does provide that a person is entitled to have the assets to be divided equally where the other spouse has committed an act amounting to dissipation, so that is law now.

Did the Minister consider, with respect to the right to know, the fact that Section 6 of The Family Maintenance Act does give either spouse the right to know the financial affairs of the marriage?

HON. R. PENNER: The concern is this, that the way the legislation is worded at present someone going into court has to, in fact, prove the fact of dissipation. The situation we are trying to remedy - and it may be that the proposal can be modified, but I am pleased to discuss that in committee - the situation that we're trying to remedy is where the spouse making the application believed that may be the case but indeed cannot, if one follows the strict wording of the Act, prove that indeed dissipation has taken place.

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

MR. G. MERCIER: Mr. Speaker, I move, seconded by the Member for Turtle Mountain, that debate be adjourned.

MOTION presented and carried.

BILL 65 - THE FAMILY MAINTENANCE ACT

HON. R. PENNER presented Bill No. 65, An Act to amend The Family Maintenance Act for Second Reading.

MOTION presented.

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Thank you, Mr. Speaker.

Mr. Speaker, following from introductory remarks which I made, the bill to amend The Family Maintenance Act is mainly an implementation of the recommendations found in the Carr Report.

The Carr Report recommends that legislation specify situations where a person will be presumed to be a parent and, where the fact situation does not bring a presumption into play, an application can be made to a court for a declaration of parentage.

The provisions found in the new Part 2 which is entitled "Child Status" will implement this recommendation. These provisions follow the uniform Child Status Act which was drafted by the Uniform Law Conference of Canada and has since been enacted by the provinces of New Brunswick and Ontario. We, I think, will be the third, but by no means the last. Other provinces are bringing similar legislation forward.

Upon the implementation of these provisions, The Legitimacy Act and the filiation proceedings found in existing Child Welfare Act will be repealed. The effect, Mr. Speaker, of these amendments will be that all legal distinctions that presently exist between illegitimate and legitimate children will be abolished, and illegitimate children will have the same rights as legitimate children with respect to maintenance and inheritance.

I might just say parenthetically, I just happened to notice the report in the newspapers of a case just a day or two ago where, in fact, a child was not allowed to benefit because the child was not legitimate.

Further, the rights of the father of an illegitimate child will be expanded in the area of custody and he will be given certain rights to be notified of and allowed to participate in all legal proceedings that involve the child including adoption proceedings. This again is part of

a general recognition of equality of persons where, in a peculiar way, a father of an illegitimate child who might have many obligations that that father would have to bear, had no rights with respect to the child.

The main features of Part 2 are as follows: Firstly the distinction between the status of a child born inside of a marriage and a child born outside of a marriage is abolished.

Secondly, unless the contrary is proved, a person shall be presumed to be the father of a child in one or more of the following circumstances: He was married to the mother at the time of the child's birth; he was married to the mother by a marriage that was terminated by either death, nullity or divorce within 300 days, the normal period of gestation, or such longer period as the court may allow before the child's birth; he married the mother - well 300 days is a little longer than the normal period of gestation, but it's used legally to encompass the wide variety in periods of gestation - thirdly, he married the mother after the child's birth and acknowledged that he is the father; fourthly he and the mother have acknowledged in writing that he is the father of the child; fifthly he was cohabiting with the mother in a relationship of some permanence at the time of the child's birth, if the child was born within 300 days or such longer period as the court may allow after the cohabitation has ceased; and finally, he was found to be recognized by a court to be the father of the child.

I should say, Sir, that the legal notion of a presumption, and these are presumptions - at least some, not all of them are presumptions - is that it is rebuttable, but it starts out with a premise. In these circumstances, you are deemed to be the father. However, it is open to the person to bring in evidence to the contrary. If that evidence prevails on a balance of probability, then the presumption is dissipated and the person is not therefore deemed to be the father.

An application may be made to a court for a declaratory order that a person is or is not in law the father of a child. Such a determination will be based on the balance of probabilities. Presently we have a proceeding under The Child Welfare Act called filiation proceedings which, regrettably I think, take the form almost of criminal proceedings. These will be much more civil in nature, I hope more civilized in nature as well.

Again, Sir, where a court finds that a presumption of paternity exists, the court shall make a declaratory order unless it is established by a balance of probability that the presumed person is not, in fact, the father of the child. I just gave that explanation a moment ago.

A declaration of parentage shall only be made during the lives of the alleged parent and the child. However, where only the father or the child is living, a declaratory order may be made if circumstances exist which give rise to presumption of paternity.

On an application for a declaration of parentage, the court may grant leave to obtain blood tests, the results of which will be submitted in evidence. Where a person refuses to submit to a blood test - and a person may - there is no compulsory aspect of that in this bill - the court may draw an inference it considers appropriate. That, Sir, goes back to developments in the common law over the last 15, 20 years that, where the issue of parentage is at stake, a blood test as, I

think, may be known, does not in itself establish parentage, but it establishes that a person cannot be a parent. Now, where a person refuses a blood test so that at least that could be determined, the court may - it doesn't have to - draw an inference from the refusal.

Where a declaratory order has been made or an application for such an order has been dismissed, and evidence that was not available at the previous hearing becomes available, the court may discharge the previous order and hold a new hearing. It's discretionary. It is up to the court, weighing the quality of the proffered evidence and weighing the question of whether or not there was a reasonable opportunity for the applicant to have presented that evidence the first time.

An extra-provincial declaratory order that is made in Canada shall be recognized in Manitoba and have the same effect as if it were made in Manitoba. This follows, Sir, from the uniform nature of this evidence. An order made outside of Canada will be recognized and have the same effect in Manitoba if certain residency requirements are satisfied. Legislation provides that the court may decline to recognize an extra-provincial declaratory order if new evidence becomes available, or if the court is satisfied that the order was obtained by fraud or duress.

Mr. Speaker, as indicated the major portions of the bill to amend The Family Maintenance Act, and I've already spoken to that, deal with the provisions under the new Part 2, entitled Child Status. The other substantial proposed amendments are as follows: The term "custody" is defined to apply to parents only. The Child Welfare Act will be amended by defining "guardian" as a term to be reserved for agencies or third persons. Presently there's a great deal of confusion in the law because regrettably applications for custody and applications for guardianship, the words are used interchangeably, and that, of course, tends to take out of the law some of the certainty which should be there.

The effect of these amendments, Mr. Speaker, will be that the issue of custody, which will deal with the rights and responsibilities of parents to a child, will be an issue to be determined pursuant to The Family Maintenance Act; whereas the issue of the guardianship, which will deal with the rights and responsibilities of other persons or agencies with respect to a child, will be determined pursuant to The Child Welfare Act. Here we're moving, I hope in the next Session, to consolidate major family legislation into two major bills, but at the moment we're only introducing some of the preparatory amendments.

Mr. Speaker, children will be given the following additional protection in any court proceedings under the provisions of The Family Maintenance Act. In all proceedings that affect a child, the best interests of the child shall be paramount. Where the court is satisfied that the child is able to understand the nature of the proceedings, and it would not be harmful to the child, the court shall consider the child's views with respect to the alternatives available to the court.

I should say, Sir, as the matter now is, some judges feel that they should hear the views of a child - and here we're talking about a child 12, 13, 14 and older - some judges feel that they should not. This will make it clear that as a matter of practice, where the court is satisfied that the child is able to understand the

nature of the proceeding, then the court may hear the child.

Wherever proceedings that affect the child are being heard by a court the court may order a psychological, psychiatric, social, medical or other examination of the child, or a party to the proceedings, and the results will be submitted in evidence. Such an order will only be granted where the court is satisfied that such an examination is necessary to determine the best interests of the child.

Mr. Speaker, a common-law spouse will be given the right to apply for maintenance and other relief where there is no child of the union. Now that can be done where there is child of the union, but there will have to have been continued cohabitation for a period of not less than five years, and the relationship was one in which the applicant had been substantially dependent upon the other person for support. Let me just emphasize that presently, where there is a child, an application can be made after a year. Here where there has been a permanent relationship and a relationship of dependency, the dependent spouse can make an application where that relationship has existed for five years.

Mr. Speaker, a person who fails to provide financial disclosure could be liable to a fine of a maximum of \$5,000.00. This amendment responds to recent cases where wealthy parties, some of them hockey players, have refused to disclose details of their finances resulting in the courts having virtually little power in this regard. The court has called upon to make certain findings with respect to ability to pay the level of maintenance, which ought to be paid and yet can't order financial disclosure, and the court is rendered helpless in such circumstances.

Further a spouse could apply to the court to fix maintenance obligations even when no application for maintenance has been made. This will assist persons who may desire an order for tax purposes.

Mr. Speaker, here I get into some legal Latin. *Dum casta* clauses will become inoperative. I explain that in the following terms. When an agreement, a separation agreement entered into between parties, one which provides maintenance, provides that support for a spouse shall only continue while the spouse is chaste, c-h-a-s-t-e as in chastity. That provision is invalid and unenforceable and all other provisions of the agreement shall be enforced without regard to that provision. May I say that *dum casta* clauses are a throw back to the feudal times and virtually suggest the chastity belt, only this time it's a financial chastity belt. They're unenforceable, they're degrading, they have no place in contemporary society. They're used quite often by a spouse, usually the husband - not always, but by a spouse to say all right, we're going to separate, I can't stop that separation, but if you want maintenance, then you must sign to an undertaking that you'll have nothing to do with another man. This often leads to degrading use of private eyes to follow the spouse in the hope that in a moment of indiscretion the maintenance obligation can be severed.

Further, Sir, the types of orders that can be granted pursuant to Section 8 have been expanded to include orders of maintenance, can be payable by means of lump sum payments, periodic payments or both. Orders of maintenance can specify that the obligation to

provide support continue after the death of the spouse and it's to be considered as a debt of his or her estate. The order can require that one spouse designate the other spouse, or a child as the beneficiary under a particular policy of life insurance. Offers under seal are to be taken into consideration in the assessment of costs. The right to maintenance is forfeited once a spouse marries.

These changes incidentally all follow, first of all, the experience with the legislation to date. Considerable research that was done by Judge Carr and his research associate, and subsequent discussion by the family division of the Manitoba Bar and a whole number of women's and other groups.

Mr. Speaker, where an application for custody or access of a child has been made, a judge may, if he considers it necessary, authorize that the child be located and apprehended. The child may direct that any person or public body be required to provide the court with such particulars as the address of the proposed respondent as are contained in their records. The relevant provisions of The Child Custody Enforcement Act will apply. This amendment implements one of the recommendations made by the Federal Provincial Committee on Enforcement in 1981.

Mr. Speaker, the obligation to support the child of a spouse ceases upon separation if, what is called, *loco parentis* cannot be established. Maintenance payments for a child can be extended by the court beyond the age of 18 if the court is satisfied that the child could have expected to receive such support had he or she continued to live his parents beyond the age of 18.

In the absence, Mr. Deputy Speaker, of a court order the rights of parents in the custody and control of their children are joint. However, where parents have never cohabited after the birth of the child, the parent with whom the child resides has the sole custody and control of the child unless and until the court orders otherwise.

In determining the issue of access, often the troublesome issue, the court must bear in mind that access is not only for the purpose of visiting the child, but is also for the purpose of fostering a healthy relationship between the non-custodial parent and the child.

Mr. Deputy Speaker, in considering an application for custody or access the court shall only receive evidence of the conduct of either parent if the court is satisfied that this evidence bears directly on that person's ability to care for the child. So that conduct at large, not related to that crucial question, because it's always the best interests of the child which must be served, will not be relevant evidence.

Just three other points, Mr. Speaker, a non-custodial parent retains the same rights as a custodial parent to receive school, medical, psychological, dental and other reports affecting the child. This amendment is intended to give a non-custodial parent statutory rights to be involved in the lives of their children.

Mr. Deputy Speaker, one of the problems has been that where sole custody is given to one parent with, let's say, visiting rights to the other parent, outside of those visiting rights the other parent is really displaced from the life of that child, and that is I think not a healthy state of affairs. The other parent should at least know what is happening to the development of that child in terms of the child's academic record, medical

record, psychological and other records, so that if the non-custodial parent has these records the non-custodial parent may know if something is happening to that child which is not in the best interests of the child and make the appropriate application to court.

The Act will provide an order for child support, that it can be made in the form of a lump sum payment or periodic payments or both. Finally, Mr. Deputy Speaker, where the court is satisfied that the applicant has the need to learn or confirm the whereabouts of the proposed respondent for the purposes of bringing an application for maintenance or enforcement, the court may order that any person or public body provide the court with such particulars as to the address of the proposed respondent as are contained in their records, and the court may then give the particulars to such person or persons the court considers appropriate. So it's the court that obtains the information and then only provides such information as may be necessary to serve at process or a court order or a sheriff's order. It's not that the privacy of that other person intended to be a respondent will be so breached that the proposed applicant obtains that information directly and may arguably use it mischievously or know it will be under the direction of a court.

This amendment implements one of the recommendations made by the Federal Provincial Committee on enforcement of maintenance and custody orders in Canada in 1981.

That then deals with the main features of the proposals to amend The Family Maintenance Act. There may be some minor amendments as well, and I recommend this bill to the House, Mr. Deputy Speaker.

MR. DEPUTY SPEAKER, P. EYLER: The Honourable Member for St. Norbert.

MR. G. MERCIER: Mr. Speaker, I move, seconded by the Member for Turtle Mountain, that debate be adjourned.

MOTION presented and carried.

BILL 66 - THE CHILD WELFARE ACT

HON. R. PENNER presented Bill No. 66, An Act to amend The Child Welfare Act, for second reading.

MOTION presented.

MR. DEPUTY SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Did I just have that bill passed? I don't think it was intended that it be passed, so we'll proceed as if the "agreed" was "not agreed."

Mr. Deputy Speaker, normally, of course, The Child Welfare Act is under the jurisdiction of the Minister of Community Services and Corrections. This perhaps is an anomaly, since The Child Welfare Act to such a considerable extent deals with family matters. I suppose one may argue that it does so completely, but with the consent of the Minister of Community Services, since this forms part of the family law package about which I was talking, I will be and have already moved the bill and will be giving the explanation.

Having provided the opposition with the explanatory notes, I will foreshorten my explanation somewhat, Mr. Speaker. I've been overly long on my feet this afternoon and there's nothing wrong with either my feet or my patience, but there may be with the members opposite, not their feet but their patience.

Mr. Speaker, as I've already mentioned, the terms "guardianship" and "custody" were hitherto used interchangeably to describe the rights and responsibilities parents or other persons or agencies may have with respect to a child. So we're going to make the kind of changes I spoke about with respect to The Family Maintenance Act. Parallel changes will be made in The Child Welfare Act, so that there's a clean distinction between the use of the word "custody" and use of the word "guardianship."

Again, as I've already said, in explaining The Family Maintenance Act changes at some length, the definition of parent is being transferred from The Child Welfare Act to The Family Maintenance Act because of the insertion of that new part in The Family Maintenance Act dealing with the whole question of parentage.

The principle of the best interests of the child is being established as a paramount consideration of the court in all the proceedings under the Act with one exception, namely, when there's a question of whether or not a child is need of protection. This clearly outlined provision is intended to guide the courts in their dealings with cases of children. Best interests are already defined in the Act.

Again, a paralleling of provision in The Family Maintenance Act - it will be mandatory for a judge to consider the child's views when the court is satisfied that the child is able to understand the nature of the proceedings.

Again, there is a parallel provision with The Family Maintenance Act having to do with the statutory authority under certain conditions for a court, or a judge of the Family Court to order psychological, psychiatric, social, medical, or other examination of the child, or a party to the proceedings, and to accept the results of the examination in evidence.

This will be of some importance, Sir. The press, radio, television, the media will be allowed conditionally to witness and report the court proceedings under the protection and adoption parts of The Child Welfare Act. It is the first time that the Family Court proceedings under The Child Welfare Act will be open to the media. This flows from provisions of the Charter, and indeed some cases which have already interpreted the freedom of expression, provisions of the Charter, in that way.

Now the proceedings being open to the media means that they're open as a matter of principle. A court may, in certain circumstances where the administration of justice or the protection of a child demands, close all or part of the proceedings. In any event, a court retains the right to order that the names of persons particularly, of course, children, be not reported. The provisions of the Charter are, and I think properly, opening up the doors of hitherto closed courtrooms, because the public has the right to be informed of what is taking place in the administration of justice so that the public can be better informed and express its views in terms of the policy of the law as well as the particulars of the law.

Mr. Speaker, the duration of the placement of children under the Temporary Contract Placement Agreement

is extended from 18 months maximum to 24 months maximum. This change will facilitate provision of child welfare services to older children.

In reshaping that section of the Act concerning the voluntary surrender of guardianship to an agency by a single mother or couple, the following factors have been taken into consideration: First of all, Mr. Speaker, the right of a single mother or couple to surrender through agreement the child when they cannot look after the said child; the right of a putative father to object or become a party to the transaction - a putative father is one who is alleged to be a father and, therefore, has an interest in the proceedings from that point of view - the right of the surrenderers - I didn't invent this word, I find it in the speaking notes - the right of those who are surrendering, may I put it that way, a child to withdraw from the agreement in a certain time period considered compatible with the best interests of the child. The whole of this section has been redone in accordance with the above-mentioned principles.

It has been contended, Mr. Speaker, that the existing provisions of another section of the Act dealing with apprehension of children and entry of premises without warrant when a child is in need of help, have denied the right to the Director of Child Welfare to apprehend children, and consequently to delegate this authority to others. That section is being corrected with minor addition about a child in immediate danger and the right to place a homemaker in the home pursuant to sections of the Act.

The civil procedure called Examination for Discovery contained in a section of the present Act is being repealed and a more simple procedure instituted, whereby the applicant shall supply full particulars of the case to the other party, to the proceedings on demand of that party. The reason for that, Sir, is that Examinations for Discovery, first of all, have the effect of delaying proceedings and proceedings must be taken expeditiously in child matters, because if a child, let's say, is in the custody of one parent or a foster parent or adopting parents, the longer that child remains in that custody the more difficult it will be should circumstances warrant to remove the child from that particular home to be placed in another home.

The other problem with Examinations for Discovery is that they tend to be very expensive. These days to wait for a court reporter to hold an Examination for Discovery may entail months, may entail costs and in line with modern developments in procedural law, any party to the proceedings can pose questions in writing which, under a seal of the court, must be answered and that is a much more expeditious and a much less expensive proceeding than the so-called Examinations for Discovery.

Mr. Speaker, a further differentiation as to the duration of temporary orders with respect to childrens' ages is being made on the recommendation of Judge Carr based on suggestions in the British Columbia Royal Commission on Family Law concerning the frequency of court reviews of temporary orders. It is being proposed that a child under five years of age be made a temporary ward for a period not exceeding six months from the date of apprehension and the total period or periods of extension or continuation should not exceed 15 months.

The reason, Mr. Deputy Speaker, behind this proposal is concern about the effects of longer separation of

children of tender age from their parents. They should be reunited with their parents as soon as possible or placed for adoption if reunification becomes not feasible.

In addition, the Act provides that children between five and 12 years of age may be made temporary wards for one year with extension to two years maximum, and a child over 12 years may be made a temporary ward for two years with unlimited extension or continuation of two years each.

Well, I should explain that. Of course, an application can be made for a permanent wardship, but then everybody knows that rights have been established and former rights severed. But these temporary wardships and renewals are very bad for the adults involved and even worse for the children.

Mr. Deputy Speaker, a new provision respecting access to children in care of an agency has been added to the Act. When there is a disagreement between parents and the child caring agency as to the visiting of children in care, either party may apply to a judge for an order determining which provisions as to access are appropriate in the circumstances. The variation of the order is also made possible on further application.

The bill provides for allowing a court to make an order granting any person, who has had or ought to have an opportunity to visit a child, the right to visit the child at such times and on such conditions as the court considers appropriate. This provision, Mr. Deputy Speaker, is intended to give relatives such as grandparents the right to apply for access where the parents are no longer living together and the custodial parent refuses to allow visits.

There is nothing really more tragic, both for a grandparent and for a child to have that relationship severed simply because, let's say, the parent having custody, that the grandparent is the mother or father of the non-custodial parent, who suddenly is cut off from any right to see that grandchild and the grandchild is cut off from, what I think most of us would think to be in most circumstances, a healthy relationship with a grandparent.

The bill also deals with access of children who are in the care of the agency or an agency. The bill provides that at the time of an application for protection being filed in court, the agency may advise the court what times, if any, and on what conditions it will allow access by the parents or guardian to the child pending the hearing. The bill provides, that where the parents or guardians do not consent to the provisions for access which have been proposed by the agency, they may make an application to a judge who will determine what provisions as to access are appropriate.

The bill provides, Mr. Speaker, that where a temporary order of guardianship has been granted and the order is silent as to access by the parents or guardians, the parents or guardians shall have reasonable access. Where the parents and the agency are unable to agree as to what constitutes reasonable access, then the court will be asked to make an order accordingly.

These are the main features of the bill to amend The Child Welfare Act. The remaining proposed changes are of a minor character, and I recommend this bill to the House, Mr. Deputy Speaker.

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

MR. G. MERCIER: Mr. Speaker, I move, seconded by the Member for Turtle Mountain, that debate be adjourned.

MOTION presented and carried.

HON. R. PENNER: Mr. Deputy Speaker, rather than go on with another Second Reading which you have on your list, would you please call the Adjourned Debate on Second Reading of Bill No. 50, The Manitoba Intercultural Council Act, standing in the name of the Member for The Pas. He stood it for the Member for Thompson. He's ready to speak on that bill.

**ADJOURNED DEBATE ON SECOND
READING**

**BILL NO. 50 - THE MANITOBA
INTERCULTURAL COUNCIL ACT**

MR. DEPUTY SPEAKER: On the proposed motion of the Minister of Cultural Affairs.

The Member for Thompson.

MR. S. ASHTON: Thank you, Mr. Deputy Speaker. I am pleased to be able to speak today in support of Bill 50, The Manitoba Intercultural Council Act and to lend my wholehearted support for it. In his preliminary remarks prefacing the second reading of this bill, the Minister of Cultural Affairs indicated some of the basic features of the bill which I think should perhaps be reviewed at this point in time. He indicated that the Act creates an arm's length agency whose role it is to make recommendations and provide information and advice to the Manitoba Government on all ethno-cultural matters relating to the province including education, human rights, immigrant settlement, media communications and cultural heritage.

For those members of this House who aren't familiar with the background of this bill and the Manitoba Intercultural Council that will be created by it, I think it's opportune time to review that background. The Intercultural Council Act arises directly out of the interim liaison committee on multiculturalism which was appointed in May 1982 and their report which was tabled just recently which recommended that this council be established. That committee travelled the province and received very large numbers of submissions from all corners of the province. I believe there were 37 written and 55 oral presentations in total. I was fortunate enough to be able to attend the hearings of the committee in Thompson and give a presentation myself and I must say that there was a significant amount of interest from people at that meeting in both the general issue and general area of multiculturalism and the proposal for an Intercultural Council which arises out of that concern.

In looking at the Act and looking at the council that will be created from the passage of this Act, I think one should note that there are a number of significant features to it. First of all, I think as I mentioned there is a significant interest in the council itself as evidenced by the briefs at the committee hearings and as evidenced by the follow-up to the announcement that the Intercultural Council would be created by this Act.

The recent conference in this regard I think indicated just how much interest there is. I believe there were several hundred participants. I was able to attend a number of the workshops and certainly there was a large number at each of the individual workshops, not only a large attendance but a great deal of interest in the topics being discussed. So as I said, Mr. Speaker, one should note the significant interest in this council.

Second of all, I think one should notice the fact that there are a number of significant features to the council in terms of its organizational structure as outlined in the Intercultural Council Act. Most significantly, Mr. Speaker, it creates an autonomous body which has a great deal of autonomy not only in terms of its day-to-day activities, but also in terms of its membership. The council itself would have some appointments from the government but the majority would be appointed by the bodies which would be a member of that council, Mr. Speaker. I think that's important because it's a kind of organization, since it will be commenting on a number of very important issues, sometimes controversial issues, it should be autonomous from the government that it is giving advice to, or else there really isn't that much point in having such an organization, Mr. Speaker. So I think that's a second feature of some significance.

Third of all though, Mr. Speaker, I think it is significant, certainly in light of the recent press reports of the federal reports on racism in Canada which were just brought down a few days ago. It is important, Mr. Speaker, because I think it would be fair to say there would be one vehicle for attempting to promote the tolerance and understanding that is needed to counteract the problem of racism in Canada. I think we as Canadians pride ourselves on having a tolerant and understanding society, of having a society which respects people from different backgrounds, Mr. Speaker, respects their cultures, but the report showed, I think that unfortunately some people in our midst don't have that same kind of respect. I feel and I am sure that most participants in that recent conference of the Intercultural Council feel that this is one vehicle by which we can promote that tolerance and understanding that we all seek so much.

As I said, Mr. Speaker, these points I would consider significant and there is also one other which I would like to mention and that is the fact that the very creation of the council itself, the very preliminary work towards that creation has already had a very positive impact on the various communities which are already part of the interim process of this council and also will be constituent groups of the council once it is established. Many cases, certain national ethnic communities have united two, three, and four separate organizations for the purposes of selecting delegates for the council. That's a positive sign, Mr. Speaker, because it certainly simplifies the task of the council. I know that was one area that was raised in the hearings in Thompson of some concern, that of selecting delegates. I think the importance goes somewhat beyond that, Mr. Speaker, because it will have a very positive impact on the communities itself.

As I said, Mr. Speaker, I feel that these are significant features of the Act and I am pleased to see that the fact that they will be commenting on a wide variety of issues has also made mention by the Minister of Cultural Affairs. At the recent conference, for example, there

were discussions of all the points that he mentioned and I would say it was a very important discussion, Mr. Speaker. I don't think that any of the participants really withheld from the participation in the conference and they gave a number of very important and very interesting suggestions for the government which I think could greatly help us in terms of governing the province.

Some, Mr. Speaker, will perhaps view this Act somewhat lightly. They will perhaps dismiss it as being another one of those commissions or boards or councils that we hear so much about. Some will perhaps suggest that it's the usual sort of body that one sees created in terms of minorities, Mr. Speaker, because that is often the term that is applied to the many ethno-cultural groups in our society.

But I say, Mr. Speaker, that those that would dismiss this Act and this council should think again because I don't think one can dismiss it as a body that represents minorities, certainly not in this province. I would say as a matter of fact that there is something of a new majority in this province in recent years, a new majority that reflects a broader cultural diversity, Mr. Speaker, a new majority that seeks to forge this tolerant and understanding society that I made mention of previously.

In forging such a society, Mr. Speaker, many people who are part of this new majority have moved to the forefront in terms of participation on political issues and the very political process itself. There was a time when especially new immigrant communities viewed their time in Canada as being somewhat long before they were full members of society. I think those days have gone, Mr. Speaker. I think new immigrant Canadians are very eager to obtain citizenship quite early and then to participate in forging this new feature of Canadian society, Mr. Speaker. I feel that's a positive development; I feel that we can forge not only a new majority, Mr. Speaker, but also a very significant aspect of Canadian identity. I think that's one thing that sets us apart from many other countries, and that is the fact that we do accept broad cultural diversity not only as a fact, Mr. Speaker, but as a positive feature of our society.

We do not believe in the melting-pot concept, which has perhaps been the dominant feature of society south of the border. We are not a nation that is built on one nationality or group, as perhaps is the case in many other areas of the world, nor would I say we are a nation that is built solely as an act of history, or an accident of history perhaps. Many Canadians chose to come here. Many Canadians, I think, said that this is the country where they would like to build their future, not only most recent immigrants, Mr. Speaker, but going back throughout the years to some of the more traditional immigrant communities that we are used to thinking of in terms of that. Many of them chose Canada as their home and they are active and willing participants in building the new society.

So, Mr. Speaker, in fact, as I would say in summary, I think it would be wise not to dismiss this as another one of those bills, as another council that perhaps will hold conferences and do little else. I think it has significance that goes beyond that, and that significance relates to the structure of the council itself which is unique. It relates particularly to the autonomy the council will have, but I think it also relates to the timeliness of the creation of this council, Mr. Deputy Speaker.

The issues that the council are discussing at the present time are issues that are very current and important for Manitoba and, as a matter of fact, Mr. Speaker, for all Canada. So I would commend the Minister for bringing in this bill and urge all members of this House to pass it.

MR. DEPUTY SPEAKER: The Minister of Cultural Affairs.

HON. E. KOSTYRA: Mr. Speaker, I'll be closing debate, unless other members wish to address themselves to this bill. Thank you, Mr. Speaker.

I would just very briefly, in closing debate on Bill No. 50, answer a number of questions that were raised by the Member for Kirkfield Park with respect to some sections of this bill. As I understand, the member may not be available for the committee discussion on this bill, so I will attempt to answer the questions as they were raised in second reading.

There were questions raised with respect to the definition of the registered ethno-cultural groups. I should point out that in keeping with the government's commitment to the establishment of an arm's length body and to consulting with the ethno-cultural communities the final determination as to what a registered group is left deliberately in the hands of the council. The government has no wish to dictate on this very fundamental matter.

The process that was recommended by the Interim Liaison Committee on Multiculturalism in its report - the report that it made as a result of extensive public consultation - is that organizations register with the council, and in doing so each organization identifies itself with an ethno-cultural population group. The ethno-cultural population group is accordingly registered and entitled to a member on the council. Thus, the process is that an organization registers with the council, that once it does this, it identifies itself with an ethno-cultural population group, thereby the group itself is registered.

The application process is that every ethno-cultural population group is eligible to have a member on the council. The method of registration is again in the hands of the council, and presumably the council will establish clear guidelines for the registration process. Again, the council does not exist at the moment and the process that was followed was one that was devised by the Planning and Implementation Committee for the First Biannual Ethno-Cultural Assembly. I will send a copy of the guidelines that were put in place for the assembly to the Member for Kirkfield Park. But again, the actual representation will not be formalized until such time as the bill is passed, received Royal Assent and proclaimed.

There is an interim process contained in the bill for the first council's formation, which will basically formalize that which took place at the recent conference. Because there was a need felt by the community in representations to me to have the council have their informal first meeting and then they would be formalized in the summer once the bill has passed because of their concern that it would be impossible to have a major conference in the months of July or August.

There was a question raised with respect to regional membership. Section 4.(1)(b) of the Act means that

there will be one representative elected for each of the regions of Manitoba and we're using, for these purposes, the regions as defined by the Department of Economic Development and Tourism. It seems to me from my experience that each government department has a different way of defining the regions in the Province of Manitoba, so we've used the regions as defined by the Department of Economic Development and Tourism. The idea there is that there will be one member from each of the region, as defined, elected by the delegates from organizations within that region. So those representatives will not represent specific ethno-cultural population groups, rather they will be the balance to ensure that there's some regional representation, so that all the representation isn't from Winnipeg, being the major centre of the city. That is the purpose of the regional membership, to ensure that areas outside of Winnipeg have a significant voice on the councils.

There was also a question raised about organizations comprised of and serving several ethno-cultural population groups. There will be one representative from all of those organizations on the council and those are basic organizations like the Community Folk Arts Council, the Citizenship Council of Manitoba, any organization that represents more than one ethno-cultural population. The idea is to use their expertise, their understanding, their overall perspective in the functioning of the council.

I believe it would be very short-sighted not to allow such organizations as the Citizenship Council, or the Community Folk Arts Council, or the Manitoba Heritage Folk Arts Council, or the regional umbrella organizations that exist, like the Thompson Citizenship Council and the Westman Multicultural Council that exists in Brandon. It would be foolish not to allow those umbrella organizations to have representation on the council because I think it's important to have that wide base of representation on the Council. Those organizations are well-known and well-respected within the ethnic community and within the broader Manitoba community. I think it would be grossly unfair to ignore their great contribution.

There was considerable concern raised with respect to the Ministerial appointments to the Council, Mr. Speaker. I think what has to be appreciated is the Intercultural Council is a departure from the norm of government bodies insofar as that the majority of the members of the Council are elected directly by the communities. The Act provides for a maximum of one-third of the total membership to be appointed by government, so at minimum, two-thirds of the Council will be direct representatives of the community.

Entrenching the maximum number on the government side to one-third guarantees the Council's freedom from the kind of political dictation or direction which the Member for Kirkfield Park was concerned about, because again the vast majority of the Council will be representatives of the community.

I just might add, Mr. Speaker, that no other government in Canada has allowed for such authority to be directly given to the communities. Multicultural councils in Ontario, Saskatchewan and British Columbia have the complete membership appointed by government. Here we have a situation where the representatives are appointed in the majority by the

community. The only other province that has a form of representation from the community is the Province of Alberta, but there they provide for a fairly significant number of government appointees. In fact, the way they have it structured in Alberta, the government can appoint as many members as it wants to the council. So conceivably they can appoint more than are elected or appointed from the community.

So I think it's a unique provision we have in this legislation where the government appointments are limited to a maximum of one-third of the total Council. This was a recommendation that was made by the Interim Liaison Committee on Multiculturalism as a result of their consultation with the representatives of the ethno-cultural organizations throughout Manitoba. They did it for a number of reasons.

One was, that there be some way of ensuring there be some balance between the representation for the various groups and parts of the province. They felt that the government should have that power in order to provide that balance; or it may be the case that because of particular situations within an ethno-cultural community, they may not be able to come together to elect or appoint a member to the Council. So then the government may want to fill in those gaps by using its appointment.

It's also a way of appointing some individuals that may not be directly involved with the specific ethno-cultural community but, because of their great knowledge either in the universities or within other areas, it may be appropriate to appoint them on the Council to provide much greater knowledge and expertise and provide a great asset to the Council. So those are some of the reasons behind the decision of the Interim Liaison Committee which made the recommendation as a result of public consultation, to have a number of government appointments.

I just reiterate, underline and reinforce the fact that at most, those representatives would only be one-third of the total Council, so two-thirds, the vast majority, would be representatives of the community which, I suggest, is different than every other jurisdiction in Canada that has similar committees. So the suggestion of political interference is one I think, with all respect and on balance, should be rejected.

There was a question raised with respect to remuneration, a concern that the Council members would be remunerated for their time spent on the Council. I would first point out that this clause is a permissive-type clause that allows for the payment. It does not demand payment. There was concern by the Interim Liaison Committee in making this recommendation that the concern of many members of the Council may have to take time off from their normal work in order to attend to Council business, and that it may be a hardship to many members and it may penalize them for being involved in this very important community service. So they suggested provision of remuneration as one means of reducing such burden.

The question of what, if any, remuneration should be paid is something that will await the recommendations of the Council once it's formed. Again it would require approval by Cabinet. The Council could not set its own remuneration, it would have to make a recommendation to Cabinet, and then Cabinet would

have to ensure that it is within the general level of remunerations paid for service to government on various boards.

I believe there was also a question raised with respect to the powers of the Council. This provision of allowing for fairly wide powers of consultation for the Council is very important. In fact, it is the crucial issue, if I may put it that way with respect to the support of the community, because they were very concerned that this Council not be some rubber-stamp type Council for government; that they want a Council that was going to give good advice to the government, have the ability to carry on some research, to liaise with other groups and not be under the complete control or domination of the government.

This provision goes hand in hand with the provision for the representation of the Council, because we want a Council that is going to work, that is going to be consulting and is going to be providing government with good advice. It may be from time to time, Mr. Deputy Speaker, that it is advice that the government itself may not want to hear at particular times, but I think if we are going to have a meaningful Council in the Province of Manitoba, we want that kind of freedom.

I believe I have covered all the questions that were raised. I just might add, I believe there was one other with respect to the appointments. No appointments have been made to the Council either with respect to the actual elections or the government appointments and, of course, none will be made until such time as the legislation is operable, then the Council will follow the interim procedures in the Act for its actual formation. The government, in due course, will make its appointments.

So with those few remarks, I trust I have answered the questions that the member raised. If there were any additional ones, I would answer them as soon as she indicates to me which ones I missed, and I will submit a copy of the guidelines that were used for the founding assembly.

QUESTION put, MOTION carried.

HON. R. PENNER: Mr. Speaker, would you please call Bill 14 of the Adjourned Debates on Second Reading.

BILL NO. 14 - THE ELECTIONS ACT

MR. SPEAKER: On the proposed motion of the Honourable Attorney-General, Bill No. 14, standing in the name of the Honourable Member for Riel.

MRS. D. DODICK: The Member for Springfield will speak on this bill. Is that what you want to do?

HON. R. PENNER: . . . adjourned it for the Member for Springfield.

MR. SPEAKER: Thank you. The Honourable Member for Springfield.

MR. A. ANSTETT: Mr. Speaker, the Member for Riel had adjourned this debate for me. I had several comments I wanted to make in speaking to these minor amendments to The Elections Act.

The bill is a small bill which seeks to make some revisions to The Election Act passed in 1980 by the previous administration. Before I commence my remarks, I'd like to commend the Member for St. Norbert for bringing in a complete revision to The Elections Act in 1980. I think the fact that this bill is such a small bill in terms of its total length and the total number of amendments being proposed at this time is an indication of the thoroughness with which he approached that task in 1980.

Mr. Speaker, several of the provisions which are included in this bill were also proposed by the former Attorney-General in the legislation which he brought before the House in the spring of 1980. I refer specifically to the provisions with respect to providing that only Canadian citizens could vote in elections in this province, or particularly provincial elections, because the provision is already and has been for a number of years applicable to local authorities' elections in Manitoba, has been I believe since either the late 1960s or early 1970s. I don't know which government of which political stripe gets credit for that change in the neighbourhood of 10 years or 15 years ago.

The other change that's in here, and it may well have been an oversight by the Member for St. Norbert in 1980, but he brought in a provision in his bill at that time which would have eliminated the requirement that the occupations of candidates appear on ballots.

At that time, the Member for Lakeside was quite alarmed that provision was contained in the Member for St. Norbert's bill and immediately after representations in the committee, some time around 10:30 or 11, late on a Friday night, started lobbying amongst his own caucus to defeat that provision and he was not quite successful, Mr. Speaker.

As it turns out, and I refer to Page 243 of the transcript of that meeting of the Standing Committee on Privileges and Elections, the result that night was a tie. The Member for St. Norbert voted for his bill. All the rest of the members of his party led by the Member for Lakeside voted against the provision. It resulted in a tie, and the Member for Lakeside, as he always does, having great sway with the Chairman of the committee, managed to convince the Chairman to break the tie and vote to leave the Act as it had been before. So that change was not made.

With respect to the citizenship question, that change was not put to vote in the committee. I don't have a record in the committee of it actually going to a vote, so I don't know how members on each side of the House felt, but obviously the Attorney-General of that day had felt the influence from various quarters and decided to remove that provision from his bill.

So, Mr. Speaker, in the tradition established by the former Attorney-General, this government has brought forward the same two proposals to be considered once again. I think the Attorney-General gave us a good example by addressing these two important issues. I say very simply I support the provision that an individual must be a Canadian citizen to vote in provincial general elections. I think that provision has merit. It's applied to federal elections in this country, to the elections in most provinces. The vast majority of provinces now prevent anyone other than Canadian citizens from voting and it's applied in local elections throughout most of this country - as I mentioned earlier, in Manitoba, for quite a number of years.

Mr. Speaker, I appreciate, as I'm sure members on both sides of the House do, that to deny the right of only those persons who are now entitled to vote in Manitoba provincial elections without being Canadian citizens, specifically British subjects, to deny them the right to vote the way it was proposed in 1980 would be a bit unfair to just shut it off and say there's no opportunity for you to reach qualification to become eligible, because at that point an election everybody expected was certainly no more than two years away and we would have been denying the franchise to some people.

The Attorney-General has seen the folly of that proposal and has in this bill proposed that only those British subjects who fail to take out Canadian citizenship during the next three years, which is a citizenship entitlement qualification now - it's only three years you have to be a landed immigrant in this country to become a Canadian citizen - would then be denied the franchise.

Now, Mr. Speaker, some people would argue that there is a case for continuing special status for persons of British extraction. Well, Mr. Speaker, I know there are many in this House who would ask why do we not provide the same right, the same privilege, to those of any one of the many cultures, heritages and races in our society? Why do we not provide it to our other founding race? Why don't we provide it to people who are of French extraction who have chosen for whatever reason not to take out citizenship in this country? Mr. Speaker, the answer is obvious. We have decided in this country that one pledges his allegiance to the country and chooses to be a Canadian citizen and thereby gains the right to participate in the affairs of the nation.

So, Mr. Speaker, I commend that amendment to the House and hope those on the other side who saw merit in it in 1980 will continue. As the Member for Lakeside says, he does allow himself to be blinded by the source of wisdom, he's prepared to support good legislation even when it comes from this side.

In fact, Mr. Speaker, I'm reminded of his comment the other day from his seat. I'm sure he didn't want to put it on the record, but he made reference to the Farm Lands Bill as being an excellent piece of legislation, but only if it was introduced by a Conservative Government. Well, I commend this amendment to the Member for Lakeside because this piece of legislation was first introduced by a Conservative Government, so I certainly expect him to support that amendment.

The next amendment I'd like to speak on briefly, Mr. Speaker, is purely an administrative one, but it does have political implications and that's the provision which will require future elections in the province to be held on Tuesdays. I don't know why we pick Tuesdays, maybe that's because most American elections are Tuesdays and because of our admiration for the American political system. We could have taken Mondays, but that's the federal day and I guess we wanted to avoid having Wednesday because that's Cabinet day as the Member for Elmwood reminds me. We had to pick a day.

Mr. Speaker, Tuesday was recommended by the former Chief Electoral Officer in 1977, and again by the current Chief Electoral Officer in his report to the Attorney-General this past year. There are some very simple reasons for recommending that. The Member

for St. Boniface doesn't want elections on Sundays, because they might conflict with elections in France, I suppose, but since French citizens can't vote in Manitoba elections, I don't think that would be a problem, they will still be able to go home and cast their ballot.

So, Mr. Speaker, purely a mechanical question then of setting up election timetables, ensuring that ballots can be printed for the first Saturday after nomination day, to allow ballots for advanced polls, to allow the setting up of timetables which specify the days of the week as well as calendar days on which various tasks are to be performed.

This is an advantage the Federal Chief Electoral Officer has and election officials in some other provinces, which have fixed polling days, have in the administration of their elections. When we are dealing with thousands, in excess of 10,000, relatively inexperienced lay people, who do not understand election administration or the details and complications of enumeration, advance polls, revision polling and everything else being able to preset all the timetables that go with the manuals and guidelines that these people receive is an administrative advantage.

Now some members opposite suggest that this limits the flexibility then of governments in terms of calling elections. Well, they're right, it certainly does. It means that people will be able to predict well before an election is called that it will be on the Tuesday. Just as they have in the last three or four elections in this province with which I have had some familiarity, they'll get involved in guessing games. Prior to 1977, since the last half-a-dozen elections had always been on Thursdays, all the guessing, the speculation in the press gallery, the speculation amongst members was with respect to several Thursdays, because everybody expected polling day to be a Thursday. So that was a speculation.

Since '77, the speculation has concentrated on Tuesdays. Which Tuesday of the month? Was it going to be November 17th? Was it going to be November 24th? That was the kind of speculation that took place before. That's not going to change. In fact, governments respected the opinion of the Chief Electoral Officer in the past and called elections which administratively entitled voters to vote.

There is a certain amount of what is often referred to as administrative disenfranchisement, people who are prevented from voting because of the timetabling of an election removes advance polls from Saturdays. It can't be held on a Saturday because of certain things. Other things occur when elections are timetabled in such a way that certain activities can't take place on normal weekdays. Those are some of the administrative procedures that are going to be improved by requiring elections to be held on Tuesdays.

I might point out to members opposite who expressed concern about this that most of the governments in other provinces, as well as the Federal Government, have been willing to give up this political freedom to call snap elections for surprise weekdays. Most of them gave it up many years ago.

Some members opposite had some concerns about another proposal in the Act which is a minor change that relates to the withdrawal rules. It is proposed that the current provision be changed. That provision

provides that a member has up to 24 hours to give the local returning officer notice of their withdrawal after they have been nominated. Otherwise, their name is on the ballot and they are definitely in the election. Mr. Speaker, various candidates have withdrawn after the withdrawal period in the past, although not in recent elections. Their name stays on the ballot and ballots cast for that candidate are not counted, but counted as rejected. That is the procedure in other jurisdictions.

Manitoba has been one of those rare provinces which has a special withdrawal provision. In fact, in the recent British Columbia election, a nominated candidate withdrew one week before election day after advance ballots had been cast for that candidate.

MR. D. BLAKE: Coward.

MR. A. ANSTETT: He was a candidate in Prince George North and, as I recall, his literature was red, white and blue and he was running as a Progressive Conservative, but I promise that if I am in B.C. again I won't tell him that the Member for Minnedosa called him a coward from his seat.

Mr. Speaker, if I may digress, he announced at the time that he thought the NDP was going to win that seat and he didn't want to take that chance. He asked everybody to vote for the other party of the right. That's why he withdrew.

A MEMBER: Who won?

MR. A. ANSTETT: The other party of the right. So obviously this provision — (Interjection) — Mr. Speaker, I am surprised in view of the opposition's suggestion that a late withdrawal might be politically expedient that they oppose this change. What this change says is: You can withdraw at any time but, if you withdraw after the close of nominations, your name will appear on the ballot. In other words, once you're officially nominated and nominations close, you can no longer withdraw to take your name off the ballot. That's all it says. You can withdraw right up to polling day. There will be an announcement. All the other proper procedures will be followed, but your name will still be on the ballot.

So if the Member for Minnedosa thinks the Conservative candidate in Prince George North was politically brilliant or did the right political thing, I'm surprised that some of his colleagues then would want to oppose this minor change in The Manitoba Act.

MR. D. BLAKE: Mr. Speaker, I wonder if the member would permit a question for clarification.

MR. SPEAKER: The Honourable Member for Minnedosa.

MR. D. BLAKE: What if the member should be on the ballot and should die before the election and was subsequently elected? What would happen in a case like that?

MR. A. ANSTETT: Mr. Speaker, there is a provision in the current statute which relates to the death of a candidate and the holding of a subsequent by-election.

That provision is not changed. We don't consider the death of a candidate to be a formal withdrawal — (Interjection) — the Minister of Health speaks with some knowledge about the permanence of death.

Mr. Speaker, the Member for St. Norbert made reference to the change in the manner of counting ballots or marking ballots and he expressed some reservations about the phrase, "without any apparent intention of identification." In fact, in his remarks he suggested that the Legislature would be treading on dangerous ground if they allowed such a non-specific phrase to be used in the interpretation of which marks should and should not be allowed. I didn't have an opportunity to advise the Member for St. Norbert so I will do so now, that the phrase has been in the current Act and in all previous Acts back to 1924 - that's as far back as I could research the matter - and I refer him to Chapter 15 of the Statutes in that year in which it says, "A ballot paper shall not be invalid merely because the voter, without any apparent intention of identification, shall have marked any of his preferences out of its proper division," etc.

So Mr. Speaker, this is not a new provision. However, it's being applied to the way marks shall be interpreted on the ballot. We've had various recounts and controverted elections in the last 10 years in which decisions as to which ballots should be counted, have been made by judges and they varied from court room to court room. Reservations have been expressed by members on both sides of this House, that sort of situation should not be allowed to continue, that elections should not be determined by the decisions of judges which vary, and that the Act should be clear enough so that no judge can rule out a ballot on a technicality, but rather where the intention of the voter was clear and the voter did not attempt to identify himself or herself as to who had marked that ballot, that that ballot should be counted.

All the changes that are made with regard to marks allowed on ballots are specifically designed to provide for that. If members opposite at Committee Stage on the bill have suggestions as to how that particular section of this bill can be improved to make it even more clear, that any voter who cannot be identified, but who clearly identifies his or her choice, should have their ballot counted. If it's suggested that these amendments don't do that adequately enough, I am certainly prepared - and I am sure the Attorney-General would be - to hear suggestions for improving that specific provision.

Some reservations were expressed, Mr. Speaker, about continuous advance polling in the Returning Officer's office. This is a provision which was new in 1979 federally, and has worked with some success at the federal level where opportunities for advance polling were limited in the past to several specific days before regular polling day. The Federal Government adopted it from New Zealand where it has been used for decades and has been a very successful provision in the New Zealand Elections Act.

The Chief Electoral Officer of Canada would advise any member who enquired into the success of the continuous advance poll that it worked well both years; that where scrutineers wanted to attend in Returning Officer's offices there were no problems; that the lists of the people who voted at continuous advance polls

were provided to all parties on a daily basis so that they could update their lists; that any concerns about the attendance of scrutineers or the adequacy of the controls on advance polling, really were unfounded because the provision had worked very well.

Mr. Speaker, I have a few other comments to make. Perhaps I can continue for 5 or 10 minutes after 8 o'clock.

MR. SPEAKER: Order please. The time being 4:30, Private Members' Hour. When this item is next before the House, the honourable member will have 22 minutes remaining.

PRIVATE MEMBERS' HOUR

RES. 15 - AGRICULTURE IN THE NORTH

MR. SPEAKER: Private Members' Hour, the first item on the agenda for Monday afternoon, Proposed Resolutions, Resolution 15.

The Honourable Member for The Pas.

HON. H. HARAPIAK: Mr. Speaker, I move, seconded by the Member for Thompson, Resolution No. 15:

WHEREAS there are presently 1.3 million hectares of agricultural land in Northern Manitoba; and

WHEREAS this represents 28 percent of Manitoba's agricultural land; and

WHEREAS such diverse crops as barley, rapeseed, flax and potatoes may be grown commercially in this land; and

WHEREAS many Northerners have expressed an interest in opening up this land for commercial agricultural cultivation as well as for private use;

THEREFORE BE IT RESOLVED that all levels of government intensify their efforts to investigate commercial agricultural opportunities to conduct research trials and to carry out practical demonstrations on a basis for expending agricultural production in Northern Manitoba.

MOTION presented.

MR. SPEAKER: Order please. The Honourable Member for The Pas.

MR. H. HARAPIAK: Mr. Speaker, I am pleased to have an opportunity to speak on agriculture in the North, although I refer to a much bigger area when I speak of the North than the area of The Pas itself. I would like to make a few comments about my home community of The Pas.

The history of The Pas dates back to 1690 when Henry Kelsey, the first recorded white man to see the Canadian Prairies, stopped there awhile on a journey to the interior of Canada. Fur trading which is the oldest industry in the area was the reason for the traders and explorers to be coming to the region during the early 1700s.

They established a fur trading post on the Saskatchewan River at the present location of The Pas itself. The fur trading has remained a part of Northern Manitoba's traditional means of employment and all through the years and is presently still being maintained

as a means of employment in Northern Manitoba. Mr. Speaker, lumber and other related forest products have also been an important resource since the early 1900s. A large sawmill was constructed in The Pas and operated till the year of 1958. When the sawmill, called The Pas Lumber Company folded in 1958, the area became a depressed area. Not only was lumbering at that time - the price of lumber was down - but the fur trading and fur trapping also became depressed in that same period of history.

Mr. Speaker, I am sure that everyone in the province is familiar with the next expansion that came into The Pas area and that was the Churchill Forest Industry which consisted of a timber and forest industry, also a sawmill, a pulp and paper mill and a manufacturing-engineering project. — (Interjection) — A great move.

It has now become Manitoba Forestry Resources and at this time it is in need of some badly needed renovations and modernization. If there is some modernization and renovations carried out, I am sure the employment that is offered by this sawmill will be stabilized and they will become a viable operation; whereas the way it stands right now it is questionable if they are.

Mr. Speaker, the people of The Pas have always been interested in promoting a secondary industry into The Pas area. I believe that the second industry that they desire is there at this time. It's just that they have not recognized it at this time.

Mr. Speaker, if the agricultural base was expanded that presently makes up the agricultural area in The Pas, presently confined to the Pasquia Valley, if the agricultural base was expanded to take in all the arable land that is in Northern Manitoba, that secondary industry would be, is present there at this time. The present farming industry do not have the support services that are so necessary and taken for granted in other agricultural areas. For instance, they don't have the veterinarian services that are so essential for a livestock operation, and they do not have a machine dealer in The Pas at this time. The farmers of the area are required to drive to Swan River to do their machine buying and they also drive to a great degree to Tisdale, Saskatchewan. So, we're exporting many of our dollars by not having those machine dealers available to the areas of The Pas.

Generally, when people think of agriculture in the North, Mr. Speaker, they think of the Pasquia Valley. The Pasquia Valley Project in The Pas was a joint project, which was carried out between the co-operation of the Manitoba Government and the Federal Government under PFRA. At that time, they brought 106,000 acres into agricultural production and of the 106,000 acres, there is presently over 80,000 in agricultural production and there are still studies going on, there is some concern with salinity in some of the areas, so they are not sure if the area is suitable for agricultural production or it isn't. Maybe it would be better off left for the raising of the natural habitat.

In a recent report by the Department of Agriculture it showed that the farming area in The Pas out-yielded other average yields in Manitoba by 15 percent. There are people who still insist that The Pas area should be strictly into livestock production. I think that would be a waste of very valuable arable land, if there was only confinement to livestock production. Although the

livestock production has been growing in recent years, the community pasture that is presently on it is filled to capacity and there are people who are still short of grazing area for cattle. The last Crown land that was given up for lease, there was at least 16 applications for every piece of property that was put up by Crown lands.

The farmers of The Pas, as the members of the opposition will know, are a rugged group of individuals who have been very successful in farming under extreme conditions. I am sure that there are people in Southern Manitoba who would have to do a lot of adjusting before they could survive, if they were to apply the present farming practices that are carried out in Southern Manitoba, or even in The Pas area. For one thing, a part of the machinery of every farmer in The Pas is a dryer. In most other areas they don't have to be concerned about drying of their grain, but a dryer is a part of each one of their machinery.

There has been an effort by the Department of Agriculture to assist farmers in The Pas area who are raising sheep. The Pasquia Sheep Producers Association and the Department of Agriculture are involved in a project which would help improve pasture grazing techniques. They are also involved in improved fencing techniques, which would eliminate the losses to predators, which have been very high in the last couple of years, so they are re-introducing a new fencing technique, which would help alleviate the problem.

Mr. Speaker, in 1980, I attended a seminar at The Pas, which was sponsored by the Norman Regional Development Corporation and had participation from many different government departments. There was the Department of Natural Resources, the Department of Economic Development, the Department of Agriculture, Northern Affairs and Tourism. The name of the conference was the North Feeding the North Conference. The purpose of the conference was to examine and assess the possibility of researching and developing new food production opportunities in Manitoba, north of the 53rd parallel, and also look at the possibility of expanding the agriculture enterprises that are already existing in the area and to expand them and make them more viable, as well.

One of the areas addressed at the conference was the availability of land. It was pointed out at the conference that the majority of land that is suitable for agricultural production and located in the southern part of the province, the majority of that land was already in agricultural production. So if there was going to be any expansion of the agricultural industry in Manitoba, most of this expansion would have to come in the northern part of the province and it would have to be north of the 53rd parallel.

There are several areas of importance that do exist and the major area in the northern clay belt and that extends from Cross Lake and Wabowden through Thompson and Nelson House and through to South Indian Lake. There is also a tract of land of .2 million hectares north of The Pas in the Wanless area.

There was some farming carried out in the Wanless area approximately 20 years ago. There was a family operation which was involved in raising alfafaseed and they combined this with a bee operation, an apiarist, and they had a very successful operation until the father - who was managing the operation - passed away and

the sons tried to carry on but I guess their techniques of farming were not as successful as his and it wasn't too many years later that the operation closed down and the land is lying idle at this time. So there are some people who are trying to buy that land.

In the research carried out at the experimental farm at Canada Agriculture at Wabowden from 1955 to 1956, it shows that spring wheat could be grown at Wabowden. The yield and quality were both low, so it's doubtful if spring wheat could be grown on a commercial basis, but of course, since those experiments have been carried out, there has been a lot of improvements made in the fertilizer industry. So I'm sure with some of the increased production and some of the research that has gone into improving strains of wheat grown, that maybe there is a strain available now that could be grown successfully in the northern part of the province. In the research that's carried on with oats, oats requires basically the same period of time for growth as wheat, so it's doubtful if it could be grown without improvements in the fertilizer as well. The research that was carried on with barley, it shows that barley that was produced in the Wabowden area was comparable to barley grown in the southern part of the province. It seems that the flax crops responded to heavy applications of nitrogen, and they can be grown successfully and commercially in that area as well. Rapeseed with some of the early maturing Polish varieties that are responding very well to the fertilizer, the Polish varieties are now available and they could be grown in that northern part of the province as well.

There is no question, Mr. Speaker, that vegetables can be grown successfully in many parts of Northern Manitoba. As a matter of fact, when the northern part of the province was being developed there were commercially grown vegetables in Wabowden and the Thicket Portage area which supplied many of the needs when the railroad was being built in the early part of the '70s.

It seemed that the most suitable type of an operation for the northern part of the province would be a cow-calf operation. There has been experimentation carried on with the buffalo. I guess the farmer that had the buffalo wasn't very successful. The predators in that area took care of his stock and now he no longer has any.

Mr. Speaker, the one thing that I would like to point out is that the area of Wabowden, which is pretty well central to that northern part of that clay belt, is only about 350 miles from the Port of Churchill. When we talk about the variable rates and the possibility of the coal being lost to the western agriculture, it seems that this area would be in a position to become more viable as a commercial operation, because with only being located 350 miles away from the Port of Churchill, it seems that they would be in a very favourable position.

Agriculture in Northern Manitoba dates back to the early 1800's. In The Pas area, explorers witnessed some agriculture being practised along the banks of The Pas River before the 1900's. Some of the earliest wheats recorded grown in Western Canada was grown in the Saskeram area, an area that is presently under a lot of controversy. At one time in the Saskeram area, there were up to 20,000 acres that were involved in a mixed farming operation.

There are people who are saying that the Saskeram area - and I would be remiss if I didn't mention this Saskeram area when I'm speaking about agriculture in the northern part of the province - the Saskeram area is approximately 120,000 acres in the area. There are some people who are saying that at this time without additional draining, there could be up to 60,000 acres farmed. It has been my opinion that a multiland use policy should be carried out in the Saskeram area.

I believe that the former Minister of Natural Resources of the last government maybe had his line of thinking right when he was creating the committee to deal with this, but only he seemed to forget to include that agriculture had a place in the Saskeram area. I know that he was getting a lot of opposition from the Minister of Natural Resources at that time who didn't want agriculture imposing or taking over land from Natural Resources. So there seemed to be a conflict between the two Ministers at that time, although I wish that when he was going to set up that committee, I wish he would have carried out the multiple land use committee and carried it out the way he had intended to.

The soil classifications vary in the northern part of the province. They vary according to the drainage capabilities and the nutritional values. A great portion of the land is suitable for livestock production, as I mentioned earlier, and supplemental feeds for that industry, the beef industry.

If one-third of the area that has been designated as agriculture area was developed for agriculture, it would be a mega project in the north. I guess that's just saying a mega project would have members of the opposition supporting it, because they seem to believe in mega projects. So if we designated it as a mega project, I'm sure that we will get some support from the other side.

I believe that if there was more of this agricultural land brought into production, it would stabilize the effect of the economy and the population of the northern part of the province. There are many Native people who are expressing an interest of becoming involved in agriculture. I believe that is an additional reason why we should be bringing additional lands into agricultural production, because these people deserve an opportunity to participate in agriculture the same as anyone else would. There are many of the Native young people are continually asking, where is land available because the land that they have that is suitable for agriculture, and within their own boundaries of the reserve are presently tied up, already designated to agriculture production.

One of the depth studies on the economics benefit to be derived from agriculture, expansion in the North would be, I'm sure, that this project would be a viable operation. At this time, I think it would also make an excellent make-work project, and it would show satisfactory cost benefits. There have been some studies carried out by the Department of Agriculture, which show that there would be a four to one return on the lands that are not in agriculture production within the Pasquia dike right now. Outside of the fact that there are some problems with the salinity in the area, I'm sure with further study it would show that with proper agricultural practices that the salinity problem can also be overcome.

I am looking forward to more debate from the opposition on this subject of Agriculture in the North.

They seem to believe that they are the only people who advocate agriculture in this province and I want to assure them that this government realizes the value of agriculture to this province. We are in the process of bringing this study on stream so we can show the viability of agriculture in this area.

Thank you, Mr. Speaker.

MR. H. ENNS: Way to go, Harry. We're with you all the way, Harry.

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOWNEY: Thank you, Mr. Speaker. I am pleased to be able to participate in this debate and would like to add some comments . . .

MR. H. ENNS: Congratulate Harry first.

MR. J. DOWNEY: . . . some comments to the resolution that was introduced by the Member for The Pas.

It seems somewhat strange that the member would introduce such a resolution when they are the Government of Manitoba and have the golden opportunity to proceed with a lot of things that are very obvious that could be done in that particular area. I, Mr. Speaker, don't mind going on record and will do so in pointing out some of the productive things that were done during our term office because there are some facts there. But I, first of all, want to tell the Member for The Pas how out of line he is when he refers to the land base that is available in Northern Manitoba in the metric measure. Mr. Speaker, in no way, shape or form am I aware of the fact that the province has changed the land measure to metric. If that is the case, Mr. Speaker, let the government speak out on that, have they changed the land measure in the province to metric?

I want the farm community to know, Mr. Speaker, that's precisely what we're seeing right here in this resolution. Mr. Speaker, the transition or the change to metric measure is not supported by the majority of the farm community, or in fact by any Manitobans, let alone farmers. If this is an indication what the Howard Pawley Government is now doing with some of the other changes, particularly to deal with the language in this province, dealing with the measure, they aren't acting unlike what the federal Pierre Elliott Trudeau has done to us over the last 15 years, Mr. Speaker. This is really and truly an indication of a change to the metric measure for land in Manitoba and we won't stand for it, Mr. Speaker, nor will the people of The Pas, or Northern, or southern Manitoba.

Mr. Speaker, the member is not correct in the figure he's using. I don't know how to transfer or how to calculate the acreage out of this, but I would guess that 1.3 million hectares is something about 3 million acres, if I were guessing - 2.25 acres to the hectare would give us pretty close to 2.5 million acres.

Mr. Speaker, we, the Progressive Conservative Party, when in office, did a study of northern agriculture, the potential for northern agriculture and identified some 6 million acres that had agriculture capacity in Northern Manitoba. So his facts, Mr. Speaker, are not correct

and I would suggest that he review or to take a look at it.

Mr. Speaker, the member again is trying to now point out to his constituents in the north that he and the Member for Thompson are going to do something great when it comes to agriculture and the development of it. Mr. Speaker, one of the main problems with developing of northern agriculture is the development of the land base.

We were clearly on the record, Mr. Speaker, as a Progressive Conservative Party, even before our getting into office, there was one outstanding Prime Minister who indicated that he had a vision to develop farming in Canada and that was John Diefenbaker, Mr. Speaker. That was a Progressive Conservative Government that truly went on record. But other than that, Mr. Speaker, the development of agriculture has to come through a development of joint land use, not solely for agriculture, not solely for resources, not solely for the lumber industry but a joint use, and that was our policy and still is.

We, Mr. Speaker, in 1980 - let's talk about the Saskeram area for a few minutes because it is an area where this Member for The Pas can immediately get involved and expand agriculture in Northern Manitoba. He has it within his power, sitting on the side of government, to influence the Minister of Agriculture and the Minister of Natural Resources to open up 100,000 acres for joint use with agriculture, Ducks Unlimited, and resource people, and the Native people so they can all jointly use, Mr. Speaker.

How was that being accomplished during our term of office? The Minister of Natural Resources, the Premier of the Province and myself met with the farmers, the Native people, the wildlife people and it was our policy to develop a joint Land Use Committee to make recommendations on the future use of the Saskeram area. That was actively in place, but after the New Democratic Party got in office that has all fallen to pieces.

MR. H. ENNS: And they switched to metric. They switched to hectares.

MR. J. DOWNEY: They have not done anything, Mr. Speaker, to develop the Saskeram area in a way in which would benefit the majority of that community. In fact, on May 10th, a group of people had a meeting set up with the Provincial Land Use Committee and they were turned away. They haven't met with them yet. That, Mr. Speaker, I was told by the farmers of The Pas area that they planned to come to a meeting but did not have the opportunity to meet. You know, I don't know what went wrong, Mr. Speaker, but something happened with that whole meeting.

MR. H. HARAPIAK: On a matter of privilege.

MR. SPEAKER: Order please. The Honourable Member for The Pas on a point of order.

MR. H. HARAPIAK: Mr. Speaker, the Member for Arthur is misleading the House. He claims that there was a group from The Pas had a meeting set up with the Provincial Land Use Committee. There was no such meeting ever in place; they were not turned away.

MR. H. ENNS: Withdraw Jimmy, withdraw Jim, withdraw, withdraw.

MR. SPEAKER: Order please.

I thank the Honourable Member for The Pas for that clarification.

The Honourable Member for Arthur.

MR. J. DOWNEY: Mr. Speaker, to the Member for The Pas, if the Member for The Pas would communicate with his constituents, then he might know a few facts. I was informed by a resident of The Pas area, a farmer, that they had a meeting set up for May 10th with the Provincial Land Use Committee. I'm not saying why it went wrong. There could have been a confliction of dates with the Ministers, but I do know, Mr. Speaker, that they indicated to me, people from The Pas area, told me they had a meeting set up with the Provincial Land Use Committee or with the government.

Mr. Speaker, if I am not correct, then I will stand up and apologize to the member, but to this point my information is accurate.

MR. SPEAKER: Order please.

The Honourable Minister of Agriculture on a point of order.

HON. B. URUSKI: Mr. Speaker, yes. The honourable member is not correct in his assertion.

MR. SPEAKER: Order please.

The Honourable Member for Virden.

MR. H. GRAHAM: Mr. Speaker, on a point of order. I would hope that you would rule that was nothing more than an interjection. A difference of opinion is not a point of order and it certainly interferes in the debate of a member when people get up on spurious points of order.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please, order please. Order please. I note how all members are enjoying this debate and I'm sure that no member would wish to disturb it unnecessarily. However, we do have freedom of speech in here and members are entitled to give their understanding of the facts.

The Honourable Member for Arthur.

MR. J. DOWNEY: Thank you, Mr. Speaker. As well as that, Mr. Speaker, I am of the understanding that the Premier last week, or possibly today, has received a petition from some 55 business people out of 57, on a petition that asked the Premier and members of his Cabinet to go to The Pas, to meet with them, to discuss expansion of their agricultural base, the economy and a few other things like that, Mr. Speaker. So they're in dire need of recognition from this government. They aren't paying attention to what the people of the North need and we have the Member for The Pas having the nerve to introduce such a resolution, Mr. Speaker, when it is in fact his constituents that are crying out. His constituents are crying out for recognition.

Mr. Speaker, I want to touch a little more on the Saskeram area. As we are all aware, the Saskeram

lease with Ducks Unlimited is due to be signed, or a renewal of that lease is to be signed in the first part of July of this year. Where does he stand? Where does his Minister of Natural Resources stand and where does his Minister of Agriculture stand on the resigning of that lease, Mr. Speaker, because it's important to the expansion of all that agricultural base if the lease is not signed or an agreement is made to allow more agricultural use in that Saskeram community.

I'll go back and give you a little more history. In 1980 in the drought conditions that whole Saskeram area was opened up by my colleagues and I, so that the farmers and ranchers could go in and take hay off of that area, plus there was a barge put in place. The barge put in place - the Member for Lakeside, the Member for Turtle Mountain were both involved in that decision because of their knowledge of both ducks and cattle. But there was a barge made available to communicate back and forth across the river to get the hay out and the farmers into producing.

A MEMBER: You're busy knocking roads out now.

MR. J. DOWNEY: Yes, Mr. Speaker, they're now busy knocking roads out, so farmers can't get hay out of the marshy areas.

Mr. Speaker, let us look at other historical things. The Progressive Conservative Party under Duff Roblin, in conjunction with the Federal Government, developed Polders I and II to increase the agricultural production in the Saskeram area. The development of Polder I and II was done by the Progressive Conservative Party and the Liberal or the Conservative Party in Ottawa. George Hutton was one of the Ministers that were involved in the whole development of the Pasquia. That was a Progressive Conservative Government that did it and the Federal Government.

My colleague, the Member for Lakeside, when he was the Minister of Natural Resources committed to the people of The Pas that he would develop Polder III, that he would develop Polder III and has this government moved to develop Polder III. No they haven't, Mr. Speaker, they haven't done one thing but present a meaningless resolution to this House and try to play politics with the people of his constituency. Can you imagine playing politics with his own constituency? So the Conservatives truly are on record as having developed agriculture in the North.

During my term in office, I indicated we did a study to identify some 6 million acres. What are they doing with the recommendations from that study? What are they doing with it other than sitting on it, Mr. Speaker. I would challenge them to get off their butts and get going because, Mr. Speaker, it's important that that happens. The resolution refers to several other areas, and one of those areas is to conduct research trials - very important to conduct research trials. Well, Mr. Speaker, our Conservative Government introduced what was known as the AgroMan Agreement, AgroMan Agreement, which would accommodate regional trials for grain and all kinds of production throughout all of Manitoba. — (Interjection) — Yes, my colleague from Turtle Mountain says drainage as well, but it was a federal-provincial agreement to accommodate trials in agriculture, not in the Red River Valley, but in all regions

of the province. I'll ask the Member for The Pas sometimes if there aren't some projects up there, and if there aren't why hasn't he asked his Minister of Agriculture to put one up there and to do some demonstration work, because the tools are in place and they were put in place by a Progressive Conservative Party, not by a New Democratic Party who really don't understand what the aspirations of the northern agricultural community are.

There is another important thing that took place during our term of office. There is another important thing that took place during our term of office. There was a big promotion of northern agriculture where many groups, the Norman Regional Development Corporation, I believe were the nucleus to develop a look at — (Interjection) — that's right, the Minister of Agriculture is going to help me out. The North feeding the North. That was helped and funded by the Provincial Government under the Progressive Conservative Party.

That's right, Mr. Speaker. We have done more. We have done more for the development of agriculture in the North than the New Democratic have done in all their years in office, whether it was in the Schreyer years or the Pawley years. Yet, the Member for The Pas stands up and says that all levels of government should do what they can to develop agriculture in the North. Why doesn't he practice what he preaches instead of coming to town to play politics. That's all he's doing. Why doesn't he get busy and do something? Get in touch with the people. I know the Member for The Pas has been somewhat popular with a few people up North, because he got elected. He got elected in 1981. Yes, he got elected, but I can tell you, he'll have a pretty tough time hanging on in the next election, because they'll say, Mr. Member, you resigned a lease with Ducks Unlimited to give the ducks a 100,000 acres and you having done anything to expand the farming base.

Mr. Speaker, you resign and I'll show you what I'll do with that lease up there. You see, if you can't handle it, we will. That's right. I am going to point out that he hasn't developed Polder III or hasn't begun to do anything with Polder III which was a commitment by our government. They'll sign the 100,000 acre agreement with the Ducks Unlimited and the farmers will be left out. The Native People won't be happy because they aren't going to get in and be able to hunt in that particular area. They are not going to have a local committee set up, which would work out at a local level, an equal interest group that will look after themselves. But he will be the man that will be blamed; he will be the man that will be blamed because he won't be able to deal with it.

All those examples, all those things will come home to roost and it will happen between now and the next election. The Member for The Pas will have to deal with it, but probably the bigger issue that his government, and I want to recap, Mr. Speaker, the bigger issue is his unveiling in this resolution that the New Democratic Party are introducing metric measure for the land system in the Province of Manitoba. That is probably the biggest slip that was let go by the Member for The Pas and he will go down in the history books as unveiling their master plan to finally implement the metric measure on farm land in Manitoba.

That, Mr. Speaker, will be the final thing that will get him, because I think that we have to this point - I know

that our leader and our government were strongly opposed to changing of land measure from the acre to hectare, but it is evident right now that we've gone that final step, and I want to make the public very aware of it. I want to make the public very aware of it and if that's not the case, I would hope the Member for The Pas would bring in an amendment and strike out the metric totally.

I challenge him, if that's not the case, to bring in an amendment and strike out the metric and replace it with acres. If he does that, then I will back off somewhat when I have a chance to speak on the amendment. I would be very prepared to say a little bit more in favour of the member's resolution at that time, if he were to change that.

There's one other important point that I want to make in this debate, because what we're talking about here is something that is important to the future economic growth of Manitoba and the people who are involved in agriculture. When we talk of expanding 6 million acres or making available another 6 million acres of potential agriculture capacity, in terms of 1,000 acres per farm - and that's a pretty good sized farm - that's another 6,000 farmers that could be started farming in Manitoba. But that isn't happening under this government, Mr. Speaker, because this government is more intent on stopping people from coming to Manitoba to start farming. They're more intent on bringing in restrictive land ownership laws that prohibit people from coming to Manitoba and investing in farm land and it's this kind of development in Northern Manitoba that could take outside capital.

There was a report from the Farm Lands Protection Board, under my term of office, that recommended that that's where capital could come from, from foreigners, to invest in areas that needed developing. Yes, Mr. Speaker, that should be what takes place, but this government are moving in the opposite direction. They're even stopping people from investing in land that is already developed, as well as that which isn't, and I think there can be a case made in debate for the development of that land with outside capital - and the Minister of Agriculture is nodding in the affirmative, now he's nodding in the negative - well, he's truly pointing out that he doesn't know what way he's going and agriculture is following him, under his government.

But, Mr. Speaker, what I'm saying is very sincerely, very sincerely there is a land base there. It would accommodate new growth, new people, add to the economic stimulus. It would as well, Mr. Speaker, add to the vitalization of the Churchill Port. The development of northern agriculture has a major impact on the usage of the Port of Churchill. If you ask, the Member for The Pas recognized that fact, but how did he recognize it? Not in the positive sense. He recognized it in the negative sense that he was going to talk about Crow rate and how Crow rate change would hurt. I'll tell you, Mr. Speaker, if the development of northern agriculture came through at its maximum potential, as could some day well be, that you would see an expanded use of the Port of Churchill with incoming commodities and outgoing shipments of agricultural products.

The whole development of the North is very vital and the whole development of that Port rests on the development of the agricultural base and that's what it's all about. That's why the Progressive Conservative

Party want to see the development, the orderly development of the Polders I, II and III, and we've seen the I and II developed. Polder III - there is IV too - to the Member for The Pas, but he didn't elaborate on that. I am, Mr. Speaker, because it is a good meaningful program. I want to see multiple land use and I don't mind putting on the record, for all interests in the Saskeram area, multiple use. — (Interjection) — Yes, I want to see multiple use for all resources taken into consideration, but I want the local people to be involved.

In concluding, the record speaks very clearly for itself, of the developments that took place under our terms of office and those that have taken place under the New Democratic Party. The only thing that has happened under the New Democratic Party is this little resolution brought in by the Member for The Pas, saying that all levels of government should work to develop Northern agriculture. They are the government. They have the responsibility. Now I challenge them to get on and do it, Mr. Speaker.

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. B. URUSKI: Thank you, Mr. Speaker. Mr. Speaker, in speaking to this resolution today, I am very pleased that the Honourable Member for The Pas brought forward this resolution to all members in this House, so that members in this House might be made clearly aware of the potential of Northern Manitoba and the potential that exists in the agricultural industry. But, Mr. Speaker, hearing the Member for Arthur this afternoon, one really has to wonder where he is coming from when it comes to the agricultural industry. All that he could get up is really, in this Chamber, is come here and mix the whole issue up and try to confuse the issue as to what someone has done or not done.

Mr. Speaker, if one was to go that route - and I'm tempted to - in terms of how the Conservative Party viewed agriculture in this province, he talked about the Port of Churchill as being a very necessary element in the future expansion of agriculture in this province, while a colleague of his in the Federal House from the Province of Manitoba said that the Port of Churchill should be abandoned, Mr. Speaker, the Conservative Party. He talked about the Saskeram and he talked about the Polders, the advancement and the upgrading of Polder I, II and III. Mr. Speaker, for four years nothing was done in terms of the advancement of the Polders in Manitoba. It took the Schreyer Administration to advance, increase and build up the Polder expansion into the The Pas area, and during the last four years there were virtually no funds expended in that area. Mr. Speaker, there was a commitment made. There were commitments made but there were no expenditures made, Mr. Speaker, commitments, what I would consider deathbed commitments with the election coming on. That's the way they treated agriculture in the Province of Manitoba.

Mr. Speaker, even before that, it took a Conservative member of Northern Manitoba, the Member for Churchill, the late Gordon Baird, who actually left the Conservative Party because of the neglect for Northern Manitoba. It was over the neglect of Northern Manitoba by that administration, Mr. Speaker, and that is the

reason Northern Manitoba has continued to elect NDP members in Northern Manitoba, such as the Member for The Pas. It was clearly, as a result of neglect for Northern Manitoba, notwithstanding — (Interjection) — Mr. Speaker, the former Member for Churchill, Gordon Baird, was an honourable man and he spoke out for the North. He saw what they were doing to Northern Manitoba, and that legacy lived on even with the Lyon Administration - the neglect of Northern Manitoba - and that is very clear.

To suggest somehow by the Member for Arthur that we have no care and compassion and that we should do more, somehow negates our one member who is a member of this Assembly, trying to speak out and say, look governments, both federal and provincial, to raise the issue and make it public and make it known that there is potential in the North is somehow degrading the representation of the Honourable Member for The Pas, is nonsense, Mr. Speaker. The fact of the matter is, he has the courage and the representation of the people of his riding in Northern Manitoba that he is prepared to say, look, let us do something. Do more than what we have been doing, Mr. Speaker — (Interjection) — the honourable member wants to suggest that something is politically embarrassing.

Mr. Speaker, nothing should be more embarrassing than the words the Honourable Member for Arthur has made. He talked about the farm lands bill, which is totally not only misleading, Mr. Speaker - I would say misleading. He talked about the need for investment in Northern Manitoba, and that this bill, somehow what we are doing in this Legislature negates what might be a thrust in northern agriculture.

Mr. Speaker, the bill welcomes people to come, live and farm in Northern Manitoba, and that's really what we want, isn't it? Isn't this what we want? We want more people farming.

Mr. Speaker, we should take care to make sure that the North does feed the North not with an injection of funds that is put into place to such a degree that the local initiative and the local advancement does not take place as a result of extra funds that public funds might be put into an area. What should happen is that the growth should take place as the local people wish that development to take place, and governments should act as a catalyst to make sure that development takes place, not to inject it, not to force-feed it, but to work with the local people to make sure that advancement takes place. That's where we have to take particular care.

To suggest that somehow this resolution is negated by the use of metric, Mr. Speaker, is just nonsense. You know, for a member who was Minister of Agriculture in the last four years, when, in fact, his own colleague, the Member for Lakeside, complained about the use of metric in spraying, in herbicide containers, when it was their government when that change came in. You could call him Metric Jim, Mr. Speaker, because that change was made during his period in office. Now to suggest that now metric somehow negates the resolution — (Interjection) — Mr. Speaker, yes, there is no doubt, I am sure the Honourable Minister of Municipal Affairs.

Mr. Speaker, the Conservative record on Polder III is very bleak, Mr. Speaker. What we have to do in Northern Manitoba, and one of the issues which wasn't

covered by the Honourable Member for The Pas is the advancement of Polder III. There is no doubt that there has to be a systematic approach. I accept that as the Minister of Agriculture for this province that we have to systematically develop a plan for the building of Polder III, Mr. Speaker. There is no doubt about it. That is a major potential.

On the question of Saskeram, Mr. Speaker, the honourable member would not answer the question when I asked him what he would do if he was in administration. Mr. Speaker, I can tell you that a decision will be made and not with a nonsensical basis of whether a meeting was held or not held by the Provincial Land Use Committee. The honourable member should be aware, if he's not aware, that the Minister of Natural Resources, the Member for The Pas and myself met with all the groups who were involved in the Saskeram area last fall in The Pas area, right in the community of The Pas. We had a daylong session on the one issue.

You see, the Honourable Member for Arthur may want to suggest or at least leave the impression that if they were in office that agriculture would get exactly what they wanted. Mr. Speaker, I know the Member for Turtle Mountain, I know he's an honourable man. I know his colleague, the Member for Lakeside. I know that they would, in the decisions that they have made in the past and I will not even repeat any, take a balanced view in terms of the Saskeram. To suggest somehow those members should get up and repudiate the suggestion that somehow one group will get more than the other if one decision is made or another decision is made. Mr. Speaker, there will be a balanced view and a balanced decision made on the Saskeram, notwithstanding the politics of the Honourable Member for Arthur on this issue. There will be a decision made, and it will be made in as comprehensive a way that can be made. Mr. Speaker, the Honourable Member for The Pas will certainly be able to defend himself and deal with this issue quite well, but the Saskeram area is but one small area in Northern Manitoba in terms of the land available.

The Wabowden area is an area that has been looked at. In fact, Mr. Speaker, I was one member who promoted - and the former Minister, the Member for Arthur, who was the then Minister of Agriculture, did take seriously the promotion that we had with people, immigrants coming from Mexico, from South America, the Mennonite community who wanted to settle and have a tract of land. The Wabowden area was one of the areas that was being promoted, as well as the area northwest of Gypsumville in the Basket Creek area which has potential for agricultural development.

But it does take people. It does take commitment, Mr. Speaker. It does not take force-feeding to allow the development of an industry to take place. You cannot tell people, we want you to be there and we will pour in all kinds of monies to develop, and then when things don't go well, everybody leaves and they say, oh well, the government wasted their money, they put us up there and really didn't. There has to be the commitment from people, and it has to be done in a rational and in a deliberate way, but it has to be locally induced. That is the prime consideration for making any major project such as agricultural development in the North.

MR. B. RANSOM: The planners would never let you develop that.

HON. B. URUSKI: Mr. Speaker, the Honourable Member for Turtle Mountain indicates from his seat that the planners would not allow us to develop that area. Mr. Speaker, in fact, absolutely if the land is developable, it would be sold as any other Crown land in the province — (Interjection) — well of course. But, Mr. Speaker, what wouldn't happen is that the province should not invest money in the clearing of Crown land and then, of course, give the land away. They should recoup their investment in the Crown land and the development there.

That's what should happen and there is no reason why that can't happen and couldn't happen and shouldn't be encouraged. In fact, Mr. Speaker, that's what is happening. If there is a desire to develop land in the Wabowden area or in Northern Manitoba, that is a possibility — (Interjection) — oh, Mr. Speaker, the Honourable Member for Arthur is really mixed up. He is really mixed up in terms of his priorities towards agriculture. Whether he wants to have development take place, but he is hung up on metric, metric that he, when he was Minister, allowed to come into this country, into this province, Mr. Speaker.

MR. B. RANSOM: Would the Minister permit a question?

HON. B. URUSKI: Sure.

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Chairman, A question to the Minister of Agriculture. Will the Minister of Agriculture make land available for sale in the Wabowden area to people who are interested in developing it agriculturally.

HON. B. URUSKI: Mr. Speaker, if there is Crown land that is available in Northern Manitoba and there is, it would be subject to sale. Agricultural — (Interjection) — well, Mr. Speaker, the Honourable Member for Morris says, when? He will be faced with the same problem as we are in terms of surveys. The problem is, Mr. Speaker - and the Member for Turtle Mountain knows quite well what the difficulty is - that is exactly the difficulty, because the problem of surveys starts with southern Manitoba. We are trying to correct history and resurvey the Province of Manitoba and it will be a period of time. But you will be served and have the same difficulty as we have in terms of having the land

surveyed. But if the land is available and can be delineated, agricultural Crown lands are being sold.

They are being sold as a matter of policy, whether it be for agricultural Crown land; whether it be for cottage development; whether it be for residences; whether it be for commercial. There is a policy in the Province of Manitoba today that that goes on, Mr. Speaker. It is not, as some members might suggest, as the Member for Emerson suggested a time back, that there is a reluctance. It is an informed policy that is going on.

Mr. Speaker, it has been well-developed. We certainly have improved on what was there in place, but the matter of surveying and the like will be a problem that will encounter whichever government. So, Mr. Speaker, we can all certainly congratulate the Honourable Member for The Pas for putting this resolution forward in terms of making sure that all members of this Assembly can take part in a debate in the promotion of agricultural development, making sure that the North does feed the North and the development takes place as Northerners and people in those areas are prepared to develop agriculture.

The one difficult part, Mr. Speaker, is prices, the return on investment and the return from produce. We know that during periods - and these are difficult periods - of low prices where costs of production exceed the input costs when you include the price of land at the going rate in a number of years. That is why we've had so many difficulties in agriculture. Land prices, people have basically priced themselves, priced land beyond the capability of it producing a return on the investments put in.

Those are some of the difficulties that agriculture has faced and, I venture to say, that development in Northern Manitoba will take its course. It will not and one cannot enhance that development very quickly. It will have to take its course in terms of the times of agriculture — (Interjection) — Mr. Speaker, the honourable member might let me finish that the development can only take its course as the returns come in for agriculture, as times improve in the grain sector and in the livestock sector and the North can feed the North, Mr. Speaker.

MR. SPEAKER: Order please. The time being 5:30, when this resolution is next before the House, the Honourable Minister will have five minutes remaining. The time being 5:30, I am leaving the Chair to return at 8:00 p.m.