

LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, 24 July, 1980

Time — 8:00 p.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. Harry E. Graham (Birtle-Russell): Presenting Petitions . . . Reading and Receiving Petitions.

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

MR. SPEAKER: The Honourable Member Springfield.

MR. ROBERT ANDERSON: I beg to present the Second Report of the Standing Committee on Agriculture.

MR. CLERK (Jack Reeves): Your committee met on July 23 and 24, 1980 and heard representations with respect to the Bills referred as follows:

Bill No. 86 — The Milk Prices Review Act.

Ruth Titheridge — Consumers Association of Canada (Manitoba Branch)

Armand Desharnais, St. Pierre and Don Sharpe, Rapid City — Manitoba Milk Producers Co-operative Association.

Leslie Schroeder, Steinbach.

Alvin Knight, Souris.

Heine Holtmann, Rosser.

Lyle Rose — National Farmers Union.

Wendy Land and Arne Peltz — Ad Hoc Committee for Milk Prices for Citizens Health Centre.

John Hueging, Warren.

Art Rampton and Tom Dooley — Manitoba Milk Producers Marketing Board.

Bill No. 61 — An Act to amend The Dairy Act.

Art Rampton — Manitoba Milk Producers Marketing Board.

Your committee has considered Bills:

No. 61 — An Act to amend The Dairy Act.

No. 86 — The Milk Prices Review Act.

And has agreed to report the same with certain amendments.

MR. SPEAKER: The Honourable Member for Springfield.

MR. ANDERSON: Mr. Speaker, I move, seconded by the Honourable Member for Emerson, that the report of the committee be received.

MOTION presented and carried.

MR. SPEAKER: Ministerial Statements and Tabling of Reports . . . Notices of Motion . . . Introduction of Bills.

ORAL QUESTIONS

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

MR. LAURENT L. DESJARDINS: Mr. Speaker, I wonder if the Acting House Leader would again, as has been done in the last few days, give us an idea of the work that will be proceeded with tonight, in what order, if at all possible?

MR. SPEAKER: The Honourable Acting Government House Leader.

HON. EDWARD MCGILL (Brandon West): Mr. Speaker, we propose to begin by calling Bill 114, standing in the name of the Honourable Member for Kildonan. We will then proceed to deal with some of the bills that are on the Order Paper which we have been holding for the return of the Attorney-General, and we expect to proceed with those. I would not like to give the member a precise order, but it will be our intention to deal with as many as possible.

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

MR. JAMES D. WALDING: Mr. Speaker, my question is for the Honourable Minister of Finance. I wonder if the Minister has a report to the House of his trip to South Dakota yesterday?

MR. SPEAKER: The Honourable Minister of Finance.

HON. DONALD W. CRAIK (Riel): Mr. Speaker, the trip to South Dakota yesterday was with regard to more of an exchange of information between the governments and the Manitoba delegation, or the Manitoba group, I perhaps should say more accurately, was comprised of the present CEO of Hydro and one of the chief Hydro people who has been involved in the negotiations on the Mandan Agreement and the two representatives from Energy and Mines and Legal Counsel plus myself.

We had a very good trip. The only report that I have seen in the media here may not be just . . . with no suggestion that there's any error in the local scene, because I notice it's a report coming out of the Associated Press, I believe, indicating that we may have been faced with some difficulties in the trip. If we were I wasn't cognizant of that fact. We had a good exchange of information with the Governor of North Dakota, their legislative committee and some of their officials with regard to the South Dakota concerns and position and interest, other things in the Mandan Line. As the members of the House here are aware that the agreement, Letters of Intent that have been exchanged between Manitoba Hydro and Nebraska Power are just that; they are between those two utilities. There are a number of other utilities and, of course, political jurisdictions at the state level that are between Manitoba and Nebraska. The intent of the trip was really to provide more information of the concerns that exist in the state of South Dakota from the point of view of primarily the landowners where the lines have to cross.

Mr. Speaker, I could add more to it. I suggest that perhaps the question period may be extended somewhat in doing so, but I would say the exchange is very worthwhile and I trust we were of some assistance to the utilities in trying to work out the arrangements between Nebraska and Manitoba.

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

MR. WALDING: Thank you, Mr. Speaker. The press report today indicated that there were meetings with a joint committee of the South Dakota Legislature and also another group that would appear to be an environment group or something similar to that. I wonder if the Minister can confirm those two meetings and whether it was the intent of the trip to meet with those two groups and were there any other groups that the Minister met with.

MR. CRAIK: Mr. Speaker, the meetings yesterday which I attended were all governmental groups. There were meetings today between the other members of the group that went to South Dakota, a group called the Safe Energy Alternatives Group, which are primarily the landowners in the area where the proposed powerline location would go through. There was another meeting today with the Public Utilities Committee, I believe, from the State of South Dakota. So those two meetings were held today and I have no information available from those meetings.

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

MR. WALDING: With a supplementary question, Mr. Speaker. The press report also indicated that the Minister had a written text that he delivered, or written remarks. If that is so, would the Minister be prepared to table a copy of that document?

MR. CRAIK: Yes, Mr. Speaker, I'd be pleased to table that document.

MR. SPEAKER: The Honourable Member for St. Vital with a fourth question.

MR. WALDING: Yes, Mr. Speaker, a question to the Minister of Finance. The Minister has indicated on several occasions in answers to questions that he would check to see if copy of a Letter of Intent referring to the Mandan project could be made available to the House. I wonder if he has anything to report on that matter.

MR. SPEAKER: The Honourable Minister.

MR. CRAIK: Mr. Speaker, I indicated at the time of taking that question as notice that I would refer it to Manitoba Hydro and, while I felt that it was probably a public document, the only caveat would be the usual one, that the other party in that Letter of Intent would probably want to be consulted in the matter. I have not heard from Manitoba Hydro on that matter, presumably they are busy checking it. If they come back with a positive answer I will certainly be tabling it.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MRS. JUNE WESTBURY: Thank you, Mr. Speaker. My question is addressed to the Minister of Finance, in the absence of the Minister of Urban Affairs. Will the Minister confirm that the province has been approached by the City of Winnipeg with a view to cost-sharing in electric powered rapid transit system, as announced by Councillor Harold Piercy?

MR. SPEAKER: The Honourable Minister of Finance.

MR. CRAIK: Mr. Speaker, I believe so, yes, this is back a month or so ago, and I think that there is some discussion under way for further examination and study.

MRS. WESTBURY: Mr. Speaker, will the honourable minister confirm that the discussions are taking place with the official delegation of the city and that the study is to be completed within six months of the September date, which Councillor Piercy has announced will be the date on which the assistance will be forthcoming from the province?

MR. CRAIK: Mr. Speaker, I will take that question as notice.

MR. SPEAKER: The Honourable Member for Brandon East.

MR. LEONARD S. EVANS: Mr. Speaker, I wonder if I could ask the Minister of Education a question of information. I wonder if the Minister of Education could advise whether he has read the bill before the House for second reading, Bill No. 55, An Act to Incorporate Brandon University Foundation. Is he familiar with that bill?

MR. SPEAKER: The Honourable Minister of Education.

HON. KEITH A. COSENS (Gimli): Yes, I am, Mr. Speaker.

MR. EVANS: Mr. Speaker, I don't want to get into a debate on the matter, but has the Minister apprised himself of certain deficiencies in the bill and is he prepared to make some contribution towards correcting those deficiencies?

MR. SPEAKER: Order please. I believe you are infringing on a matter which is presently before the House. I would think that questions of that nature could probably be addressed in committee rather than in the question period.

The Honourable Member for St. Vital. The Honourable Member for Brandon East.

MR. EVANS: Mr. Speaker, I was talking about the generality of the bill . . . on a point of order . . . not the matter which I believe you have under consideration. That was not my intent. There are a number of deficiencies in the bill and I just wondered whether the Minister had been apprised of that and whether he was prepared to provide some

suggestions, inasmuch as it has a bearing on, I believe, the Department of Education and its policies.

MR. COSENS: Mr. Speaker, any concerns that I had on the bill were not directly associated with my department but did have some jurisdiction under other departments and I have brought them to the attention of my colleagues who are affected by those particular sections.

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

MR. WALDING: Mr. Speaker, my question is to the Honourable Minister of Finance and follows up on a previous question having to do with the Letter of Intent regarding the Mandan project. I would like to ask the Minister whether it is necessary for an Order-in-Council to be issued to give effect to the signing of that Letter of Intent?

MR. SPEAKER: The Honourable Minister of Finance.

MR. CRAIK: No, Mr. Speaker, there would be Order-in-Council required for the agreement that might emerge from the Letters of Intent, but not for the Letter of Intent.

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

MR. DESJARDINS: Mr. Speaker, the mover of Bill No. 55, well, not the mover but the person that was originally supposed to move for the Honourable Member for Minnedosa, during a discussion on this Bill, I think I heard him say, let's . . . because there were problems . . . let's withdraw it, hold it back and bring it back next year. Was that his intention? It would help a lot, a lot of the concern if this was done. Does the Honourable Member for Minnedosa intend to not proceed with Bill 55 at this time — As he suggested during the debate? No?

MR. SPEAKER: Order, order please.

ORDERS OF THE DAY

ORDER FOR RETURN

MR. SPEAKER: The Honourable Member for Fort Rouge.

MRS. JUNE WESTBURY: Mr. Speaker, I move, seconded by the Honourable Member for Winnipeg Centre,

THAT an order of the House do issue for a Return of the following information:

- (1) The residences controlled by or through The Manitoba Housing and Renewal Corporation, which the Minister has personally visited since assuming responsibility for the Corporation.
- (2) The dates on which the visits occurred.

MR. SPEAKER: The Honourable Member for St. Boniface on a point of order?

MR. DESJARDINS: Mr. Speaker, before you recognize this bill, it seems to me, and I'm speaking on a point of order, I guess, it seems to me that you should look at this very carefully to see if it's in order. I don't expect that it will be accepted and I don't think these are the kind of questions the Minister should be subjected to. What they do with their personal time and so on, I don't think should be the subject of an Order for Return. I wonder if you would consider . . .

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

MRS. WESTBURY: Mr. Speaker, I did ask some questions of the Honourable Minister. In particular, I asked him if, because a statement had been made by a member of his department, to the effect that residences with ethnic requirements are not . . .

MR. SPEAKER: Order please. This is a point of order that is . . . The Honourable Member on a point of order.

MRS. WESTBURY: Mr. Speaker, I hope, if I am out of order that you will draw it to my attention. I'm trying to explain why I presented the Order for Return, Mr. Speaker.

MR. SPEAKER: Order please. ORDER please. It is not necessary to explain why you've raised the issue, the fact is whether or not the Order for Return is in order. That is the point of order that is before the House.

The honourable member on the point of order.

MRS. WESTBURY: Thank you, Mr. Speaker. The Member for St. Boniface referred to the Minister's private time. Of course I am not enquiring into the private time, Mr. Speaker, I'm trying to obtain information . . .

MR. SPEAKER: Order please, order please. Order please. The point of order is whether the Order for Return is in order. If the Honourable Member wishes to speak to the point of order, she may do so.

The Honourable Member for Fort Rouge.

MRS. WESTBURY: Mr. Speaker, I do need some help. Would it be in order, Mr. Speaker, if I inserted the words between the hours of 8:30 and 4:30 or something like that, because I am trying to find out how the Minister is representing the people of this province in his responsibility, since he seems to have such an abysmal ignorance of the subject.

MR. SPEAKER: Order. Is the honourable member wishing to indicate to the Chair that she wishes to withdraw the Order for Return? The honourable member wishes to leave the Order for Return in its present form?

MRS. WESTBURY: Yes, Mr. Speaker.

MR. SPEAKER: I will take the matter under advisement.

ADJOURNED DEBATES ON SECOND READING

**BILL NO. 114 — THE MANITOBA
ENERGY AUTHORITY ACT**

MR. SPEAKER: The Honourable Member for Kildonan.

MR. PETER FOX: Possibly, Mr. Speaker, I should make a 40-minute speech and indicate to all those honourable members who are applauding what kind of poor administration they are running, but I shall defer; I'll turn it over to my colleague, the Member for St. Vital, who probably will indicate the same thing, anyway.

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

MR. D. JAMES WALDING: Thank you, Mr. Speaker. He might, but not in 40 minutes. Mr. Speaker, I've had a chance to look over this bill but not, unfortunately, in co-ordination with the Minister's remarks. The Hansard has just been put on our desks for this, so I must rely on my memory of the Minister's remarks. It's not our intention to indulge in a lot of long drawn-out debate on this matter, Mr. Speaker; we propose to finish the debate from this side and then leave it in the hands of the government whether or not they wish to proceed with it and, if so, how far they intend to go.

I expect that my remarks will be relatively brief. I don't intend to deal with Part II, which is the emergency powers. It's been pointed out by some of my colleagues on this side that the powers being sought by the Minister under Part II are dictatorial in nature and would put the Minister in the position of a petty despot if he were to be granted these powers. Where not granted them, it's a matter of Cabinet declaring those powers unto themselves.

Mr. Speaker, as I mentioned, I haven't had a chance to review the Minister's remarks so I must go on what I recall the Minister saying when he introduced the bill. As I recall the remarks of the Minister, he mentioned that this bill was intended to dovetail with federal legislation. My colleague from Burrows has dealt with that. I also received the clear impression, Mr. Speaker, that other provinces have brought in, or are bringing in, similar legislation on a provincial scene, in order to support or bear out or work with in some manner, the federal legislation.

Mr. Speaker, we decided that we would make a few enquiries as to whether this was in fact the case or not and our research department phoned the two provinces immediately to the west of us, which are both hydrocarbon producing provinces. The reaction from Saskatchewan was of complete surprise; that they did not have an Act similar to this; didn't contemplate one and didn't see the necessity for such an Act. When we phoned Alberta the reaction from there was quite different, Mr. Speaker. The immediate reaction was hilarious and incredible laughter. It was considered to be quite hilarious by Alberta that Manitoba should be contemplating controls over petroleum and natural gas supply when, in fact, we didn't have any to control in the first place.

Mr. Speaker, it would appear to be a fact that the distribution of energy in the form of oil and gas are not centred in this province. The distribution system

is centred elsewhere, both to the east and the west of us, and controlled from there, and even in the event that supplies to Manitoba were cut off there would be really nothing that this emergency powers could benefit the province.

It has been pointed out to me, also, Mr. Speaker, that the gas pipeline that runs across Manitoba would not be available in the event of an emergency because it is controlled by federal powers and that there is no way that a provincial Act can supersede that which comes under federal jurisdiction. It has also been pointed out to me, Mr. Speaker, that, in the event of a national emergency, or an emergency that needed the federal government's intervention, even on behalf of a single province, would mean that the federal requirements in statute would come into effect and would, in fact, supersede and make inoperable any statute or any powers that Manitoba tried to enact in this regard.

So it would seem, Mr. Speaker, that for some reason or another the government, or rather the Minister of Finance, because no one else on that side has spoken in support of it, is anxious to have the power to invoke very stringent emergency powers for reasons that are being given to us which are, well, to put it charitably, not accurate. For, Mr. Speaker, it's clear that the control of the distribution centre is not in Manitoba. Emergency powers would not bring it to Manitoba.

In any case, the imposition of a federal emergency program would make inoperable any provincial statute. So we are left to wonder why it is that the Minister of Finance, the Minister of Mines and Energy, is telling the House that there is a need for these powers when the facts of the matter appear to be that there is nothing to control by provincial means, that we have no control over natural gas passing through this province. Hydro energy is totally within the control of this province in any case and I believe that it would not come under the terms of the federal legislation in any case.

If there were genuine reasons why such emergency powers were needed, we would state, first of all, that the legislation should be brought into session in order to grant those powers to the extent that it is needed to deal with that emergency. Secondly, we would say that these emergency powers would not seem to be necessary or indicated, or even to help in any sort of emergency that is being suggested to the House by the Minister.

The other matter that I wanted to touch on in the bill had to do with a section that sets up something called an Electrical Energy Marketing Committee. We have to wonder why the Minister wishes to set up another level of bureaucracy having to do with hydro power. The government, in its suspicion of Hydro, has already taken over much of the negotiation work that the Hydro utility would normally do in its dealings with other provinces and with other countries.

The Minister has boasted to us on a previous occasion that officials from his department had taken over the discussions with the Nebraska Power Corporation on the Mandan project. Because his department felt that they knew more about hydro development and the transmission of hydro power, the terms under which it should be transmitted than the development does, they or someone, and I'm not

sure who it is within the department, has apparently been carrying on negotiations with that utility for some 18 months, following a time when an agreement had been reached between that utility and Manitoba Hydro of a Letter of Intent. We were informed that the Letter of Intent, as of 18 months ago, was approved by both utilities and was merely waiting the approval of the government for a signature. Yet, we've been told that further discussions have been going on at the instigation of the Minister and presumably carried out by officials of his department, and that finally, as of three or four weeks ago, that a new Letter of Intent has been agreed to and has been signed. We are waiting with bated breath, Mr. Speaker, to see what will be in that Letter of Intent and in what way it is superior to the previous Letter of Intent of some 18 months previously.

We have also seen officials of the department, presumably with other people, again at the Minister's instigation, doing some negotiation with the provinces to the west of us on what is optimistically called a Western Power Grid. They have already lost British Columbia, who is not interested. We hear that Saskatchewan is not very keen on having a high voltage transmission line going across its southern farmlands. We're also informed that, despite a takeover battle that's now in progress in Alberta between its utilities, that the utilities out there are not too keen on paying in the region of 5 cents a kilowatt hour for power that they could produce themselves for somewhere in the region of 1 to 2 cents a kilowatt hour.

Now we see that the Minister is setting up yet another level for seeking extra-provincial markets for electrical energy. We wonder whether these three different levels, the new committee, the Minister's department and Hydro will all be talking to the same people at the same time about the same things, or is it the intention of the government to cut down on its Department of Mines and Energy and put the responsibility solely onto its new committee?

Again, we have to question the need for such an electrical energy marketing committee, since the government already has the last word on what Hydro does in its development and marketing of electricity, so that cannot be the reason. The Minister has even closer supervision over the Department of Energy, which we are informed has been doing much of this negotiation of late. We have to say, why is it needed; is it simply because of the suspicion, the dislike and vindictiveness of the government towards Hydro? We saw an example of that at the last Public Utilities Committee meeting.

We wonder also as to what the effect on the morale at Hydro will be. We have already heard from several different sources that the morale at the public utility is at a very low ebb. Surely, this sort of move can do nothing to improve that morale. Hydro has lost a number of its top engineers already. This can do nothing but be seen as insult to those people at Hydro who have proved so valuable to us in the past.

We also wonder, without making a bit issue of it, why it is that the Minister wants to increase the size of the Hydro Board from seven to eleven. With the Minister taking such a powerful position, as far as Hydro is concerned, it would seem that most of the

Hydro Board is redundant anyway and to add another four members would seem to be compounding that redundancy.

Mr. Speaker, I said at the beginning that we did not intend to hold up this bill and we would like to see what the government is going to do with it. Bearing in mind the powers that are in the bill in Part I and the emergency powers in Part II that the government is asking for, Mr. Speaker, the question is not whether this House trusts those powers to a Conservative government, the question is, do the Conservatives trust these sorts of powers to a New Democratic Party government? I ask members opposite to ponder those things very carefully before they make a decision.

MR. SPEAKER: The Honourable Minister without Portfolio.

MR. MCGILL: Mr. Speaker, the Minister will be back momentarily. I wonder if we could just hold for a moment.

MR. SPEAKER: The Honourable Minister of Government Services on a point of order.

HON. HARRY J. ENNS (Lakeside): No, I'm speaking to the bill, Mr. Speaker.

MR. SPEAKER: The Honourable Minister of Government Services.

MR. ENNS: Mr. Speaker, I want to first of all indicate exception to the fact that the last speaker indicated that most or all members of the Board of Directors of Manitoba Hydro are redundant and I think that's an uncalled for kind of remark to make, Mr. Speaker, particularly from a member that I have considerable respect for, who has himself some background, some history and some information in having worked with our senior Crown corporations, such as the Manitoba Telephone System, recognizes that the members whether they are public servants or indeed members of this Legislature, like he was, and like we have several members of the Legislature now, as the Act provides, serving on such boards as MPIC, or the Manitoba Telephone System. For the member to suggest that these directors are redundant, really I don't think it is what he means and certainly I don't think it is what he would have suggested, while he was serving as a member and a director of the Manitoba Telephone System, which I now have the privilege of being Minister responsible for. If that was his attitude at the time he was a member of the Board of Directors of the Manitoba Telephone System, well then, Sir, the system was not well served.

Mr. Speaker, on the bigger issue facing us on this bill, Bill 114, that has caused me considerable concern, Mr. Speaker. I'm satisfied that my colleague, the Minister of Finance, has had substantial reasons for introducing this bill and I'm prepared at this moment to sit down and let him explain it.

MR. SPEAKER: The Honourable Member for Rossmere.

MR. VIC SCHROEDER: Thank you, Mr. Speaker, while the Member for St. Vital was talking, I was listening and he was making an awful lot of sense; that's something I couldn't say for the next speaker. But while he was talking as well, I was looking at what this Act is doing to other acts and, for instance, Section 42.2 of this particular Act . . .

MR. SPEAKER: Order please. I would ask the honourable member not to refer to specific sections but to talk about the general principle of the bill.

MR. SCHROEDER: Thank you, Mr. Speaker. This Act exempts the board from the operations of The Manitoba Evidence Act, specifically from a section of that Act pursuant to which on hearings, where this board wishes to conduct a hearing, it is not required to provide notice of the appointment of any of the commissioners to the public; they are not required to advise the public as to the purpose and scope of any hearing; they are not required to even, in fact, notify the public as to the time and place of holding a meeting. All of those items are powers which are required to be — well not powers, those are duties which are required to be performed by people who have the powers given under The Manitoba Evidence Act. Under this particular authority, The Manitoba Energy Authority, the people who are appointed under that Act have all of the powers of commissioners appointed under The Manitoba Evidence Act, and yet, when it comes to the duties described under that Act, they're exempted and they're not only exempted under the Emergency Powers Section, Part II, no, not at all, they're exempted for just any old hearing. Any hearing that they decide to go into.

This is the kind of bill and the kind of power that the Minister's department and his bureaucrats are asking for and it seems to me that this is another one of these bills this government is presenting at this session that it hasn't looked at. Somebody downstairs has decided that they need more power and they have just given another rubber stamp to another bureaucracy which will be able to do these kinds of things without the kinds of notice, without the kinds of safeguards that we have previously built into our statute law. There has been enough said about the emergency powers of this board. I would urge the government to consider withdrawing this bill immediately, and I hope that's what the Minister is going to stand up and say.

MR. SPEAKER: The Honourable Minister of Finance will be closing debate.

The Honourable Minister of Finance.

MR. CRAIK: Mr. Speaker, I'll try and be fairly brief. Most of the points that were made were specific to clauses in the bill that we can look at in some detail at the committee stage, and a lot of the points that have been made have been points that have been of concern on both sides of the House, mainly germane to Part II of the Act, the emergency powers section, which, of course, is not in effect, except under proclamation.

I want to say at the outset that I think at committee stage we ought to look at arriving at some sort of a consensus with regard to the bringing

into force the mechanism by which Part II of that Act is brought into force, and I think that is the main point that is of concern to the members of the Legislature and it's also a legitimate concern. I think that we're open to suggestion and will be bringing forth some recommendations for alteration of the method by which those powers may be brought into force and also with regard to some of the powers that are contained presently in the Act, that will address themselves to concerns that we have, as legislators, as opposed to the concerns that someone is looking at from the point of view of strictly administering this Act.

There has been a pretty wide-ranging number of contributions and suggestions and, by and large, they've added up to a concern about even bringing in these kinds of powers under this Part II of the Act. It's not the kind of legislation that's appealing generally because it is basically emergency legislation. I've said that it dovetails with the federal legislation. The bringing into force of the federal legislation has a different mechanism, as has been pointed out, but a lot of what is said in this Act is done under the federal Act by regulation and we have spelled it out in the bill here, rather than leaving it to regulation. For instance, the federal Act has the powers of The Combines Act available to it, if and when it brings in this kind of legislation, and they can be fairly drastic and fairly wide-ranging. So there is a little difference here in that we've brought in a bill that spells out pretty well what power this authority will have.

I don't think the point was made in the debate but I think it probably would assist some members opposite if I was to advise them that in this concern about the authority having what appears to be power over the Legislature, or the elected members, or the Cabinet and so on. —(Interjection)— The Cabinet, yes. I suppose it does, to the extent that it would appear to have that in the Act. I suppose one could reply, well, if that were the case you could always deproclaim the powers to the board, which of course would be something that would be possible to be done. But in the federal Act, the government has the power to alter a ruling by its board and I see no problem created in us putting that similar power in here, if that is a major concern. We can therefore spell that out. I think we can rectify that concern.

Now again, we're trying to visualize what would happen to cause this Part II to be brought into force. And then you have to try and, once you have yourself in the position of trying to visualize that situation or set of circumstances that would cause that, do you in fact want the government making the decisions on all these things and having to deal with all the items that certainly are going to be very controversial probably, in the event that this emergency section had to be proclaimed. But I agree that perhaps that an appeal to the courts that's contained in here may not be adequate and perhaps there should be a section, similar to what I think is in the federal Act. I haven't got it here to read it to you verbatim, but the government, of course, the Cabinet, has, under the federal Act, the right to alter a ruling by the board. Now I don't think you want to set up a set of circumstances where a ruling by the board, every time they make a ruling, that it gets appealed back into the Cabinet, but we have other

Acts where that, I think, now is the case. I think the penalties administered under The Natural Resources Act, for people making hunting violations, can appeal to the Minister. There are other appeals to the Minister. I don't think we should . . .

MR. SPEAKER: Order please. There does seem to be a fair bit of noise. I find it difficult to listen to the Minister.

The Honourable Minister of Finance.

MR. CRAIK: There were some other contentious points, Mr. Speaker. We can have a further look at them at committee stage but access to information was one that was causing some difficulty. I think that is required under the emergency section.

The Member for St. Johns, I think, made the point that it was in the general section and should not be in the general section. I think they have the right to request information under the general section but they don't have the same demanding powers that they have under the emergency section and, if that's the case, we can have a further look at that — (Interjection)— I agree that kind of thing is a valid point. The difficulty in all of Part II of this Act is that we're dealing with the situation that has not occurred but has been generally regarded since the federal Act was brought in, the emergency Act that was brought in, as being a necessity for the province to move on. Therefore, you have to set up the kinds of circumstances you think would apply in the case of it having to be invoked and therein lies some of the difficulty.

You can't rely exclusively on there being no action at the provincial level until there has been action at the federal level. The federal level action has been pretty well geared to the hydrocarbons only problem, the crude oil really, more specifically, and it has been geared around that. There are other situations where you could get into a difficulty at a provincial level but not cause a difficulty on a federal level, where you might want to take action. So that is part of the problem.

Mr. Speaker, there has been suggestion here that if in a case of Hydro, they have all the powers. I don't think they have all the powers. I don't think that's the case. If you lost 50 percent of your production capacity in Manitoba by some accident, I don't think that the powers that are being suggested in this Act would in any way be available, as it stands at the present time. Again, it's a hypothetical situation but, nevertheless, if you put yourself in the position of looking behind the motivation for bringing into force the federal Act, you cannot exclude the possibility that you've got as great or greater possibility in areas outside of the crude oil problem that brought on the federal action.

Mr. Speaker, again this is second reading and to address the matter in principle, I noticed that in the Throne Speech Debate the Member for Lac du Bonnet, his main thrust was that he felt that there wasn't going to be enough power in what was being suggested and that's not the debate we're getting back from across the floor now. We're getting the opposite kind. We're getting the suggestion now that the powers might be too great. But the Member for Lac du Bonnet in his comments on it, wanted it to have a meaningful role. An energy authority, to do

it's job, would have to have fairly substantial regulatory powers; if one is to do an adequate job in this respect, one would have to interfere in the market economy to effect the kind of energy conservation that is deemed to be necessary. Well, the Member for Lac du Bonnet's suggestions were much more powerful. I think it was the Member for Lac du Bonnet? Yes, it was Wednesday, February 27, 1980. This was in the Throne Speech debate, Mr. Speaker, when we suggested we were going to bring in The Manitoba Energy Authority Act. The concerns opposite were that it was not going to be strong enough.

Mr. Speaker, I am desperately inclined to agree with the Member for St. Boniface at this point and deal with the details of this at the committee stage.

MR. SPEAKER: The Honourable Member for Burrows with a question.

MR. BEN HANUSCHAK: Mr. Speaker, I wish to pose a question to the Honourable Minister. He did indicate, in introducing the bill, that, and I'm quoting from Hansard, "There are being moves taken by other provinces in this same regard and the Act that we have before us is really made up from some consultation with the federal and other provinces." Would the Minister be good enough to assist the members in doing their research and preparing themselves for further dealing with this bill; could he indicate which provinces have legislation dealing with this matter that we could look at and compare?

MR. CRAIK: Mr. Speaker, I didn't want to suggest that there was a bill exactly like this, but the contents of this bill have been based upon a thorough research of all of the powers contained in different portions of different Acts in the different provinces. It's a cross-section of the powers that are currently available in the other provinces. As I mentioned, Mr. Speaker, a lot of the powers that are spelled out here are possessed by the federal government, by regulation, and are not spelled out in their legislation, but we have spelled it out in the legislation what the powers are of this board. I don't think the member should go away with the impression that powers like this do not now exist. They exist to a large extent by regulatory powers by the federal government. The difference is at the federal level, the mechanism by which those powers are brought into force; that is the substantive difference.

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

MR. CHERNIACK: Thank you, Mr. Speaker. I'd like to ask the Minister a question if I may. I'd like clarification. It seemed to me he something like, if the requirements on Cabinet by the authority are too great, I think he said that. Then he said, we could deproclaim it. Now, I was alerted to my question by the statement deproclaim. I don't quite understand how that can be done, but I'd rather get clarification on the occasion that he described when they might wish to deproclaim it.

MR. CRAIK: I was suggesting, Mr. Speaker, that the powers of Part II are brought into force by an Order-in-Council. In the event that there was, I wanted to suggest that in the final analysis, the powers still lie with your Order-in-Council powers to bring into force Part II and to delegate those responsibilities to the board, to the energy authority, if a Cabinet at some point in time — if these powers were ever used — felt that they were being abused or incorrect, I suppose they could move back and withdraw the powers to the energy authority. The power is not removed completely from the Cabinet. The Cabinet always has the ultimate power over it.

MR. CHERNIACK: Thank you. A further question then, Mr. Speaker, in line with the answer I just received. Under the Act, it states that a period of emergency ceases to exist on a day fixed therefor or in a further order. Is the Minister then suggesting that to get out of the bind or out of the problem he describes, that the Lieutenant-Governor-in-Council will now have to say the emergency no longer exists and therefore it ceases. Is that the way he understands it?

MR. SPEAKER: Order, order please. Order please. May I suggest questions of that nature can better be handled in committee.

The Honourable Minister of Finance.

MR. CRAIK: Mr. Speaker, we're dealing with an extreme case in the suggestion that the government may be caught in the spot as being a victim of the order of the board. If that were the case, the member's observation I believe is correct, but we can deal with that in committee.

QUESTION put, MOTION carried.

MR. CHERNIACK: Yeas and Nays, please, Mr. Speaker.

MR. SPEAKER: Call in the members. Order please. The question before the House is second reading of Bill 144, The Manitoba Energy Authority Act.

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

YEAS

Messrs. Anderson, Banman, Blake, Brown, Cosens, Craik, Domino, Downey, Driedger, Einarson, Enns, Ferguson, Filmon, Galbraith, Gourlay, Hyde, Johnston, Kovnats, Lyon, MacMaster, McGill, McGregor, McKenzie, Mercier, Orchard, Ransom, Sherman, Mrs. Westbury, Mr. Wilson.

NAYS

Messrs. Adam, Barrow, Bostrom, Boyce, Cherniack, Corrin, Cowan, Desjardins, Doern, Evans, Fox, Green, Hanuschak, Jenkins, McBryde, Malinowski, Miller, Parasiuk, Schroeder, Uskiw, Walding.

MR. CLERK: Yeas, 29; Nays, 21.

MR. SPEAKER: I declare the motion carried.

THIRD READING

BILLS NOS. 91, 9, 78 as amended, 77 as amended, 54 as amended, were each read a third time and passed.

MR. SPEAKER: The Honourable Government House Leader.

HON. GERALD W. J. MERCIER (Osborne): Mr. Speaker, would you call the rest of the bills listed on Page 3 of the Order Paper?

ADJOURNED DEBATES ON THIRD READING

BILL NO. 39 THE SOCIAL ALLOWANCES ACT

MR. SPEAKER: Bill No. 39, An Act to amend The Social Allowances Act, standing in the name of the Honourable Member for Inkster. The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I think that I've said all that I wish to say on this bill when it was called on second reading.

QUESTION put, MOTION carried.

BILL NO. 60 THE MUNICIPAL ACT

MR. SPEAKER: Bill No. 60, An Act to amend The Municipal Act — the Honourable Member for Logan.

MR. JENKINS: Thank you, Mr. Speaker. I adjourned this the other night in case the Honourable Member for Rossmere had wanted to make some points. Evidently he doesn't wish so and we're prepared to have the bill passed at this time.

QUESTION put, MOTION carried.

BILL NO. 67 THE MUNICIPAL BOARD ACT

MR. SPEAKER: Bill No. 67, An Act to amend The Municipal Board Act — the Honourable Member for Logan.

MR. JENKINS: Mr. Speaker, I adjourned this debate on behalf of the Honourable Member for Rossmere.

MR. SPEAKER: The Honourable Member for Rossmere.

MR. VIC SCHROEDER: Mr. Speaker, our caucus has carefully looked at this bill and we are in agreement.

QUESTION put, MOTION carried.

BILL NO. 76 THE CONSUMER PROTECTION ACT

MR. SPEAKER: Bill No. 76, An Act to amend The Consumer Protection Act, standing in the name of Honourable Member for Churchill. The Honourable Member for Logan.

MR. JENKINS: Stand, Mr. Speaker.

MR. SPEAKER: Order. Is it with agreement that we hold Bill No. 76, and 82 as well.

MR. CHERNIACK: . . . if you like — here he is. Here he is, here he is.

MR. SPEAKER: Bill No. 76, An Act to amend The Consumer Protection Act — the Honourable Member for Churchill.

MR. JAY COWAN: Thank you, Mr. Speaker. I think you might believe me if I said I had not intended to speak to this bill at this time. I apologize to the House for not being here when the bill was called, but it was my understanding that other bills would be called first. I do apologize for any delay.

I'd like to speak just briefly to one particular aspect of this bill. I had hoped that the Minister responsible for the bill was in the House. That was another reason why I had not expected the bill to be called this evening, because I would have hoped that he would have wanted to be here to hear the debate, and I would have hoped that he would have wanted to be here to have participated in the debate.

(Interjection)— The Member for River Heights has indicated that he can read the comments in Hansard, and indeed he can, but I do believe that it shows a bit of disregard for the importance of this bill in the fact that the government has called this bill when he is obviously not here to participate in the debate itself. I know that, Mr. Speaker, it is not in the best parliamentary fashion to address yourself to the absence of any member, so I will not pursue the issue other than to say that we are disappointed.

(Interjection)

The First Minister says I am on wise ground. He is absolutely correct in that regard and he hasn't even heard my comments yet. He hasn't even heard my comments yet. I am certain that he will agree afterwards that we are on wise ground, because what the part of this bill to which I intend to direct my attention tonight deals with, is an area that is of no small concern to not only myself and many of my colleagues, but also to the consumer who is forced to deal with what seems to be an advancing technology that is untried and untested. And we are talking, of course, about the scanners. The reason that we address ourselves to the scanners, is that there is a section in this bill, a very weak section, that enables the Minister to make regulations in regard to the use of scanners, in regard to situations that are part and parcel of the introduction of scanners, and yet does not give any commitment by the government, or does not give any degree of power, other than regulatory powers, of the government to deal with what may turn out to be a significant problem.

I recall when this debate was before the House in second reading, that the Minister had indicated that he was going to monitor the situation and, indeed, was going to see if it would be necessary to bring

forward regulations to deal with the introduction of scanners. And then the bill, of course, went before committee and we had representation before committee and we had discussion at committee. And during that representation, and during that discussion, it was indicated by one of the persons bringing forth representation on behalf of the independent grocers in the province, that scanners were being introduced for a number of reasons, and one was that it saved labour costs. And the implication, of course, was by saving labour costs that they would also save the consumer money. In other words, I believe his exact figures were that they could cut their labour costs by 7 percent with the introduction of scanners, but that he did not know exactly how much it would be cut and he could not indicate where that figure had come from.

In research since then it has been determined in the States, where scanners have been around for some time now, and where their introduction has been tested, that labour costs are indeed cut and are cut by about 10 percent to 15 percent. It has also been found out in the States that the cost-savings to a large chain might be anywhere from 1 percent to 1.5 percent on their total sales volume and that would depend largely upon whether or not they discontinued item pricing. And I shall return to that discussion of that topic later on in my debate.

So what we have, is an indication by the representative of retail grocers that they can save money by introducing computers and that they can save labour costs, and if item pricing is disregarded, they can save even more money. We were also told that there were three facilities in the province of Manitoba that we knew of, that had introduced scanners in retail grocery stores. I checked with persons involved in the field and found out that Loblaw's was one of the chains that had introduced scanners; they had introduced scanners at their Charleswood store on Roblin at Dale, and they had introduced scanners at their McPhillips store.

So what I did was, I wanted to find out if in fact these savings that were being talked about were being passed on to the consumer, because one of the justifications for bringing in a scanner system is that it will lower food costs. So I went and developed a list of 10 items or so, the price of which might be affected by a scanner, and I sent someone out to check the prices at the different stores for these items: 1 lb. of hamburger; 1 lb. of frozen chicken; a loaf of bread; 1 litre of homogenized milk; I threw in a 1.2 kilogram package of Tide; I asked the person to look for some cereal and they came back with a 500gm box of Shreddies; apple juice they checked; tinned corn they checked; bleach they checked; a box of cookies they checked; they checked soup, margarine and eggs, some items of which are marked at the wholesaler with the scanning figures on, some of which are not. And we found that the items that were not marked with the scanner were fairly equal across the three stores. Hamburger was the same in all three stores; chicken was the same at all three stores; the bread was the same at all three stores, and the eggs were the same at all three stores; and there was slight price differentials between some of the others.

We totaled up that list, and what we found, is that a bag of groceries that included those different items

— at the Roblin store, cost 13.76, that is the store with the scanner I am told; we found that a bag of groceries at the McPhillips store cost 13.74, 2 cents less - there's a scanner at the McPhillips store, too; and we found that the store at Henderson, which does not have a scanner I am told, the groceries cost 13.63. So, what we found is that the groceries cost less at the store without a scanner than they do at the store with a scanner. So, if there are any savings that would justify the introduction of this new technology they are not being experienced or passed on to the consumer, at least in this very limited sample.

I will be the first to admit that it is a very quickly done sample and is a very limited sample and, in fact, it may not prove the case at all. If one were to go through all the items in the store, one may find that the costs are cheaper at the stores with scanners. But, given the time and given the staff that we have, this was the best I could do, and it is limited and it is imperfect, but it is more than it appears that the government has done. That is the interesting part of this whole process, that the government seems to have refused to acknowledge that we are on the edge of a new technology and they have refused to take their responsibilities seriously, to examine the effects that that technology will have on the consumers.

They bring forward a very weak piece of legislation that can't possibly deal with the problem at the best of times, and that would be if they had the commitment to protect the consumer, and I think, if we've seen anything in this session, we've seen that the government lacks a commitment to protect the individual consumer, lacks a commitment to protect those to which it should be responsible. One need only look at the rent decontrol bill, the milk decontrol bill, at the Payment of Wages Act, to understand that this government is retracting, rather rapidly, from a position which we would hope it would serve, and that is a protector of the interests of the Manitoba citizen.

The Member for Rossmere tells me that they understand how to write legislation that gives them power, and he refers to the Manitoba Energy Authority Act. And that's exactly the case. When they want the right, very explicit, very detailed and very far-reaching legislation, they in fact can do so, far too much so. But when it comes to protecting the interests of the consumer, we see them approach it with a very lackadaisical, halfhearted, weak-willed effort. I would suggest to them that it might do them well to follow-up on this very rudimentary survey to determine if there are any cost savings in regard to the introduction of scanners and to find out what impact it is having on employment levels in the province. But we have seen them turn their back on the unemployed also, so we are not surprised by that particular lack of action on their part. We have brought these matters to the attention of the Minister during both our discussions during the second reading of the bill and during the debates in committee.

In the States, Mr. Speaker, there has been far more research done in regard to the introduction of scanners into stores. It has been around for a while longer and they have experienced some difficulties with it, as well as some positive benefits of it. I am

not saying that any new technology is, by the fact of its newness, a bad technology, that's not the case at all. What I am saying is that new technology needs testing, new technology needs to be tried, new technology needs to be controlled in the beginning, in order to determine whether or not it is going to have a profoundly negative impact of our society, and I don't believe that this government takes that responsibility seriously. As a matter of fact, I know they don't from the legislation that they have brought forward.

I had mentioned earlier that when a scanner is introduced in a food store, that there is a potential for reducing store employment by 10 to 15 percent, and I think that is an area to which we must direct our attention. What impact are these scanners going to have on total employment in the province? Now, that has to be weighed very carefully with what impact it's going to have on food prices.

So the point that I am trying to make in this regard, is that we must study this situation more carefully. The bill does not provide us with any mechanism to study the situation. I'm not certain that the Minister wants to study the situation. We must develop techniques for determining the impact — the bill does not provide us with that — and then we must, in a very open manner, develop legislation to deal with the introduction of this new technology. The bill provides for a regulatory mechanism, but that is behind close doors, and I am concerned about the discussions that go on behind closed doors with this government. It seems to be their tactic, their specific tactic. They would rather bring in something by regulation than legislation, and that serves their purpose because that's done out of the public arena, in the Ministerial office, in the Cabinet room, and therefore is not imposed upon by close scrutiny by the public. Well, that does not serve the best interests of the public, in my opinion, Mr. Speaker.

So what I would have liked to have seen in this bill is an open mechanism to deal with this technology, a mechanism whereby the government in legislation put in a commitment to protecting the consumer, because it's part of the Consumer Protection Act, and that protection is sorely lacking; and a mechanism whereby the public could come forward and make representations on the specifics of the protection in regard to scanners. I know that I have received, I know that other members in this House have received and I assume that the Minister has received, representation from different groups within the society, who believe that their interests might not be served by this particular technology, and I can mention specifically that a group of senior citizens have contacted, not only my colleagues on this side, but myself, in regard to their fears concerning the reduction, or the removal of item pricing when this new technology, the scanners are introduced. In fact, in the States, the example is shown that some stores do remove item pricing when they bring the scanner forward. We heard all sorts of assurances during the committee, that the removal of the price on each individual item would not hurt the consumer, and the one assurance that we heard was that the consumer would have a sales slip with the items and the prices, and they could thereby keep that sales list in a

drawer and could go back and check the prices from time to time.

Well, that's not a very workable system, Mr. Speaker. I think even the people at the committee, the people who made that representation in the first place, had to finally admit, after some very able questioning by, I believe, it was the Member for Logan, that that was not indeed a workable system. And then we heard, well, they can mark on their cans and their goods, the price with a grease pencil. Well, if the consumer can mark on their cans and their packages, the price with a grease pencil, then it would be much easier and it would seem much logical for the store owner to mark those items first. To just fix a label with the price of the item on that particular piece of merchandise.

That could be done, but why won't they do that? Well, that takes employment, that provides work for people, and one of the purposes of introducing the scanner system is to cut the costs. Now I've already told you that it is a cost that does not appear to be passed on, and even if it is passed on, Mr. Speaker, even if the retail stores do pass on the full cost, and we have every indication from literature from the States that they are not going to do that, it would mean a very insignificant amount to the consumer. On a 50 bill, we'd be talking about 50 cents, and I'm certain that any consumer would be willing to pay that 50 cents on a 50 bill, or that one percent, and in some cases maybe even less, in order to have a more workable system.

Mr. Speaker, we're not certain how rapidly this technology will enter our system. We're not certain right now how many stores in the province have it, that's another indication of the government's lack of commitment to protecting the interests of the consumers, by understanding what might be a potential problem. They don't even want to do the rudimentary studies. They don't even want to examine the situation. We asked them, what stores have the scanners? Could the Minister tell us? No, the Minister couldn't tell us what stores had the scanners. We asked him what effect on employment it would have. Could the Minister tell us? No, the Minister couldn't tell us that. We asked him what sort of price differentials there would be, and the assurances were that it would be cheaper at scanner stores, but we have found out, at least on the basis of our survey, that it may in fact be more expensive at scanner stores, and logically one could expect that because scanners are not cheap, Mr. Speaker.

This is a survey from 1977, a study of computerized checkout system in food stores, and it's done by the Assembly Office of Research, California Legislature, Sacramento, California, dated January 1977. It's their study of the whole industry in their state on the introduction of scanners, and this is where I get the figures on the 10 to 15 percent labour reduction and on the 1-1/2 percent reduction in costs. But they say, and these are 1977 figures, in a different jurisdiction, it would be cheaper to introduce this technology in that system, Mr. Speaker. They said that firms paid purchase and installations costs between 150,000 and 200,000 for equipment to be put into their stores, and that the incremental costs for additional check stands were reported to range from 10,000 to 15,000 for one type of equipment, 8,000 to 10,000 for a different type of

equipment. They believed that the operating maintenance cost of scanner systems would run between 450 and 1,200 per month per 8 to 12 checkout lanes. So we know that it's capital intensive, it's front-end intensive to put these scanner systems in, and the stores that put them in may in fact find that they have to charge higher costs in order to pay off the introduction of this new technology to their stores. So we could thereby understand why the costs in those stores may be higher than other costs, particularly if they are not using the scanners efficiently.

The report also has some other comments to make, Mr. Speaker, in regard to the levels of savings. They indicated that the stores believed that they would be able to save 1 to 1.5 percent on their gross sales by using their scanners. They believe that they could pay back their scanners in three years or less, but what the report went on to say is that most of that, or some of that would be put back into their profits to improve their profit picture, and not all of it would reduce the cost to the consumer. And if I can just read from the report very briefly, it says, "the most noticeable benefit of scanner technology may not be so much its potential to reduce consumer food prices significantly, as its potential to raise the retail food industry's return on equity;" in other words, its potential benefit is for profit and not for the lessening of prices to consumers. So, in fact, the consumer may not benefit by this.

But even if the costs were passed on, the report goes on to say, "however, even the complete allocation of scanner savings toward restraining food prices would have relatively minor effects on individual shoppers. For example: A net before tax hard savings of 1 percent to 1.5 percent of store sales volumes would reduce the average store purchase about 10.00 in most store installations by only 10 cents to 15 cents." So what that means, is that even if it's passed on fully, which we don't expect it to be, it's not going to mean much to the average consumer. So there is very little justification for allowing the system to come in without any sort of survey, without any sort of examination, without any sort of legislative mechanism, to deal with what might be abuses of the system.

The very minimum that I would expect the government to do, is to put in effect, and put into legislation — I would insist on them putting it into legislation — and that is the continuation of item pricing. That would be the very minimum. That would, in some small way, protect the interests of the consumers who have written to members here, the Minister and myself, in regard to their fears as to the difficulties they will experience in shopping if the prices are not on the items they buy.

There's also another aspect of the introduction of scanner systems into stores that we must very briefly deal with, and I will be able to conclude my remarks with this particular area, that is, when you introduce the scanners which are capital intensive, you may in fact have an effect of giving the larger stores an advantage over the smaller stores and thereby increasing the risk of monopolies within the food industry, and there's already some risk of that. There's already some indication that that is the case.

Again, I'll read from the report. It says: "the minimum store volume requirement suggests that the

scanner technology may favour the larger stores and larger chain operations. The latter already dominate

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

MR. ADAM: Mr. Speaker, I wonder if it would be possible if they would tone down their voices; we can't hear what the member is saying.

MR. SPEAKER: I've had considerable difficulty for several days now trying to have only one debate carried on at one time in this Chamber. I hope all members afford the courtesy to the Honourable Member for Churchill, to let his comments be heard. The Honourable Member for Churchill.

MR. COWAN: Thank you, Mr. Speaker, for your protection. It's obvious that even if the government doesn't want to protect the consumers, you do want to protect the rights and interests of the members of this House, and it is appreciated.

Mr. Speaker, I try not to be distracted by the jibes of the Minister of Smiles and Happiness, but from time to time it is difficult. For those of you who don't know who I'm talking about, I'm talking about — he has risen his right hand — the Minister of Housing, the Minister not responsible for anything other than grumpiness and the odd jibe across the aisles, Mr. Speaker.

You know, it's been so long since I was interrupted in reading this statement that I'm going to have to start over from the beginning again. I do apologise.

Starting once again from the top, what the statement says is "the minimum store volume requirement suggests that the scanner technology may favour larger stores and larger chain operations. The latter already dominate food retailing and also historically have achieved rates of return which are very favourable relative to the remainder of the retail food industry." And this is the important part of the statement, Mr. Speaker, it says: "such technology may thus increase concentration and further erode effective competition within the overall industry," and that, Sir, is another danger that comes with the introduction of this technology. So I believe that the government should be examining that impact, because they have always indicated that they are a government that, in fact, favours or places great value on the small business concern. But, if they allow this scanner system to be put in force without any sort of study, without any sort of control, they are going to disadvantage, or may well, in fact, disadvantage the smaller retail owner. And I don't believe that is what they want to do, I think, they are doing it out of ignorance more than intent, Mr. Speaker. But it is something that I believe they should study.

The fact is, I don't think they have looked at this question very seriously. I don't think they have looked at the impact on the consumer, nor the impact on the industry very seriously. I think they have treated it in a rather laissez-faire manner, which is not unexpected; in a lackadaisical manner, which again is not unexpected, and that they have not in fact given it the due consideration that it deserves.

And I believe that can be said about most of the legislation that they bring forward.

So it is our hope that they come to their senses, or a new government is put in place, before we have to deal with some of the negative impacts of this new technology. Now, having said that, I don't want to be accused, once again, of being opposed to all forms of technology, as the Minister for Consumer Protection did so when I first spoke to this bill, and I want to put it very specifically and plainly on the record that technology is a tool, it is a vehicle. It can be utilized to the benefit of society. At the same time, Sir, it can work against the best interests of a society, and one must examine each new technology before it comes into force to determine just what effect it will have.

And that examination won't always be correct. We will make mistakes; they will make mistakes. But at least the effort will have been made to try to understand the full impact of that technology, other than to say, well if problems do come, and we don't know what those problems might be which says, in fact, that they don't care what those problems might be, then we will do something about it at that time. It is too late then. There has to be a forward thinking government, and it is not a forward thinking government, and that is the problem and that is why this legislation is typical of their government and that is why, Sir, I am concerned that it goes neither far enough nor recognizes the very serious concerns that the people of this province have brought forward to the government in this regard.

MR. SPEAKER: The Honourable Member for Wolseley.

MR. ROBERT G. WILSON: Mr. Speaker, I won't take but a few moments to stand up and take a rather different type of view, and that is one that I'm concerned, in certain areas where we have such a very weak-type of consumer protection in Bill 83, versus what I call court control or Civil Service control over the particular marketplace. I think we are consumerizing the courts to the extent where the marketplace, the grocer, the shoemaker, the laundryman, the garageman, the mechanic, the small boutiques, are being clobbered by legal aid, they are being clobbered by the minister of contradictions or consumer affairs, where he introduces all this consumerizing of the courts against the marketplace.

And I wanted to say that most of the working people that I have met in Wolseley, and certainly I represent a working class area, are honest hard-working people, and they would want me to stand up and shout against the man in the 300 suit that this type of bill, and others, and the intention of this type of bill and others, are protecting. The man with the commercial fraud ideas, the man, the NSF cheque artist, the man who comes across a Chargex card and goes wild, the plastic consumer that has no intentions of looking after his just obligations. And here we are, we have no police to look after this type of thing. They apprehended a man the other day 40 minutes before the police arrived, they have no police, they have no money in the budget for these type of things, but oh, they've got half-a-million dollars for career and political trials.

So, what I am saying is that when you get into Manitoba becoming a debtors' haven, and I am glad the First Minister is here because I wanted to read to him what the Progressive Conservative aims and principles are.

MR. SPEAKER: Order, order please. We are dealing with third reading of Bill No. 76, An Act to Amend the Consumer Protection Act. I hope the honourable member stays with the content of the bill. The Honourable Member for Wolseley.

MR. WILSON: Mr. Speaker, Bill 76, and other consumerism and consumerizing the courts against the marketplace. I am speaking of the overall principle of the bill. And if I stand up and say we believe the state should be the servant of the people, and that our national progress depends on a competitive economy, which accepting its social responsibility allows every individual freedom of opportunity and initiative, and these type of bills do not offer freedom of opportunity and initiative and the peaceful enjoyment of the fruits of our labour. That's why I am a Progressive Conservative and that's why all the people in my riding are Progressive Conservatives, because they want that type of working, that work effort. The Minister of Consumer Affairs not watching the civil servants who want to control everything, allow some of these changes to go through with the whole intent of, on one hand — and I agree with some of the concerns of members opposite. . . on one hand, has no teeth in Bill 83, but continues to erode the marketplace with these type of debtors' haven-type bills, no-one wants to pay their just obligations, you've got these consumers' bureaus and Consumers' Act, you've got a wave after wave, we have a new phenomenon called Legal Aid which is now reaching over 4 million. It started out . . .

MR. SPEAKER: Order please. Again I would ask the honourable member to stay with the contents of the bill before us, the contents of the bill.

The Honourable Member for Wolseley.

Mr. WILSON: Thank you, Mr. Speaker. I really feel in the intent of these bills is one to get the economy of Manitoba moving, and I envision the fruits of my labour being rewarded in other people. The initiative to create jobs, to create employment, to get this province moving again, and it's with those types of aims and principles, not turning around and making it absolutely impossible to make a profit, because of the unbelievable time you're asking the small businessman, the man who's working for a living, who's taking care of just obligations. It's a well-known fact that every apartment block is a business, and if the Consumers' Bureau is going to look after the 10 percent that don't pay their rent, then the landlord's going to pass it on to the 90 percent that do.

MR. SPEAKER: Order please. May I again point out to the honourable member that the contents of the bill on third reading of the subject matter of debate. The honourable member may continue if he sticks to the contents of the bill.

MR. WILSON: All right, Mr. Speaker, I'll ask people again to read the two previous speeches I made on this bill, my concern is that a farm is a business, and looking at some of the aspects of increasing the exemptions to 25,000 under the guise of inflation from the former levels. And again, I will emphasize we have to give protection to the consumers with a lot of thought, and we're not going to give that protection to consumers if we're turning around and eroding the marketplace. We should, in dealing with this bill, Mr. Speaker, make it easy, if I can deal with the area of replevin action. It is very confusing to the businessman, and if you would make replevin action simple, go down and see a clerk of the court, put up security and pay a fee, it would all be mechanized in a sort of store-front operation, available to the small businessman, without having to pay some lawyer a 500 retainer, in many cases 150 retainer to chase a 100 debt.

With those few words, Mr. Speaker, I hope the First Minister and other members of the Cabinet will remember the Conservative aims and principles and stop making Manitoba a debtors' haven.

QUESTION put, MOTION carried.

MR. SPEAKER: Bill No. 82 — The Honourable Member for Churchill.

MR. COWAN: Mr. Speaker, I'd like this matter to stand, if that's agreeable to the House.

MR. SPEAKER: Is there agreement to have the matter stand?

A MEMBER: No.

MR. SPEAKER: The Honourable Member for Churchill.

MR. COWAN: I assume by that, Mr. Speaker, that there was no agreement.

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

MR. FOX: I think it's incumbent that we do have some courtesies in this House. The honourable member asked leave to have this matter stand. I didn't hear any real objections, and I would assume that he has that right. Now if he doesn't, I would like the government to say so, because I do realize that this is third reading of this bill. The Minister isn't here, the Minister will not be able to reply, and I do feel that it's incumbent the government does reply when it has a debate that is on a very serious matter.

MR. SPEAKER: Is there agreement to have the matter stand? (Stand)

BILL NO. 84 — THE LOTTERIES AND GAMING CONTROL ACT

MR. SPEAKER: Bill No. 84 — the Honourable Member for Logan.

MR. JENKINS: Thank you, Mr. Speaker. I adjourned this debate on behalf of the Honourable Member for St. Johns.

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

MR. CHERNIACK: Indeed, Mr. Speaker, I will speak as soon as I find the bill. Here it is.

Mr. Speaker, I did not have an opportunity to speak on second reading of this bill, nor did I attend the committee meetings. I just want to state my objections to the bill, which have been stated on various other occasions and in other years. One of the uncomfortable feelings I have about this bill is that the mover of it, the Honourable Minister responsible for lotteries, is not happy with the bill, or not happy not so much with the bill but with the function that's been accepted and assumed by the commission.

Mr. Speaker, my objection is that the powers of the commission as set out in Section 3, as follows: the commission may undertake, organize, conduct and manage lottery schemes for the government within the province and even, Mr. Speaker, outside of the province. I agree that the government should have a commission which should regulate lotteries. I accept the fact that society seems to want to have lotteries and if we're going to have them, involving as they do an element of risk, and involving as they do the playing on people's either gamesmanship, the desire to participate in games, or avarice, or luck-of-the-draw feelings, that if we're going to have gambling take place, it had best be regulated, and if the commission's role was to regulate, I can accept it. But indeed, the government wishes to have a commission which shall organize, conduct and manage lottery schemes for the government. Mr. Speaker, even the word "schemes" I find unacceptable, and maybe it's honest to say that, but for the government to be scheming to conduct a lottery is unacceptable to me, Mr. Speaker, has been for some time, and I have so stated.

The bill also provides that the affairs of the commission shall be administered by a board composed of such persons as may be appointed by the Lieutenant-Governor-in-council. Mr. Speaker, if it's going to be a function of government, let it be a function of a department and let it be subject to proper review; let it be the responsibility of a Minister; let it be accountable under the estimates' hearings; let it be done in such a way that it can be checked on closely. It is not designed to make that possible, in my opinion.

I object to that. I even object, Mr. Speaker, in principle to the statement that the commission is an agent of Her Majesty and the right of Manitoba. Not that I feel so much necessary to protect Her Majesty, be it on the right of Manitoba or otherwise, but here is a commission which is by legislation appointed as the agent of Her Majesty and the right of Manitoba. I assume it's necessary to have the clause, but I don't like it.

There are then powers given to the Lieutenant-Governor-in-council making regulations, prescribing the form of any lottery scheme, the amount and the value of each prize to be awarded, prescribing the

money or other valuable consideration to be paid to secure a chance to win a prize, prescribing the manner in which lottery tickets are to be sold, restricting the amount of money to be realized from the conduct and management of any lottery scheme.

Mr. Speaker, that means then that the government will be directly involved in a con-game to induce people to put money into a scheme knowing full well that the odds are against them. That's the whole concept of a lottery; the odds are against them. They are being asked to invest, let us say 1.00, in the hope that they will share in the results of a lottery of which, let us say, and I am probably not far out, 40 cents will be available for redistribution amongst those who invest a dollar.

Mr. Speaker, I have to tell you it grieves me, it really does, when I go into a small store in my constituency, in a barber shop and service enterprise, and I see that attractive-looking display of lottery tickets, including the, gamble right now and hope to get something immediately — people buy envelopes and tear them open, and look at them to see whether they made an immediate gain, knowing that this is an exciting moment, and yet there is another exciting moment in the distance when the big plan will be done, and I understand there are some, where it is sort of in series. You have a chance when you buy it, you have a chance on a certain Wednesday or some such day, and you have another chance later on. It's all a false excitement. It is one that I think is unhealthy, and unfortunately, Mr. Speaker, it is there for those, I believe, who are least able to afford it.

Those who have the ability to really gamble with money, they don't bother with lottery tickets, as far as I can see. They do it on a bigger scale. They probably either deal through bookies on sports events or else they can afford to and do, take advantage of going to gambling paradises like Las Vegas, like, I gather now, Atlantic City. It's very exciting. I've been to Las Vegas, not being a gambler, I've been able to take advantage of the reduced prices available to those who are not sucked into investing into the enterprise through the loaded odds. And I don't mean loaded dice, because I imagine they keep them honest in places where is gambling is legal. I am not sure they do, but I imagine they do. But it is loaded against you when you know that the odds are designed so that in the long run you have to lose, because the House has to win, the tax collector has to win, and there's only so much available. —(Interjection)—

I said in the long run you're bound to lose, and as the Minister of Health said, in the short run you can lose too. And when I stand and look, and it's been a long time since I've been in Las Vegas, I've seen more losers than winners, and I find that those friends of mine who go to Las Vegas, who go for the pleasure of the shows and the golf or whatever other events they participate in, they come back and they're always winners. For some reason I don't understand, those who report on gambling report that they are winners, and I suspect that those who don't report must be losers, or those who forget the amounts that they lost.

Nevertheless, I am no longer prepared to deny them the opportunity to be involved if that is their bent, but, Mr. Speaker, what bothers me most is the

advertising I see which to me is immoral and unethical. The concept you are given when you look at the TV ads or other advertisements are, look at the wonderful occasion you're going to have; buy a lottery ticket and walk away with a great deal of money: or as many offer trips, or automobiles or whatever, and never are they told, never is there truth in the advertising, and that bothers me. We just talked about consumer protection legislation. We have a Minister of Consumer Affairs. We have legislation dealing with truth in lending, but, Mr. Speaker, the government of Manitoba, the Queen and the right of Manitoba through this commission is involved in what I call a confidence game and in not telling the truth in the advertising that takes place.

I fortunately no longer smoke, but if I had a package of cigarettes I would read to you, I believe it still appears on the cigarettes — "this is dangerous to your health." —(Interjection)— Maybe it's only on the . . . well, I think the Member for Inkster now smokes on occasion. Let me read to him what it says on this package: "Warning: Health and Welfare Canada advises that danger to health increases with amount smoked — avoid inhaling." There's a nuance. It implies — I guess it's true, if you don't inhale it is less likely to increase the danger to your health. So we've got that on every package. They don't do it because they want to, Mr. Speaker. —(Interjection)— Well the Member for Inkster says, how about if it said "Don't light the cigarette." Even inhaling, even drawing through the tobacco itself would probably do something for less.

Mr. Speaker, my point is that by law, by federal law I guess it is, it is the requirement that every package of cigarettes should contain that warning. Mr. Speaker, the Queen in the right of Manitoba, through the Manitoba government, using the vehicle of the commission, is not telling the truth to the persons who are sucked in by the advertising, by saying to them, know full well that only a certain percentage of the money, and I think it's something like 40 percent of the money you put in, is put into that pot for which you are gambling.

The other unfortunate thing, Mr. Speaker, I know that many members on both sides of the House, and I too have a certain satisfaction of knowing, that probably an amount equal to the amount which is put into that pot for the gambling portion, somewhat like an equal amount of that is put into worthwhile endeavours, sports clubs, community centers, various community endeavours, and that's good to know, that at least part of it — I don't think that that is as well advertised as is the gamble part of it, the winning part of it, not the gamble; the gamble isn't there so well, the winning part of it is. I feel that the least we ought to do is to make very sure that the whole truth is told so that people know full well. The ticket should tell you. The advertising should tell you how it's split up. People may enjoy the fact that by their purchase they are helping a community club, or they are doing something else.

The third danger, Mr. Speaker, is that government can use this revenue to give grants to the kinds of organizations that ought to be supported out of tax revenue, and that would then mean that there is a highly immoral tax being used because it is most regressive in that I think that people who are least able to contribute that money, because they are

induced to do it for reasons other than being taxpayers — and I admit to you, Mr. Speaker, I have had occasion as Minister of Finance to increase a tax on tobacco and liquor; that too is not the right way to tax, because there you are involved in what is termed by many, "sin tax", two words, not the one word spelled differently.

I feel that is a danger that governments become caught up with the fact that a great deal of revenue could be derived through a well sold, well planned lottery scheme, and start transferring the burden of certain costs from the shoulder of the taxpayer on the ability-to-pay principle, progressive taxation, into this other form of what can be called voluntary taxation, but with the advertising inducement.

Now I move, Mr. Speaker, to Part II of the bill dealing with licensing board, wherein the licensing board may, and I am reading from Section 18, "may prescribe the terms and conditions to be contained in a license so issued relating to the conduct and management of the lottery scheme for which the license is issued." This apparently involves a regulation of — I think it's not just lotteries, I think it involves gaming tables — maybe not, maybe it's only lottery schemes. In any event, the licensing board may prescribe the terms and conditions, and I believe that they should be required, not necessarily by legislation, but by command of the Minister, to ensure that whatever is done, the whole truth is revealed at the time of sale of whatever the lottery device is involved, and in advance at a time of inducement.

Mr. Speaker, not having had an opportunity to express my point of view on this issue, on this bill at second reading, I have done so on this occasion. I will vote against the bill, but I assume it will pass, it's a government bill.

QUESTION put, MOTION carried.

MR. CHERNIACK: . . . I'm afraid when you hear a "no," you should call the votes, yeas and nays. I don't mean call in the members, I just mean ask for the vote.

MR. DEPUTY SPEAKER: Thank you very much. I am aware that when I hear the word no, that there is a voice vote. I didn't hear no; I'm sorry.

All those in favour please say, yea. All those against please say, nay. I declare the yeas have it and declare the motion passed.

BILL NO. 94 — AN ACT TO AMEND THE HEALTH SCIENCES CENTRE ACT

MR. DEPUTY SPEAKER: Bill No. 94, standing in the name of the Honourable Member for Logan.

MR. JENKINS: Thank you, Mr. Speaker. I adjourned this debate on behalf of the Honourable Member for St. Johns.

MR. DEPUTY SPEAKER: The Honourable Member for St. Johns.

MR. CHERNIACK: Thank you, Mr. Speaker. I have looked at the debates on this bill and listened to the Member for Seven Oaks question the change in the

structure of the Board of Directors, and I read the response by the Honourable Minister of Health on the question of the appointment of the board. The concern that was expressed by the Member for Seven Oaks was that this becomes a self-perpetuating board and he saw certain dangers in that, and the response by the Minister on Page 5385, in part, I will just read an excerpt: "There is a feeling that there is a discouragement for some persons to seek or acknowledge or accept appointment to the board of the Health Sciences Centre when it seems to be so thoroughly linked to, and if you like, controlled by government. The overriding impression that seemed to come through from discussions of this kind was that there would be a more attractive opportunity for service among members of the public if there were more of an arms-length relationship with government in terms of appointments to the board, and if there were an opportunity for those serving on the board to seek out and recommend, through their nominating committee, to government others whom they identified and whom the government of the day may not have identified as worthwhile contributors."

Mr. Speaker, that is really not correct, because it is not pointing to government whom government could appoint. That would be the case if government appointed the board, and then there would be opportunities for all of the people in Manitoba to point out to government the names of those people who could well serve, and whom the government may not otherwise have identified. But in this bill before us, out of the persons, the number that will be appointed by Lieutenant-Governor-in-Council, there are five, whereas eight are appointed by the board. Mr. Speaker, I have no argument whatsoever with those who are appointed to the board because of the positions they occupy in the health field or in the educational field, no objection to that part at all, which means Section (a) to (e) inclusive, but then (f) says eight persons appointed by the board, and (g) says five appointed by the Lieutenant-Governor-in-Council.

Mr. Speaker, we have heard the thought that government should stay out of the affairs of private concerns, that government is too much involved. Mr. Speaker, we are now dealing with the health of people of Manitoba, and with what happens in this case to be the largest hospital complex in Manitoba, and for government to give up the obligation to appoint people who are, in its opinion, are the best capable of serving on the board is a cop-out as far as I am concerned. But worse than that, Mr. Speaker, to give that power to a self-perpetuating board, in other words, to give the power of appointing eight people to a board, which includes eight people thus appointed, means that the first inclination is to reappoint yourself, and if not yourself, to reappoint your buddy, to reappoint that person you know.

We dealt before on other occasions with how people should be appointed. We learned that the Winnipeg Foundation Board is appointed by a committee consisting of certain officers in Manitoba. I don't remember who they are, but they are responsible people within Manitoba who are either judges, or maybe the President of the University or whatever, I don't really remember who they are. I

had occasion to mention in the Private Bills Committee that when the Law Society has to have lay people appointed to its board, the appointments are made by a committee consisting of the Chief Justice, I think it is the president of the Municipalities Association of Manitoba, maybe one is the president of the rural and the other is the president of the urban — yes, the Minister of Urban Affairs confirms that — and I think somehow the Attorney-General, yes, the Attorney-General is a member of that committee. That makes sense, Mr. Speaker. These are people who by their appointed positions are representative of different constituencies within Manitoba, but here what I object to — and I know it was discussed; I don't know if it was discussed in committee, I unfortunately have not seen the discussion in committee on this bill — that the eight people will reappoint themselves, that is what I object to very seriously.

One of the reasons I object to it, Mr. Speaker, is that rather than indicate the kinds of people who should be on the board or indicate the kinds of people who should be able to recommend who should be on the board, such as social workers, such as teachers, such as, let's say, United Way, or the Social Planning Council, or the Chamber of Commerce, or the Trade Union Movement — I am not saying that they necessarily should be on the board, but they should be involved in selecting the people who are.

Therefore, Mr. Speaker, I want to close with an account of my experience of being a member of the board of this very same hospital a long time ago, something over 20 years ago. I was a member of this illustrious board, which was then known as the Winnipeg General Hospital. I was not appointed by the self-perpetuating body, I was appointed as a representative from the city of Winnipeg, being one of the aldermen, and the aldermen were entitled, I think, to two seats on that board. I participated in deliberations of that board and I had a high regard for my fellow directors of the board. I felt that these were people with a sense of dedication, with a sense that I didn't quite like, and that is a sense of ownership. You know, the meetings would be conducted in such a way, that really this is our institution, we run it as we see fit, and what we think is right is obviously right and we don't really have to consult very much with other parts of the community, and that I didn't like. But I did like the fact that they were sincere people, they were dedicated people, they did work and give of their time and effort to the board, but I didn't like the way they were put there. The way they were put there is by each other.

The one meeting that really stunned me was the discussion by this board of the nominees for the annual meeting that was upcoming. The annual meeting, Mr. Speaker, at that time, the people entitled to vote at the annual meeting were people who had contributed sums of money to the hospital that were in excess of either 500 or 1,000, I think it was in excess of 1,000, that was their entitlement. People who did not give that much could not vote. Well, that is by the way. The way they sat around discussing the board to be nominated for the meeting was this, they said, well, let's see, there are the following persons, by name, whose term expires and of them there are two people who are prepared

to get off the board. I am not going to name the people, Mr. Speaker, there is no point in that, and they were all good people. You know, I say that openly. They said, you know, so and so has become busy with other affairs and he seems to have lost interest to some extent, and I think he is ready to get off the board, so since he is member of the grain trade, who is there in the grain trade whom we can bring in to replace him? They tossed names around about the grain industry, and one of them said, you know, I was talking to young so-and-so, I am not naming that person, at the club, and I think that he is reaching the stage of maturity where he is about ready to come into our board and I think that he will be good for it. They said, well, good, good, let's talk to him and put him on.

The other person that was ready to retire, was indeed ready to retire, I believe, from his job, where he was a member of the Great West Life establishment, an employee, a senior officer, I think it was, of the Great West Life. I think he was retiring from the job, but in any event he had indicated he had no more time to give to the board of the Winnipeg General Hospital, and they said, well, he is leaving, now who is there in the Great West Life that we could bring in to replace him? —(Interjection)— Well, they didn't ask who are shareholders, they said, who is there within the Great West Life organization that we bring in.

Mr. Speaker, I made the point that I respected the people on the Board. I did not like their attitude to the little club of which they were members that ran the hospital, but I give full credit to their sense of dedication and to their work, but, Mr. Speaker, I assure you they were not representative of the consuming public which that hospital served. That I think was wrong. You know, Mr. Speaker, come to think of it, the only two people that I know of who could represent, in some way, the consuming public, were the people who were aldermen, and they were not necessarily the best choices, but don't forget the city of Winnipeg was given the right to appoint two people, so from amongst 18 they selected two, of whom I was one and you know, that doesn't mean that I or the other member had any particular input to put into the operation of the hospital.

To me that was a very good example of what is wrong with a self-perpetuating board, as a result of which, Mr. Speaker, for since that time I have always opposed strongly any effort to give power to a board to reappoint itself or its buddies. I think it becomes an ingrown thing. No matter how objective they are, it is more likely that they will pick those whom they know, isn't that logical? — those whom they meet and see and like, and that is, as the word given to me by the Member for Elmwood — Kildonan. Mr. Speaker, twice I have made that mistake today, the Member for Kildonan has given me the word, that is a form of inbreeding, which I think is unhealthy and therefore I am strongly opposed to the changes in the manner in which the board is elected as set out in this bill.

QUESTION put, MOTION carried.

BILL NO. 100 — AN ACT RESPECTING

THE ASSESSMENT OF PROPERTY FOR TAXATION IN MUNICIPALITIES IN 1981 and 1982

MR. DEPUTY SPEAKER: Bill No. 100, standing in the name of the Honourable Member for Logan. The Honourable Member for Logan.

MR. JENKINS: Thank you, Mr. Speaker. I adjourned this debate on behalf of the Honourable Member for Rossmere.

MR. DEPUTY SPEAKER: The Honourable Member for Rossmere.

MR. SCHROEDER: Thank you, Mr. Speaker. This bill is a demonstration of the optimism of the members opposite, their hope that somehow some new solution will be found to the difficulties facing all property taxpayers in the province. The bill freezes assessment for 1981 and 1982 at 1980 levels. The effect of it is that commercial rates will continue to be paying in a greater amount than residential. That is, this bill will benefit residences as opposed to commercial establishments. It will benefit farms as opposed to villages. The reason for that apparently is that commercial values have not gone up as quickly as residential. Village values have not gone up as quickly as farms.

We have at this time a commission looking into property taxation in the province, and as I said earlier, it appears that the members opposite feel that that commission can come up with a solution. We are somewhat skeptical. It doesn't matter in any way how you split up the dollars, if you are not going to charge more municipal tax dollars to the people of this province then you are going to have continuation of the deterioration of services which you have seen for the last three years. If you want to keep residential as opposed to commercial rates equal in the future, you are still going to have raise more money. You will have to raise it either on property taxes or on some other tax base. There are no easy answers. You are going to have to find that money from either villagers or farmers out in the rural areas. There are no easy answers.

Again we are somewhat doubtful that this government or that commission will be able to find some magical solution which has eluded previous administrations and which has eluded other governments across this country. This is just putting the whole question of property taxation on hold during time where, as I said earlier, services are deteriorating. We are freezing assessments while it takes 40 minutes for the Winnipeg Police to attend at an emergency call. When you ask why that happens, they say it's because they are not able to hire enough policeman. And why is that? Because this government is not providing adequate funding to the cities and the property taxation being collected in the city is not adequate to provide that kind of protection.

All of us, all members of this Legislature, I would expect, have had complaints from our people at home dealing with the situation of city and country roads and that sort of thing, and other municipal services which are going downhill. Again this bill does nothing to alleviate that. It is bill which this

government hopes will somehow stave off any decisions until after an election, and the only thing we can say to that is that we are happy that after that election there will be a new government which will be implementing a new system of property taxation in this province.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable Acting Government House Leader.

MR. MCGILL: Mr. Speaker, would you call Bill No. 85 on page 4.

THIRD READING — AMENDED BILLS

BILL NO. 85 — AN ACT TO AMEND THE MENTAL HEALTH ACT

MR. SPEAKER: Bill No. 85, An Act to amend The Mental Health Act.

MR. SHERMAN: Mr. Speaker, I move, seconded by the Honourable Minister Without Portfolio, that Bill No. 85, An Act to amend The Mental Health Act, be now read a third time and passed.

MOTION presented.

MR. SPEAKER: The Honourable Member for Transcona.

MR. WILSON PARASIUK: Mr. Speaker, I rise to pass some comments on this bill because it is a very very important piece of legislation, that in a very limited sense recognizes the rights of patients, but unfortunately does not go nearly far enough to really take advantage of the opportunity that the government had, after years of work by the Law Reform Commission and after work by other groups, to come up with a piece of legislation that in my estimation would provide a proper balance between the needs of the bureaucrats in mental health institutions and the needs of patients in mental health institutions, indeed the needs of patients outside mental health institutions who in fact may require assistance, who may require treatment, indeed do require some form of treatment, but frankly do not need to be put into something akin to a jail, where the emphasis is date frankly is much more on custody than on treatment.

I believe that we have that problem in our mental health institutions, where there is far too much emphasis placed on custodial requirements rather than placing emphasis on the requirements to provide adequate treatment for people once admitted to mental health institutions. Nothing is more graphic than the statistics themselves in this matter, which indicate that if someone stays in the Brandon Mental Health Institution for more than a year, they will end up being there for an average stay of 16 years. If someone is in the Selkirk Mental Institution for more than a year, they stay in that institution for an average of at least 7 years.

That would lead me to infer, Mr. Speaker, that we really aren't getting very much effective treatment with respect to people in mental health institutions. I

think that this bill completely misses the mark in trying to put pressure on the institutions, put pressure on our mental health system in Canada and Manitoba to try and provide treatment as opposed to custody. I think that there has been a long tradition, a long history of people being manacled at first, when they are placed in mental health institutions. Later on they had various types of surgery performed on them. When we were discussing this bill in Law Amendments Committee, I asked how many lobotomies had been performed over the last 15 years, and the answer came back that only three had been performed. That's three too many. That's three more than we have had — (Interjection)— mental institutions. I don't know if you call a lobotomy one that is used for a tumor. I think there are other definitions of it. Certainly lobotomy is a phrase used with respect to treatment of mental disorders, and we have had people who have been admitted to the General Hospital who have had operations performed that aren't called lobotomies, where in fact they have had pressure on brain tumors removed. In fact we had a big debate here about three months ago, whether in fact a patient who was in Concordia who required one, was in fact being admitted or not, and we found that he wasn't. That was a contentious issue at that time. But it was interesting that after I made those comments and after the Minister provided a response, I received a number of calls from people who are in the profession who indicated to me that type of surgery is somewhat passe now, people are drugged, people are heavily sedated, and that their concern is that the emphasis still is on custody rather than treatment.

I don't think that the Minister has reflected any type of balance, has reflected any patients perspective in this bill, but basically what the Minister has done, he's consulted with the bureaucrats and he admitted this in Law Amendments Committee, that he has talked with a number of people. He himself and his department have not talked with a number of people who are administrators of mental health institutions or administrators of psychiatric wards and hospitals, he hasn't talked very much with the patients. I said that patients would be too embarrassed to come before committee, and I was right, and yet I have received phone calls from people who obviously were in mental institutions, had been in mental institutions, and expressed concerns with this legislation; felt that they had been committed wrongly. I'm in no position to tell, but when you get that type of response from the public, in a sense the public that is too embarrassed to come before Law Amendments committee, I think that we could have set up a better consultative process in this respect.

The Law Reform Commission attempted to get consultation, and they were somewhat successful over a two-year period. A lot of groups went before the Law Reform Commission, and it was the Law Reform Commission that enabled consultation to take place. However the government itself closed doors; it did not provide for consultation. We had the Canadian Mental Health Association come before the committee saying that they were not consulted. We had the Manitoba Association of Rights and Liberties coming before the committee with a very good brief saying that they weren't consulted. I've had phone

calls from people from the University of Winnipeg and the University of Manitoba saying that they weren't consulted, so then I wonder who in fact was consulted if not the bureaucrats, and this is why I say that this bill is primarily a bureaucrats' bill and not one that takes into account the patient's perspective.

The problem areas that still have to be dealt with, and I did not recognize or notice any sense of agreement consensus with respect to these principles in Law Amendments Committee, we couldn't get any movement there — I did not bring in amendments at report stage. I did not feel there was any spirit of compromise with respect to a number of issues which were raised in Law Amendments Committee and therefore I didn't bring in any report stage amendments, but I am going to note four areas of difficulty, four areas of concern, which in fact require monitoring and in fact require change once we get a change in government.

The first concerns the issue of the commitment of involuntary patients. Right now this legislation provides for a medical practitioner being one that refers a patient to a psychiatrist for commitment. There aren't, as requested by the Canadian Mental Health Association, the requirement that there be two independent, two separate authorities, two psychiatrists, specialists in the area, two opinions required, before someone is committed. When you consider that if you commit someone involuntarily you are really locking them up against their own will much as we do with respect to criminal law. If you look at all of the precautions that we have in criminal law; if you think of all the judicial precautions; if you reflect on what's involved in a trial; if you think of what's involved in ensuring that people have legal assistance and they have legal counsel; that there be a trial; that there be a judge; that it follow certain procedures of due process before the state incarcerates someone; if you compare that system to the system of incarceration with respect to people who are deemed by one person to be mentally incompetent, then we have something which is very much lacking from a civil liberties point of view. If you accept the logic of this legislation, then what we should do is take the accused before one judge and let the judge try someone in private and incarcerate the person, but we say that is not fair. All of us get up and talk about due process and defend the judicial system and defend process of law, but when it comes to incarcerating people who we deem to be, or who someone, only one person is required, deemed to be mentally incompetent, then that can happen quite easily. I don't think there are sufficient restrictions built into this legislation. I think we could have provided for two opinions. That would have created a few more difficulties for the bureaucrats but it certainly would have provided far greater due process, and that is one area where this bill is lacking.

When we talk about finally incarcerating someone, and often without what I would say due process, they are now in a mental institution. They are there against their own will. They are frightened. They are very insecure. They may in fact be disoriented. They may not be mentally incompetent but they may be disoriented. We find that they are completely on their own. They are under the care of psychiatrists, but

they are under the care of psychiatrists in a situation, and we know this, where the medical staff at the mental health institutions are indeed overtaxed. When we discussed the estimates of the Department of Health we found that the patient-staff ratio had gone up. So we know that there is an increasing load being placed upon the medical staff, treatment staff supposedly, in these mental institutions, and yet we have no one standing up for the rights of the patients in mental institutions. That is why the Law Reform Commission, after a lot of consultation, and that is why the Canadian Mental Health Association, as well as experts outside the bureaucratic system of the mental health delivery system in Manitoba, have advocated, strongly advocated the creation of a position which wouldn't cost much in the way of money, but would I think provide a very vital balance within mental institutions for patients and for patients' rights.

They say that what we should have are patients' advocates, that every mental institution should have in it a patients' advocate. They have this in British Columbia. It works very well. It creates difficulties for the bureaucracy, but at the same time it provides a tremendous safety valve for patients. And when you think of the number of patients that we have in mental health institutions, surely this is a minimum requirement that this government should have put in. This wouldn't cost very much money, but the return in terms of a safety valve, in terms of due process, would be immense. The very reasonable suggestion put forward by these groups and turned down by this government, primarily for bureaucratic reasons, surely this is not a situation where costs should come before need, because the cost is quite minimal relative to the aggregate amount of money that is being spent on mental health. So this is a tremendous deficiency of this bill that could so easily have been met by the government had they moved in the area of patients' advocacy.

While I am on the subject of patients' advocacy, Mr. Speaker, it is just not in mental institutions that we should have patients' advocates. I suggest very strongly that we should have patients' advocates in all major medical institutions. What happens with patients in medical institutions if they are confused; they are disoriented; they are very insecure, they are uncertain, and people spend very little time trying to deal with their concerns and with their rights, and that is why we need patients' advocates. We have that type of advocacy in so many areas and yet in medical institutions where people are so insecure, where they are frightened obviously when they go into a medical institution, we don't have patients' advocates, and that is an area that frankly we on this side of the House will take action on, because it is a critical area that should be dealt with.

The other area concerns treatment. We don't have sufficient safeguards against what I call the path of least restraint, which is what happens if you have cutbacks and government restraint with respect to mental health institutions with respect to this type of care. I suggest to you that the government has found it easier to cut back in this area because the patients aren't in a position to complain publicly, and we find that when it comes to mental retardation, for examples, those areas where you have a public board, the government tends to put more money into

those facilities, because the board members would complain if the cutbacks were too severe. But in those institutions for the mentally retarded, which are government-run and government-controlled, they put in less money, because there is no one there to complain. The same process is taking place in mental health institutions as well. So we are having cutbacks in treatment, we have cutbacks in quality of care, and we have a system here which I suggest to you forces the medical establishment in those institutions to follow the path of least restraint, which indeed does consist of drugs.

The Minister might say, well, you know, I imagine you've got a number of people running around as mad scientists in these mental health institutions. I don't suggest that at all. I am saying that the pressures of the system are such that these people are being forced to follow the path of least restraint, and the path of least restraint consists of an increased use of sedatives, the increased use of drugs; it's easier to control people. Now if you have a custodial emphasis in your institutions, coupled with cutbacks, coupled with government restraint, you can't help but end up in that situation.

Again, this legislation does not present sufficient safeguards against experimental treatment, against overuse of drugs in treatment, and the Minister could quite easily have provided for further opinions in this area and has refused to do so. Why? I assume because of bureaucratic expediency.

I know that even this minimal change in the legislation, which will provide from something that we want, and I am sure he wants as well, namely, the minimum of a yearly review of a patient within a mental institution, plus a process requiring the review if a patient asks for the review within 30 days of the application. Those are commendable, that is a commendable part of this legislation.

We commend the government for that, but we say it is insufficient, we say it doesn't go far enough. We say that we have missed an opportunity here that we very easily could have achieved, and that is a tragedy when you've come so far, when the Law Reform Commission spend two to three years working on this, when you have other groups finally getting involved, and they get interested in it, when they try and shift the orientation away from custodial care to actual treatment, where they try and set up a situation whereby maybe in the future we can end up with people only staying in mental institutions for two to three years on an average, where if possible they wouldn't even have to be admitted. That is the ideal that we should strive for and we don't see that ideal in this legislation at all.

However, having said these things about the weaknesses of the bill, having said that we have lost a tremendous opportunity, I still grudgingly will support this legislation. A quarter of a loaf is better than none, and I do believe that the requirement that we have a review of patients at least every year and within 30 days of someone applying for a review is critical, it is a step in the right direction; it is insufficient, but we still support that small step.

MR. SPEAKER: The Honourable Member for The Pas.

MR. RON McBRYDE: Mr. Speaker I would like to add a few comments. My colleague from Transcona quite ably summarized the situation in terms of this bill.

Basically, Mr. Speaker, the Minister, I think, is aware and the people that are interested in this bill are aware that the Minister has basically missed a good opportunity to make significant and important changes in legislation. He has blown his chance to make the kind of changes that have been recommended by the Law Reform Commission, and I think as legislators we owe some thanks to the people that presented their briefs to the Legislative Committee, to the Canadian Mental Health Association Manitoba Division, and to the Manitoba Association of Rights and Liberties, which did a much more thorough job than the Minister and his staff did in terms of examining the possibilities and the options that are open. In this one case when this Minister was always complaining, well, we can't do that because we don't have the money, in this case, Mr. Speaker, we are talking about things that cost very little and there would be important significant changes within the mental health treatment system.

My colleague from Transcona talked about the commitment of involuntary patients, and certainly this is an area where there was opportunity to make more significant changes in the bill. Mr. Speaker, there is a situation, not in Manitoba but elsewhere, that sort of demonstrates this point. In the morning the city police in a city picked up this person on the street, who was wearing a sheet and was babbling, wasn't able to talk to them in any language they understood, so they took him and stuck him in the mental hospital within the provisions of their legislation in that particular area. That evening nine other people came to the institution dressed the same way as that person and talking in the same sort of tongue that that person was talking in, so they let him go. They said, well, obviously this person isn't insane or psychotic because here are all these other people acting the same way. So there is a real question in terms of the definition of sane and insane and involuntary treatment, in fact, Mr. Speaker, in terms of voluntary treatment.

My colleague from Transcona talks about the possibility, as did the Mental Health Association and as did MARL, in terms of a patient advocate, especially within the mental health system. The role of that person would be to represent the rights of patients and to make sure that things were being done fairly and reasonable and correctly in terms of that particular patient.

Mr. Speaker, there was a very interesting study done in the United States a number of years ago. The study was done by a group of professionals in the mental health field and students in the mental health field. What they did, Mr. Speaker, was they got themselves committed, normal mentally healthy people, probably healthier mentally than most of the people in these Chambers, went to the mental institution within their area, all of them went to a different one, said they had certain symptoms, and they all used the same description of their symptoms that they had, which are the normal symptoms for schizophrenia, and they were committed. Mr. Speaker, the result was that nobody within the professional staff of the institutions, once they got

committed, once they were accepted as being in need of treatment within the mental health institution, they then proceeded to act the way they normally did, they proceeded to act normal, which they were. The professional staff within the mental institutions were not able to recognize them as being different than any of their other patients within the institution. They were classed as needing mental care and they were not treated any differently from the other patients. In fact, Mr. Speaker, they were held, I think the shortest one was held for three days and the longest one was held for 56 days, and the average was something like 13 days that they were held within the mental institution. The other patients within the institution soon figured out that these people were not in fact in need of treatment, but the medical staff was not aware of that.

When the results of this study was published, Mr. Speaker, a number of institutions said, well, there are certain problems with the study, and it wouldn't happen at our institution, we could tell right away. So what the author of the study did, was say to two institutions that had said this to him, well, we will send you some people then. We are going to put some people into your institutions that are not in fact insane, that are normal people, and see if you can tell that they are normal people. So the institutions watched over the period of a month and wrote down who they thought were normal people rather than insane people within their particular institution, and I think the results were that there were 64 instances when someone in the professional staff of the institution said, here is someone who is not insane, here is someone that does not need to be in this institution, here is someone who has been sent to fool the institution. The fact is, Mr. Speaker, that they sent no-one, no one was sent to those two institutions and yet the institution identified a number of people within the institution as not needing treatment and as people that were sent there to fool the institution.

What this demonstrates, Mr. Speaker, is that there is not a clear line, there is a large grey area between sane and insane. There is a grey area in terms of voluntary, involuntary, and that is one reason why the recommendation by people professionally involved in the field, that there be a patient's advocate, is a reasonable suggestion and a suggestion that doesn't cost the government that much in terms of dollars.

Mr. Speaker, it's not that we have a Minister now who is running on restraint or saying he has a lack of money. All we have now is a Minister with a lack of will to make some important legislative changes. And it's a real waste, Mr. Speaker, it's a real waste and I think it's similar to many other bills that we've seen in the House this session in terms of bills coming in late, bills being ill-prepared, because the Minister has missed the chance to come forward with a real meaningful, significant bill, a bill that the Mental Health Association, MARL, and the Law Reforms Commission could say, that is the kind of significant change that we recommended to you. Instead, the Minister has a bill prepared by a few bureaucrats who don't want to change the system very much, has brought that bill forward without giving it the kind of thought, without giving it the kind of energy, without

giving it the kind of effort necessary to do something significant.

So we have a problem, Mr. Speaker, where the Minister of Health has blown it, and that he has a lack of will in terms of doing something meaningful with this bill.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, would you call Bill No. 55, on Page 7.

**ADJOURNED DEBATE
ON SECOND READING
PRIVATE BILLS**

**BILL NO. 55
AN ACT TO INCORPORATE
BRANDON UNIVERSITY FOUNDATION**

SPEAKER'S RULING

MR. SPEAKER: Bill No. 55. At 12:30 this afternoon, when in debate, a member raised a point of order dealing with Bill No. 55 and asked the Chair to rule on whether or not the bill was in order.

I refer members to our own book of Rules, Orders, Forms and Proceedings of the Legislative Assembly, Citation 53(1). Any vote, resolution, address or bill introduced in the House for the appropriation of any part of the public revenue, or of any tax or impost to any purpose whatsoever, or to impose any new or additional charge upon the public revenue or upon the people, or to release or compound any sum of money due to the Crown, or to grant any property of the Crown, or to authorize any loan or any charge upon the credit of Her Majesty in right of the province, shall be recommended to the House by a message from His Honour, the Lieutenant-Governor, before it is considered by the House.

I took the opportunity also to consult legal counsel and legal counsel was of the opinion that there was a point here, but at the present time he could not see any immediate charge upon the Treasury or any impact on the Treasury. However, I do want to refer you to Citation 120 of Beaubesne, and it's dealing with the procedural duties of the Speaker.

Foremost amongst his many responsibilities, the Speaker has the duty to maintain an orderly conduct of debate by repressing disorder when it arises — that is not really germane to the subject matter at the present time — by refusing to propose the question upon motions and amendments which are irregular, and by calling the attention of the House to bills which are out of order.

I am of the opinion that this bill is out of order, and I am calling it to the attention of the House. At the time the Honourable Member for Seven Oaks was debating, and he has some time still remaining in his debate. The matter now rests with the House.

The Honourable Member for Seven Oaks.

MR. SAUL A. MILLER: Mr. Speaker, I thank you for the ruling. I'm not quite sure where this leaves me,

because I happen to agree with you, it is out of order, as I had indicated. On the other hand, Mr. Speaker, since we are seized of it and, unless I have some indication from the Minister of Finance that a message from his Honour will be brought in or unless there is some indication from the members opposite, from the Treasury Bench in particular, that the offending clause will be deleted, which then would not require a message from his Honour at all and it wouldn't have to be introduced by a member of the Treasury Bench. It could be introduced by a private member, as it has been.

So I'm somewhat in a bit of a dilemma here as to how to continue with this. Perhaps I might indicate what my concerns were and maybe it can be dealt with before the bill goes to committee, or perhaps in committee. I would ask guidance on this.

Mr. Speaker, I was concerned because one of the provisions here very definitely indicates that the Foundation is not subject to taxation by any municipality or by the government of Manitoba, and you therefore see a situation where the Foundation can solicit and receive donations or contributions and to hold, control and administer property. If someone dies and bequeaths property to the Foundation — it could be farmland, it could be land within the city of Brandon, a property of some kind or another — they can sell it or they can keep it. They can lease the property and collect rent on it.

I know in the city of Winnipeg, I know the University of Winnipeg, for example, has for a number of years been acquiring land immediately across the road from it on the north side, and they've acquired it over the years with funds that the university has for these purposes, because some day they hope to expand on that site. In the meantime, those properties are rented. There's a small apartment block, as I recall, a few homes. Those are rented. And to the extent that they are rented, they do pay property tax on it. Now this, of course, would mean that if it's passed in its present form, which it can't, the municipality would be deprived of taxation. As well, since it is property on the tax rolls, the Foundation levy, which is levied by the government through the Public Schools Finance Board, that I suspect could not be levied because it would fall under the exemptions from taxation provision.

Mr. Speaker, it gives a great deal of power to this particular foundation and, although I haven't examined all the Acts in Manitoba setting up foundations, I don't know of any other foundation which has this power, or this type of exemption. I don't believe the Winnipeg Foundation has it; I know those groups — they're called foundations — which are associated with the University of Winnipeg, the University of Manitoba, they don't have these powers. The Health Sciences Centre, where moneys are set aside, they raise them through different means or through bequests that are passed on to the Health Sciences Centre are held in trust, and they too acquire property and have acquired a great deal of property in the vicinity of the Health Sciences Centre for future expansion. They treat them as commercial properties, which is what they are, and they're subject to all taxation, even though the hospital proper may not be subject to taxation, the municipal taxation. The properties that they own,

which are not used for hospital properties, are in fact taxable like any other commercial venture.

So that, as I say, it is this sort of a concern that I have which then sort of tempted me to get up and speak. I know that in a letter from the City Clerk to the President of the Brandon University, he indicated that it was not the intent of the university to exempt property acquired by the Foundation from taxation but rather to pay a grant in lieu through the University Grants Commission and provincial government, which is exactly what I'm concerned about. The provincial government should not pay a grant on those properties. And the University Grants Commission, unless they've changed their method of operating, would certainly not pay a grant. They'll pay a grant in lieu of taxes, but they'll do so only on legitimate university grounds that are used for university purposes. They won't do it for any other purpose. So the letter which was sent to the Brandon University President by the City Clerk doesn't really remove the blemish in this bill. It has to be removed, Mr. Speaker, because, as you ruled correctly, it cannot pass in its present form, but the method whereby it's removed I'm not clear and I have to seek guidance from some people who know more about the procedure of this House than I do.

Otherwise, as far as the rest of the bill is concerned, yes, it can be debated and it can pass, if the government so desires, but it cannot pass with that particular flaw. So, Mr. Speaker, having brought it to the attention of the government benches, I have nothing further to comment on it and I'll leave it to, as I say, those who know more about how to deal with this particular problem to carry on from here.

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

MR. DESJARDINS: Mr. Speaker, I wish to speak on a point of order. It seems to me that you have made a decision and we're discussing something that is not of order. Couldn't we expedite matters if, with leave, we would ask either the mover or somebody from that side to see what they're ready to do and, with leave, we could maybe agree to let it go without that offending . . .

MR. SPEAKER: The Honourable Minister Without Portfolio.

MR. MCGILL: Thank you, Mr. Speaker. I've been listening to the comments and particularly those of the Member for Seven Oaks and the suggestion made by the Member for St. Boniface. I think in principle that the idea that a Brandon University Foundation be set up is acceptable and I have heard no objections to that. But you have pointed out, and it is obvious, that there are defects in the way in which this bill would go about setting up the Brandon University Foundation. And you, Mr. Speaker, have indicated that you believe this bill could be out of order. So the dilemma, as has been explained and described by the Member for Seven Oaks, is, how to we really approach this in principle with an offending clause and not offend the rules of this House?

Mr. Speaker, I think the undertaking could be clearly given from this side that it is the intention, clearly, to amend these clauses so that difficulty in

the way in which the bill would appear to impinge upon the revenues of the province could be eliminated, and if it were done in a special way that we approve this principle of setting up a foundation but that we proceed in committee with the commitment that we will eliminate those things which offend the rules of the House with respect to the setting up of the Foundation.

Mr. Speaker, I agree that this is a somewhat unique situation, brought about perhaps by the time at which this bill comes to the attention of the House at this stage, but I think that perhaps the House would be prepared to agree in principle with the setting up of a Brandon University Foundation and allow it to proceed to committee with the clear understanding that the defect will be cured with respect to its tax-exempt proposal.

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

MR. CHERNIACK: I'd like to ask the Honourable Minister a question, if I may, dealing with the speech he made and his suggestion that we agree with the setting up of the Brandon University Foundation in principle. Since he spoke in favour of that principle, would he indicate whether he agrees that the Foundation, as described in the bill, will be controlled by a group of people who are not directly representative of the university? I mean the majority of whom are not directly representative of the university or of its educational aspect. Does he agree with that feature?

MR. SPEAKER: The Honourable Minister.

MR. MCGILL: Mr. Speaker, I'll attempt to deal with that question without again entering a debate. I think the member refers to another part of the bill in which it describes the way in which the original group will be conceived. —(Interjection)— No, I couldn't accept that they are essentially people who are not involved in one way or another with university activities. It seems to me that the bill and the Foundation are not conceived as being perpetuating, that the architects of this measure have in mind a limited life for the group and they have a certain fund raising to undertake and they hope to proceed and accomplish this in a period of time. I see no difficulty there, but I suggest to the member that if he has a particular concern about that other part of the bill, then those matters could also be raised. But I was giving an undertaking really only in respect to the taxation part.

MR. CHERNIACK: Mr. Speaker, I had difficulty in appreciating whether the Minister was speaking to the bill or on a point of order, and I interpreted that he was speaking to the bill and that's why I asked the question. But he also seemed to have raised a proposal as to a point of order. Mr. Speaker, I, for one — this is not a caucus position, nor have we had an opportunity to review it in caucus — so I say I, for one, would not oppose an effort to extract from a bill . . .

MR. SPEAKER: Order, order please. The honourable member has already entered debate on this bill.

MR. CHERNIACK: I'm sorry, Mr. Speaker, I thought I was speaking on a point of order. I thought I said so, and if I didn't, I intended to. On a point of order, Mr. Speaker.

MR. SPEAKER: The honourable member on a point of order.

MR. CHERNIACK: I believe that the Minister, in his address, indicated a request that we accede to an undertaking which I think he made — he can correct me if I'm wrong — that the offending section would be removed from the bill in committee. I think he asked for an indication. If he didn't, I'll sit down, but if he did, I'm prepared to give my response on a point of order to what I think was his request on a point of order. But I don't want to interfere with the House. —(Interjection)— No, let him decide.

MR. MCGILL: On the same point of order, Mr. Speaker, I hope I had made myself clear that it was that particular part of the bill dealing with taxation that we were prepared to correct in the committee, and that the bill, when it proceeds, if it proceeds from this House, would go with that understanding in this special circumstance.

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

MR. CHERNIACK: Yes, Mr. Speaker, I would like to indicate to the Honourable Minister that I, for one, would have no objection to an effort to be made to take from the bill what is offensive from the standpoint of rules of the House. But, Mr. Speaker, in the end I believe it will be the responsibility of the Speaker to determine whether the introduction, being wrong, can be corrected half-way through. And for that I would not take the responsibility. That's the only point I wanted to respond to the Honourable Minister.

MR. SPEAKER: The Honourable Member for Minnedosa would be closing debate.

The honourable member on a point of order.

MR. BLAKE: On the point of order, Mr. Speaker, I just don't know what assurances they're looking for, but as the prime mover of the bill, I merely agreed to move the bill into committee without thinking there was an offending clause there. There is no question, Mr. Speaker; there has been communication that the offending clause can be removed. The prime objective now, I think, is to get the bill into committee and, if there are strong objections to it, the bill will stand or fall on its merits. I don't think there's anyone that's particularly hung up on the bill that really is going to live or die by whether the bill is defeated or whether it survives. I think it's an honourable thing to have a bill such as this for people that are interested in the furthering of the university.

MR. SPEAKER: Order please. Is the honourable member debating, or is he raising a point of order?

MR. BLAKE: I was speaking to the point of order, Mr. Speaker, to say that we're quite willing to . . .

MR. SPEAKER: Will the honourable member stay to the point of order.

MR. BLAKE: The point of order is that we're quite willing to remove the offending clause, if that is the reason for the bill being ruled out of order or being ruled in order.

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

MR. DESJARDINS: Yes, on a point of order, I just wouldn't want us to start a precedent and I did hear you make a correction. I thought I heard you say the Minister was closing the debate.

MR. SPEAKER: Order please. I was in error on that.

MR. DESJARDINS: Oh, okay. —(Interjection)— No, you can't. Excuse me, the member said he will. He can not, because he didn't introduce the bill.

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

MR. BLAKE: I'll be closing debate.

A MEMBER: No.

MR. BLAKE: I've already spoken on the point of order which is what I was going to say if I was speaking on the bill, Mr. Speaker.

I am speaking to the bill, Mr. Speaker, to find out whether I might encourage you to rule the bill being in order, if it's agreeable by those of us on this side to withdraw the offending section of the bill — which we are quite agreeable to — and if that is the case then we can allow the bill to proceed to committee. By leave I suppose we require to remove that section of the bill.

MR. SPEAKER: Are you ready for the question? The Honourable Member for Brandon East has already spoken.

MR. EVANS: A question of the last speaker in the debate, the Member for Minnedosa referred to a particular offending clause. I'm not sure whether he was in the House, Mr. Speaker, when I went down a number of what I consider to be some serious deficiencies in the bill, and I wonder therefore . . .

MR. SPEAKER: Order, order please. The Honourable Member is not asking a question, he is making a speech and he has already spoken. The Honourable Member for Brandon East on a question.

MR. EVANS: Would the Member for Minnedosa give us assurance that he is prepared as the — I guess he's not the mover, Mr. Speaker, but it was in his name originally — to deal with some of these other concerns that we raised. As he is a prime mover concerned about this bill . . .

MR. SPEAKER: Order, order please. I don't believe any particular member has that right to make that kind of — that is up to the committee to decide.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, would you call Bill No. 19, Page 2?

ADJOURNED DEBATES ON THIRD READING

BILL NO. 19 — THE EDUCATION ADMINISTRATION ACT

MR. SPEAKER: Bill No. 19, standing in the name of the Honourable Member for St. Vital. The Honourable Member for St. Vital.

MR. WALDING: Thank you, Mr. Speaker. We have noted on previous occasions, notably the second readings, that this Bill No. 19, The Education Administration Act, is a companion bill to the much larger new Public Schools Act, Bill No. 31, and that was the bill on which we made most of our remarks. There were just one or two things that we had questions on about this bill when it went to committee stage, and some of the matters of concern to us then were explained and there were a few minor changes made.

There is I think just one particular point of principle that remains in this bill now that should be questioned and perhaps raised for consideration by members of the House, and that has to do with a particular clause in this bill whereby it requires the approval of the Minister, the Minister of Education that is, for courses taken at a teacher education institution in order that a teacher may become certified. This is apparently something new in the bill and we did raise it with the Minister at committee stage. The reply that we received from him was, that since it's the government that certifies teachers, then the government should have a voice in that program that is taken by student teachers at a teacher training institution. But it does raise the question, Mr. Speaker, of the autonomy of our universities. A good deal has been said on the matter of principle before. I recall hearing members of the government when they were in opposition, speaking out very strongly in defense of the autonomy of the university and how it is sacrosanct and should not be interfered with in any manner.

Surely what we see here under this particular section, is that the Minister will now have a say in what subjects should be taught at the university and the faculty of education and perhaps which particular subjects he will consider as suitable for granting certification. It would grant the Minister I believe, the power now to set different standards as far as certification is concerned as opposed to those qualifications needed for a student teacher to get his or her Bachelor of Education. It has seemed to be a principle in many of our professional association bills that a certain standard is recognized in the statute itself, and then providing any applicant can show that

he has reached that particular standard, that then there is automatic granting of a license of certification, whatever it is called.

This particular clause of the bill would seem to get away from that and allow the Minister to set a different standard, either higher or lower as the case may be. That brings into question whether a student at a university going through a teacher education course will really be in a position to know what courses will be required. Up until now, I understand that if the student went through the course in the normal manner, came out of university with a Bachelor of Education, that that, plus a year's probationary training or field experience or whatever it's called, was sufficient for the granting of a certificate to teach. Now apparently it will be possible for something more than a Bachelor of Education degree to be required in order for the Minister to grant that person a certificate to teach. Or on the other hand, if the Minister sets the standard at some other level, it could well be that a teacher could finish short of the Bachelor of Education degree but still meet the Minister's standard for becoming certified, depending which way it goes, whether the Minister sets his standards higher or lower, would then seem to have dangers both ways.

When the Minister says that he is the one who grants the certificate and so he should have a say in the matter, he has a very definite point there. In all those instances where we have professional associations, and given the right to self-discipline and licensing, what they are exercising is in fact a delegated authority from this Legislature. It's delegated to them and can be withdrawn. Those professional associations are still subject to the wishes or the overlying control of the Legislature.

Mr. Speaker, one or two members on this side raised during the Minister's estimates the matter of courses in special education at the University for student teachers. It was a matter that was raised at the committee stage of this bill by several of the organizations that appeared before the committee. They raised the problem with us that they felt there were many teachers in the classroom who were not sufficiently well trained to spot the needs of children with learning disabilities or with special needs, and they questioned whether all teachers were able to deal effectively and teach those children once these special needs had been identified.

It was a matter, too, of some concern with the Manitoba Teacher's Society, and we questioned them on this matter particularly. What they had recommended to us was that the present optional course at teacher training at the University in special education was a subject that ought to be made mandatory. The suggestion had been made by MTS to the universities, but they had refused to do so, preferring to keep it within that category of subjects which have been and still are optional. The suggestion that we made during the Minister's estimates was that he ought to indicate to the University that it was his Ministerial wish that such a course be made mandatory. We had suggested this to the Minister and he had really not ruled it out, but neither did he say that would be the course he was taking. It was after that that we spotted this particular clause in the bill and wondered then if that was the response to our request that special needs'

education at University should be made a mandatory subject

This of course would permit the Minister to do just that, but it would also of course extend the Minister's powers over a much wider field than this. The Minister could then designate that either a whole lot more subjects should be mandatory, or quite the opposite, and specify that some of the present mandatory subjects should be optional. We did suggest to the Minister that this sort of interference, if it can be called that, in the autonomy of the University, was perhaps a bad precedent, that if the Minister of Education can do this in one particular faculty, there is no reason of course why other Ministers or the Cabinet itself should not start to specify to the University of Manitoba which courses it should teach, which subjects and which programs ought to be mandatory if that particular profession should be able to be practised in this province.

That was the concern that we have. It was, as I have said, the reply of the Minister that, well, he did have in fact the power to certify and intended to use it in this manner. But it is our concern, Mr. Speaker, that the Minister would appear to be using a sledge hammer to kill a fly, if what he is trying to do in this particular case is to make mandatory the inclusion of a special education course at the University. What we have suggested be done was that the Minister's wishes in the matter of special education be made quite clear to the faculty involved, and that the prestige of the Minister's office and his wishes, as well as the fact that the Minister is a major fund raising at the university, would almost certainly cause a sensitive faculty to abide by the Minister's wish and put this matter into the mandatory course of instruction.

I am not sure, Mr. Speaker, whether the Minister has had a chance to perhaps reconsider since the time of the committee on this particular item, or whether other members have any opinion either, but it is a matter of some principle involved here. Our members on the committee made our views known to the Minister and the Minister's position was supported by the government members. However, as I have outlined the problem to other members, it could be that they have some concern too. I would look forward to hearing from any other supporters that the Minister might have on that side or even the Minister himself.

MR. DEPUTY SPEAKER: The Honourable Minister of Education.

MR. COSENS: Mr. Speaker, my position in this regard has not changed since we considered this particular item in committee.

QUESTION put, MOTION carried.

MR. DEPUTY SPEAKER: Did I hear no?

MR. USKIW: Mr. Speaker, you didn't call the Yeas and Nays or whatever. That is what it is.

MR. DEPUTY SPEAKER: All those in favour of the motion please say Yea; all those contrary please say Nay. I declare the motion passed.

The Honourable Government House Leader.

MR. MERCIER: Would you call Bill No. 97?

MR. DEPUTY SPEAKER: Bill No. 97, Report Stage. Shall the report of the Standing Committee with respect to Bill No. 97 be adopted.

Is it the pleasure of the House to adopt the motion? Agreed?

MRS. WESTBURY: There are amendments, Mr. Speaker.

MR. CHERNIACK: Mr. Speaker, on a point of order. I wonder if the House Leader can assure us that one of the members, who has an amendment, will be here to deal with the amendment.

MR. DEPUTY SPEAKER: The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, the Member for Inkster assured me that he would be here to speak to this bill tonight.

Mr. Speaker, we could go on to Bill 81, deal with that and then return to 97.

**REPORT STAGE
BILL NO. 81 — AN ACT TO AMEND
VARIOUS ACTS RELATING TO
COURTS OF THE PROVINCE**

MR. DEPUTY SPEAKER: Bill No. 81, Report Stage. Shall the report of the Standing Committee with respect to Bill No. 81 be adopted?

The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, I move, seconded by the Honourable Minister without Portfolio, that the proposed subsection 9(5) of The Provincial Judges Act as set out in section 19 of Bill 81 be amended by striking out the words "the need for the designation to which the application relates" in the first two lines thereof and substituting therefor the words "the need for the judge to whom the designation relates to establish residence or become ordinarily resident in the area designated".

MOTION presented and carried.

MR. DEPUTY SPEAKER: The Honourable Government House Leader.

MR. MERCIER: There is a second amendment. Mr. Speaker, I move, seconded by the Honourable Minister without Portfolio, that the proposed subsection 11(4) of The Provincial Judges Act, as set out in section 20 of Bill 81, be amended by striking out the words "or carry out related activities" in the last two lines thereof and substituting therefor the words "or any other business, commercial or professional activities in which he was engaged".

MOTION presented.

MR. SPEAKER: The Honourable Member for Rossmere.

MR. SCHROEDER: Thank you, Mr. Speaker. On this amendment, we have no objection to the amendment

itself, excepting that we are somewhat concerned about the fact that it could put a judge in a position where he has been violating this particular section, because we understand that section 25 will be amended to indicate that the Act will come into force on March 31st, 1980, and that section 20 will be in effect, as well, before the date on which it was passed. The Attorney-General indicated March 31st, 1981. Fine, if it is 1981, there is no problem.

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

MR. CHERNIACK: I wonder if whoever has the bill, the master copy of the amended bill, could confirm that it is 1981, because my note when I looked at it, is 1980 and I would like to be sure that it is 1981, in which case there is no problem. I don't mean Bill 81, I mean 1981.

That is the point, Mr. Speaker. This is the point of order I am raising. I looked at the master copy of the amended bill, the blue bill, and the note I made from it, and the reason I drew it to the members' attention is that I read it to be March 1980, and therefore retroactive. The Minister indicates that it is intended to be 1981. I just wanted an assurance that, regardless of its intent, that the bill is indeed 1981 and I think it should be seen.

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, to answer that question, the notes that I have, the copy of the motion that was made in committee says that Section 20 comes into force on March 31st, 1981. I can only assume that the Clerk's record will show also 1981, and that is specifically the intention, to be 1981. I don't know where the Member for St. Johns got 1980.

MR. SPEAKER: The Honourable Member for St. Johns on the same point of order.

MR. CHERNIACK: On the point of order, I am really sorry that I may be taking up the time of this House needlessly, but if my note is correct and the master blue copy says 1980 instead of 1981, then it is a serious matter I am raising. If indeed it says 1981, as the Attorney-General has said it should be, then I am wasting the time of the House and I apologize, but I should think we would want to make sure that it is as the Attorney-General thinks it is and contrary to my impression. I admit I just made a note of it and I may be wrong.

MR. SPEAKER: Can we wait while the Clerk gets the master copy?

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, by way of explanation, it would appear that the blue copy of the bill does read March 31st, 1980, despite the fact the motion that was made in committee, a copy of which was circulated to all members of the committee, read March 31st, 1981.

MR. SPEAKER: Is there leave from the House to make that correction? (Agreed) Then by leave we have made that correction.

QUESTION put, MOTION carried.

MR. SPEAKER: Shall the report of the Standing Committee with respect to Bill No. 81 be concurred in?

MOTION presented and carried.

BILL NO. 81 was read a third time and passed.

MR. MERCIER: Mr. Speaker, would you call Bill No. 31?

MR. SPEAKER: Shall the report of the Standing Committee with respect to Bill No. 31, be adopted. The Honourable Member for St. Boniface.

MR. DESJARDINS: Mr. Speaker, I would like to move, seconded by the Honourable Member for Ste. Rose, that the following new Subsection 79(3)(b) be added: "Where in any school division or school district there is a sufficient number of classes where English or French is used as the language of instruction and which may be grouped in a public school, the school board shall group those classes in a public school and the administration and operation of such public school shall be carried out in the same language as the language of instruction."

MOTION presented.

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

MR. DESJARDINS: Mr. Speaker, I would like to assure the members of the House that I will not take too long in this debate. That should not be taken that I feel that this is not a very important subject matter. I think that it is, to me and the constituents, some of the people that I represent, and the people of Manitoba. I think it is very very important, but in view of the late hour and in view of the fact that I have made certain comments and my views are known, I don't intend to take very long.

Mr. Speaker, I would think that the Minister of Education and the government would look favourably in amending this clause. It is not something that should be too controversial, and it's something that should go a long way in promoting this togetherness and harmony and unity in our country. We have a situation, we brought in a change when Bill. 113 was brought in. We recognized French as a teaching language and we recognized classrooms where French would be used as a teaching language. It would stand to reason, Sir, that if this was done, and there are certain conditions, and if you can group so many people in a classroom to use French as a teaching language, the next step of course if there are enough classrooms that would duly qualify, then you should recognize the schools. Education, if to retain bilingualism and to retain culture in the French language, one of the official languages of the country and the province, is more than just the teaching of a subject in a certain language. It is very important also to have extra curricular activities, the

administration of a school and so on in that language.

It is not as if I was trying to introduce something new, something that isn't done, but now we don't mention the word school, it's not recognized. The Minister says, well, it shouldn't be a problem because then the school division will decide. Mr. Speaker, this is something that the members on this level of government have decided, that French should be recognized as a language of instruction. It is this level of government that has done it. So why don't we accept our responsibility? This is left to the school division.

Mr. Speaker, you will remember that last year there was an amendment on private schools, and the present government recognized that certain grants should be made to private schools but through the public school and the school division. This year they corrected that. They felt that this was wrong; at the request of the school trustees, at the request of the teachers and they felt yes, we are doing this, we have decided that, so we will accept our responsibility. The same people that have requested that are also making the same request in the schools I'm talking about. The Teachers' Society and the school trustees are backing this amendment.

You might say, what is the important thing, what is the difference? The difference now, Sir, is that every time there is a school, the onus is on the parents of these children that are attending these schools to try to promote and do all the steps necessary to have this schools' bill. That increases and encourages opposition, and nearly in every instance there is opposition. And the school divisions of course are dealing with just the people in the area and they are tempted, and it is quite difficult for them not to call the votes like any politician does, and it makes it very very difficult. We have a situation now that the school division recommended unanimously. We've been using the school division to fight the battles and the government has not had to make a decision, but now in this case, for once, the school division is recommending unanimously that this be done, and this has been two years now and we are still waiting.

I am suggesting that this be done so that if you recognize that we are equal citizens, that we are not second-class citizens, that we wouldn't have to fight for every darn thing that we are told — the rights that we have. As I say this thing just encourages divisiveness. It doesn't unite the people, Mr. Speaker. I don't think that it would be such an effort. In these days when it is so important to our country to make not empty gestures, but to show that we are interested in promoting this type of unity and this type of understanding, I think that this small request that I am suggesting at this time would be a step in the right direction and would be a big step in showing that we are interested and we are ready to stand on our decision; that we have the courage of our convictions, and if we say yes, it should be French education, that we don't try to place any obstacles and make it more difficult for the people to achieve this and then they can go on to get working together instead of these fights that we see repeatedly, Mr. Speaker.

MR. SPEAKER: The Honourable Minister of Education.

MR. COSENS: Mr. Speaker, this particular amendment, as well as the others that the Honourable Member for St. Boniface has before us, appeared as amendments before the committee. We considered them, discussed them, debated them, and at that time the committee rejected them. My position in that regard has not changed.

QUESTION put, AMENDMENT defeated.

MR. DESJARDINS: . . . if it's just on division, if this is the case, I am not requesting . . .

MR. SPEAKER: Is it agreed it's defeated on division. (Agreed) The Honourable Member for St. Boniface.

MR. DESJARDINS: Mr. Speaker, I would like to move that Subsection (a) and (b) be deleted and replaced by the following: "Where French is used as the language of instruction in any class, English shall be a subject of instruction. In such class and where English is used as the language of instruction, French shall be a subject of instruction."

MOTION presented.

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

MR. DESJARDINS: Mr. Speaker, if I was sarcastic I would thank the Minister for his very cavalier method of dealing with this. He announced something very important. He announced these amendments, he didn't even wait until I — the courtesy of letting me propose these resolutions. He put them altogether and made it quite clear that they had been considered, therefore the House shouldn't even consider it, not one question, nothing from any.

Mr. Speaker, we let the record show what kind of government, what kind of Minister we have. Mr. Speaker, the motion that I am making now would make French and English compulsory subjects, not language of instruction, in schools in Manitoba, in a bilingual country. These, Mr. Speaker, that suggestion was made by the now Premier of this province, who when he was Leader of the Opposition sitting in this seat, made this on his own, without being coaxed, without being asked to do it, he felt that this was the best way to bring about this kind of unity that I've been talking about, this kind of understanding, and he felt that at least if you can understand a language then it would be easier to work together. He said at the time that it wasn't quite proper, and I agreed with him, that you are going to have bilingualism by saying all of a sudden that on such date, from that date the civil servant who might be in their 50s or 60s, that they had six months to learn French or they'd be out of their job. I agree. I think there is only one way, that is, to deal with the schools.

Many, Mr. Speaker, in fact most of the members of this House piously have stated, oh if I could only speak French, I'd love to speak French — I've heard that from all the members, Mr. Speaker — I hope that my children can do something about it, that will do something, that our children will speak French.

That, Mr. Speaker, I have to doubt the sincerity of these members when we are told even before a resolution is passed that it will not be accepted.

Mr. Speaker, we have a Premier who during his deliberations, before the referendum, said, don't leave Quebec, we want you, we love you. It was requested that we have a forum to be able to give these people of Quebec an idea of how the rest of Canada thought; that was refused.

Mr. Speaker, the First Minister said that he's not interested, that he's against — I believe that's the last thing he said. I stand to be corrected if I am wrong, if there was a change since then, that language rights should not be enshrined in a renewed and renegotiated constitution, that it should be left to the provinces to do that. The provinces should assure it, and this is the kind of assurance we are having today.

Mr. Speaker, I think that now you might understand better, the members of this House might understand better, if on, I think it was Bill No. 2, that I suggested the bill be not reported, that we do not proceed with the bill, that it was a nothing bill. Then I was chastised for that. I was told that they had all kinds of intentions, and therefore the challenge was there to prove it on Bill No. 31, and that hasn't been the case. We brought in legislation, and it is obvious, it is clear, that that bill was brought for one thing, to say, we'll give you the minimum that we're forced to give you and nothing else. I was told, not by you, Mr. Speaker, but I was told by other members that I have the right to speak French in this House, but it was made quite clear to me that I didn't have the right to be understood. Now, I'm suggesting that we start by the first step, that we start by No. 1. Am I asking that much, that in a bilingual country, in a bilingual province, in these so important times for the future of our country — and as I say, and we all agree, that it is the greatest country in the world, that we have so many advantages over the Americans because of our British and French heritage, and also that some of the greatness, I guess, of the Americans rub on us also, and we have the best of both worlds. We are asking for a bit of understanding, a bit of co-operation, and it is clear that the leadership of this is not found in the Minister of Education, who I found, as I said, very cavalier in his slap of the hand, backhand slap, in dealing with this. No reasons, nothing, he just said, we looked at it, we're not interested.

Mr. Speaker, I would suggest, I guess without too much hope in my heart, that this motion will be received a little better, but nevertheless it is placed in front of you and wish you'd call it.

MR. SPEAKER: The Honourable Minister of Education.

MR. COSENS: Mr. Speaker, the amendment placed before us by the Honourable Member for St. Boniface, in effect, would make French a compulsory subject; it would make French mandatory in the schools of this province. I hasten to add at this point, Mr. Speaker, that one-half of the total school population of this province is taking French voluntarily at this time. I appreciate the attachment, the depth of feeling that the Member for St. Boniface has in this particular question, but I have to tell him

that there are many people of Fench extraction in this province who have said to me that it would be a very drastic mistake to make French mandatory in the schools of this province at this time, that it would have a negative, counterproductive effect.

Mr. Speaker, we did not support this amendment in committee. I cannot support it now.

QUESTION put, MOTION defeated.

MR. SPEAKER: Do you want it recorded on division?

MR. DESJARDINS: Yes, please.

I move, seconded by the Honourable Member for Ste. Rose, that Section 79(8) be deleted and replaced by the following section:

79(8)(a) The Minister shall establish a committee (hereinafter in this section referred to as the English Language Advisory Committee) composed of nine persons to which may be referred matters pertaining to the use of English as a language of instruction in public schools.

79(8)(b) The Minister shall establish a committee (hereinafter in this section referred to as the French Language Advisory Committee) composed of nine persons to which may be referred matters pertaining to the use of French as a language of instruction in public schools.

MR. SPEAKER: I believe there's a typographical error occurring and the word "obtaining" should be "pertaining". I believe the Chair has the right to make that correction.

MOTION presented.

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

MR. DESJARDINS: Mr. Speaker, I'll try to be short on this one also. Two advisory committees were named. The advisory committees were there to try to, before something became too big a problem, to try to rectify it. There was an English Language Advisory Committee and a French Language Advisory Committee and then, if need be, they would get together and form a council. Now, the Minister has stated that previously it didn't work, and I agree with that. I didn't work, Sir, because the way it read, the Minister was the only one that could refer any matters to the committee and he never referred anything, so it's very difficult to work when you're told that you can only consider what is referred to you and nothing is referred to you.

The Minister will say that the amendment that he made on this was accepted; that's true; it was accepted as second best because the first amendment wasn't well prepared at all. It was a language advisory committee to the Minister and it didn't take into consideration any people representative of the French groups. That was changed and of course that was better if we're stuck with this amendment. The Minister stated in my last motion that a lot of French-speaking people have told him that this would work. It's funny that he didn't say that many French people did not agree with me in the first resolution, or in this resolution.

Mr. Speaker, I am suggesting, maybe the Minister can give a little bit. Maybe the government can at least pretend that they are interested and reinstate this committee. I am suggesting that then, to this committee, the Minister could refer matters, or that matters could be referred to them; that is by the school division, or different schools, or educators. Again, as I say, this has been backed by the Teachers' Society also and the trustees.

Mr. Speaker, I know, and I want to hasten to add that I'm not suggesting that there be a dialogue between an advisory committee and another group before going to the Minister to embarrass the government; that is not my intention. But if things could be referred, as an advisory committee to the Minister, and that advisory committee would then report their findings and their advice to the Minister, who then could proceed to use or send this information, as he wished, to the school division or les éducateurs francophones or any of these groups.

Mr. Speaker, I don't think that's asking too much. I don't think that this government will fall on a thing such as this, and I think that at least they would show some indication or at least an interest in keeping a semblance of interest, because right now the Minister could not make it more obvious, he's doing it purposely, I'm sure, to be insulting practically in his remark and his answer and his lack of consideration. So this might be a chance for him to at least give a couple of crumbs to people that he calls his equal.

MR. SPEAKER: The Honourable Minister of Education.

MR. COSENS: Mr. Speaker, we have considered this particular amendment as well. These two committees existed in the former Act. They existed while my honourable friend was in government. They were not utilized; they were not successful in solving the problems. We have considered it rather carefully, contrary to what the honourable member says. In the present bill before this House, No. 31, we are proposing a Languages of Instruction Advisory Committee, composed of representatives from the French community and others appointed from the community to consider problems that may arise in regard to language instruction in the schools of this province. What the honourable member is suggesting is that we continue with two committees that have not worked. They didn't work and they were not effective under the previous government; they have not been effective under this particular government.

Mr. Speaker, we feel that the Languages of Instruction Advisory Committee will function. It's my intention that it will function, that it will provide a valuable function and a worthwhile function and, as a result, I'm not prepared to see us return — if return is the correct word — or to continue with a set-up on committees that was not effective, but rather, I will support and continue to support the one committee, the Languages of Instruction Advisory Committee, Mr. Speaker.

QUESTION put on the amendment, MOTION carried.

MR. DESJARDINS: On division, Mr. Speaker.

MR. SPEAKER: On division? The Honourable Member for St. Boniface.

MR. DESJARDINS: Mr. Speaker, as you know, I had other amendments, but these amendments now would be meaningful with the fate of the amendments that I've already done. But I'd like to take advantage of this chance to thank warmly the Minister for his kind interest and warm feelings, and I'm sure that we appreciate it very much.

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

MR. WALDING: Mr. Speaker, I move, seconded by the Honourable Member for Flin Flon, that Clause 1(1)(5) of Bill 31 be struck out and the following clause be substituted therefor:

(5) "elector" means a person who is (a) a resident elector in the school division or school district, and (b) a Canadian citizen or other British subject, and (c) of the full age of 18 years, and (d) not disqualified from voting under any provision of this Act.

MOTION presented.

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

MR. WALDING: Thank you, Mr. Speaker. I should point out to members who might not be familiar with it that this is the wording that appears in the present Public Schools Act and it would seek to include in Bill 31 the present provisions that have been in The Public Schools Act for many many decades.

The remarks that I have to make on this particular amendment I have made several times in the past, and they have been received generally without sympathy by members. However, when I made similar remarks under a similar section on a different bill, The Elections Act, I did receive what I believe was an encouraging response from the Attorney-General, who indicated that if there was a consensus of the members that The Public Schools Act and the Elections Act should remain with the definition that has been there for so many years.

What Bill 31 does, Mr. Speaker, is to change the definition of who might vote at school board elections, and also who might run for office. What it would do would be to take away the franchise from those loyal subjects of Her Majesty who are not yet Canadian citizens. I have asked the Minister on more than one occasion if he could indicate how many people he was disenfranchising by this measure and he has not been able to give me a figure, and I have not been able to come up with a figure either, but if it should be as small a number as 1 percent of the total adult population, we would still be looking at some 5,000 people who would be likely to lose their voting rights.

I did point out in the remarks that I made to Bill 96, Mr. Speaker, that this voting right of British subjects other than Canadian citizens goes back to The Manitoba Act of 1870. This would be the 110th anniversary of that original bill. The bill at that time was extremely restrictive as to who could vote, Mr. Speaker. It restricted the vote at that time to males only over the age of 21 who were householders in

the province, and who had been resident here for 12 months. Over the years and over the decades and right up to The Election Act this year, there has been a gradual expansion of the franchise. More and more people have been included in those groups of people who could vote, and I support that, Mr. Speaker, I support every move that would widen the base of those who are allowed to exercise their democratic franchise. I would support any move that would make it easier and more convenient for those people to exercise that right.

At the same time, Mr. Speaker, I would oppose any measure that would move to restrict that voting block in any way. That is the reason that I am opposed to this. Mr. Speaker, I might not be opposed to the measure if there could be a very valid reason given why this particular group of voters should have their vote taken away from them. As I pointed out in remarks to another bill, if other British subjects were somehow a subversive group in this province, or were trying to damage the electoral system or overthrow the government, or even if they were so concentrated in a small number of constituencies that they presented a particular danger, then I would consider the removal of that franchise. But there has been no such reason given at all, Mr. Speaker, except that it is of some administrative convenience to some bureaucrats and to those who might be administering an election if this particular provision were put in because it's in another Act.

Now, Mr. Speaker, that's the very worst reason, in my opinion, for taking away someone's right to vote.

MR. SPEAKER: Order please. I wonder if we could have a couple of minutes' break while our recorder changes his tape. (Agreed)

The Honourable Member for St. Vital.

MR. WALDING: Thank you, Mr. Speaker. It's not my intention to speak at any great length on this. May I just say in conclusion, Mr. Speaker, that it's been my impression on a couple of bills that have come into the House lately, that the First Minister has not been entirely familiar with the subject matter of those bills, judging by remarks that he has made to the two bills, and I wonder whether the First Minister has been apprised of this particular section. I recall when I first raised it with the Minister of Education that he said there was no change. It occurred to me, Mr. Speaker, that it might not have been made clear to the Minister of Education at the time the bill was brought in, what effect this particular clause would have.

So I would appeal to the Honourable First Minister, to ask himself whether it would be his intent to deprive a rather sizable section of Manitobans of the right to vote for the school board member of their choice; and also, in parallel with that, of the right to vote for the member of the Legislature of their choice.

So I put it to members opposite to consider whether administrative convenience is a suitable reason to deprive perhaps several thousand Manitobans of the right to vote that they have enjoyed — and I say enjoyed advisedly — for some 110 years.

MR. SPEAKER: The Honourable Member for St. Johns with a question.

MR. CHERNIACK: Yes, Mr. Speaker, I have a couple of questions to ask the honourable member, who is no doubt obviously more familiar with the Act than I am. I'd like to know whether there is a provision which gives a period, a time limitation during which a British subject who is not a Canadian citizen may acquire citizenship and retain the vote for that period of time. In other words, if it takes three years, is the disenfranchising, as the member mentions, effective immediately, or is there time given within which that person could remedy the position he's in?

MR. WALDING: Mr. Speaker, according to my reading of the Act, the provision would come into effect on the proclamation of the bill.

MR. CHERNIACK: A second question, Mr. Speaker. Did he indicate that his inclination would be to broaden the scope, and does that mean then that he would support a provision that a landed immigrant could vote, regardless of his national status?

MR. WALDING: Mr. Speaker, I did not make that suggestion, because I prefer to take it one step at a time. I felt that the argument that I could make was a more powerful one when I appealed to members not to take away from the vote. If the Member for St. Johns is saying that the right to vote can be expanded; to those people who would not endanger their rights of pensions, of social security or whatever it is in their homeland, yes, I would be prepared to consider that too, Mr. Speaker. I would probably support it.

Might I also say, along those same lines, that there seems to be a prohibition, at least in The Elections Act, of judges in this province not being allowed to vote. Perhaps . . .

MR. SPEAKER: Order, order please. We're talking about an amendment as proposed by the honourable member. I think he's getting outside the realm of the area in which the question was asked. It should only pertain to words that were spoken in debate on the amendment.

The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, the effect of the provision in Bill 31, The Public Schools Act, would be to make consistent the rights of a person to vote in municipal and school board elections because, as I understand it, the section in The Public Schools Act refers to a definition of elector as contained in The Local Authorities Election Act and that would be applicable then to both school boards and municipalities.

I would say to the Member for St. Vital that it would be our intention to defeat his proposed amendment, but we would be prepared — we will be discussing the subject, probably tomorrow, when we consider The Elections Act, and I expect Law Amendments Committee to meet on Saturday, and we would be prepared to give serious consideration at that time in Law Amendments Committee to an amendment to the definition contained in The Local

Authorities Amendment Act that would apply some consistency to elections, both at the school board level and the municipal level. There are obvious enumeration problems and different problems, Mr. Speaker, when a citizen can vote in one election and not in another election, and we all know those elections occur on the same dates now generally and people go to the same place to vote and in many cases are only entitled to vote in one of the elections. We are prepared to consider an amendment at Law Amendments Committee to the definition contained in The Local Authorities Election Act so that we would have consistency.

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

MR. CHERNIACK: May I ask the Honourable Minister, is there a Local Authorities Election Act going to Law Amendments Committee where a change can be made in The Local Authorities Election Act which can be made in Law Amendments, and if the change is made there, how would that affect The Public Schools Act, which will then be in conflict with The Local Authorities Election Act? Am I right in my understanding?

MR. MERCIER: Mr. Speaker, I expected that the Member for St. Vital was acting with the support of his caucus and that we would propose to do it by leave.

MR. CHERNIACK: I am interested in the entire subject matter, but not to the extent that I have studied the implications involved. As I understand the Attorney-General, the intention of the government is to defeat this proposal, which would continue a power given to a British subject who is not a Canadian citizen, to continue the right to vote. Now, I listened as carefully as I could to the Honourable Attorney-General, and I inferred from what he said that there is The Local Authorities Election Act that's coming before Law Amendments. So, Mr. Speaker, then I'm really confused, because I don't understand how, even by leave, there can be a change made to an Act that is not before the committee. Now I'm told by honourable members that there is no bill going to committee which will be able to be changed, and if so, Mr. Speaker . . . Mr. Speaker, then I am told by the Honourable First Minister that using the vehicle of statute law amendments, it would be proposed that by leave there would be a change made in The Local Authorities Election Act. I understand, by leave.

But, Mr. Speaker, then what would happen in relation to this amendment we have before us? Would it not make more sense not to have called this bill, or to refer the bill back to committee so that the entire question of The Local Authorities Election Act and The Public Schools Act can be dealt with at the same time by leave? Because if there's a desire to have consistency, then how are you going to have consistency if indeed you're going to deal with one Act tonight and thus remove the right to deal with it, and close it off, foreclose it, and then come in and change The Local Authorities Election Act.

Mr. Speaker, I believe even if the thought is that they can still make the change applicable in The

Local Authorities Election Act and to The Public Schools Act, I don't think that's so because The Public Schools Act has been considered at this session and will have been dealt with. I'm now trying to grope my way through to understand the plans of the Honourable Attorney-General. It doesn't mean that I agree with what he does, or wants to do, or disagree. I want to make sure that we can have an adequate debate, and therefore I'm . . .

MR. SPEAKER: Order, order please. The Honourable Minister of Education on what point?

MR. COSENS: Just on a point of order, Mr. Speaker, or clarification. To the Honourable Member for St. Johns, the definition of elector in The Public Schools Act is the definition of elector under The Local Authorities Election Act. This is the way it reads.

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

MR. CHERNIACK: So, Mr. Speaker, now it becomes much clearer. The definition that we're dealing with now, which the Honourable Member for St. Vital wants to amend, is one which says simply that an elector is that person who is described more fully in The Local Authorities Election Act, and the present Local Authorities Election Act apparently denies the vote to a British subject who is not a Canadian citizen, and it is proposed to reconsider that. The Honourable Attorney-General apparently is telling us that, although he intends to defeat this, he may yet accomplish the purpose of the Member for St. Vital by coming in almost in the back door, by bringing into The Statute Law Amendment Act, by leave —(Interjection)— Mr. Speaker, let's not get excited about it — by leave, to come in, re-open a statute that has no reference to The Local Authorities Election Act, and by leave deal with it then. Does that then mean, Mr. Speaker, that the Attorney-General has told us what the plan is, or is he just saying to us, we're going to defeat this, which really means we're not really discussing it, and we will ask leave to bring in a change —(Interjection)— Oh yes, he has to ask leave to bring in the change — and not tell us what the change is.

Mr. Speaker, the proposal to make a change by leave has to have it spelled out. It would have been helpful had the Honourable Attorney-General told us what the nature of the change that will be proposed will be.

Mr. Speaker, the First Minister thinks it's obtuse, but let us recall that the government is now trying to do something which in the last five months it has not been found necessary to do. And if they're going to want to have leave — and I don't think they'll have a problem getting leave — they'd better come and tell us exactly what they have in mind, not in really precise terms that are so limited that we don't really know — or, I haven't grasped it, and I don't think I'm that obtuse — that we should know what they're doing. Or is it just the same kind of arrogance of saying, we're going to vote this down, we're not going to debate it, we're going to vote it down, and we will give you another chance by coming in, in Law Amendments, and by leave bringing in something

entirely new to the Act. —(Interjection)— And as pointed out, the public will not have been given an opportunity to discuss that; they will not have been given an opportunity to appear.

Nevertheless, if we can right a wrong, if we can correct something, we should try to do it, regardless of the lateness of the session and the unusual method that's being proposed, which requires unanimous consent. If you want unanimous consent, let's have the whole thing before us so we know what we're talking about. Now I believe that what we have is a statement that the government is going to vote down this amendment today and that it will ask leave to bring in a change to The Local Authorities Election Act, and that's the undertaking we have. What is it, we don't know.

Mr. Speaker, it would have made much more sense not to have called this bill. It would make much more sense . . .

MR. SPEAKER: Order, order please. I know there's a great deal of difficulty to rule on repetition in debate, but I would ask the honourable member to try and refrain from repeating himself too often in debate.

The Honourable Member for St. Johns.

MR. CHERNIACK: Thank you, Mr. Speaker. There are times when one has to repeat himself for emphasis, and I have not encroached that much on the rule that I think that I have to be careful as to how I express myself, because I've been trying, through questions, to grope into the mind of the Attorney-General and I've had difficulty, Mr. Speaker. Had I heard more clearly what was intended, I would not have been groping and trying to figure out what is planned.

I would still suggest, Mr. Speaker, that the sensible way of dealing with this, this being report stage after committee, just before third reading, it would have been more sensible not to have called the bill. Can that be that precipitous? It would still be more sensible to adjourn debate on this bill so that after we meet in Law Amendments and find out what happened in Law Amendments, we come back for third reading of those bills which have been dealt with in Law Amendments and then deal with this particular bill and know what we're talking about. And that's part of the mismanagement that we've seen from time to time in this House.

I really think, Mr. Speaker, we ought to have some sense of what's going on here and not wait back, lie back and after the Member for St. Vital introduces the problem, then say, well, we're going to vote you down, but we're going to bring it up in another way. I still think it would be the better sense and it's still possible to adjourn debate on this debate. Someone on this side can adjourn debate, I believe; someone on that side, who is trying to manage the House, and poorly at that, and then let this sit until we know what's happening there. However, we know that the government is in control of the decisions in this Chamber and will carry it out. But I think it's foolish.

Mr. Speaker, let me say that I want to debate the issue which was raised by the member. I will accept the fact that the Honourable Minister has made an undertaking to deal in Law Amendments with a subject that's new. It will not have had an exposure

in the House before it will have been dealt with in Law Amendments. The principle is wrong because we will not have been able to debate it in the House as it were at second reading. And if you're not attending Law Amendments, it would then be rather awkward to debate it on third reading. It would have been better, and it still is possible.

The Minister for Education I think has not yet spoken on this amendment. Could he or the Minister for Municipal Affairs not tell us now what the government proposes to do in Law Amendments? And if we know that, it could cut down on the debate, or we could at least debate what they have in mind to do. But if they want to just — I don't play cards, but I understand there's a way, there's an expression about holding the card so close to your vest that no one can see it — then if that's the way they want to do it, then we have to go along with it. But it's wrong, Mr. Speaker, and it can be corrected. There's the Minister for Municipal Affairs, who hasn't spoken; the Minister of Education hasn't spoken. Gentlemen, tell us what you're going to ask us to give you leave about, because you're going to have to ask for leave. Tell us what you want so we will know, and then we can deal with the Member for St. Vital's motion in a much more intelligent and knowledgeable way.

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

MR. DESJARDINS: Mr. Speaker, I would like to move, seconded by the Honourable Member for St. Johns, that debate be adjourned.

MOTION presented and carried.

**BILL NO. 75
THE APPROPRIATION ACT, 1980**

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, would you call Bill No. 75.

MR. SPEAKER: Bill No. 75. The Honourable Member for Kildonan.

MR. FOX: Mr. Speaker, I hadn't intended to speak on this bill at this late hour, but in case the Honourable Attorney-General wasn't aware, I do believe that I had informed him that a number of our members were going to speak on it. It will just take me a few minutes to get some of my notes out, and then I can indicate where we are going.

I have to say that in this regard this bill is the one that is the Main Supply and one of the basic things that has occurred is that, while we have been having a very long session and a lot of bills, it has come to my mind that this government speaks out of two sides of its mouth. In one instance it is saying that the less government there is, the better government there is; it is also saying that it doesn't want to interfere in any particular area of enterprise, and yet at the same time we find, Mr. Speaker, that they are interfering. They have been involved in a number of enterprises, they are granting grants to a number of

areas, and yet they are saying they don't want to be involved.

Mr. Speaker, there is also something else going on which intrigues me, and that is that we find — and I have asked the Minister of Labour why he hasn't made a decision or given me a direction where he is going in respect to payment of wages, which is a bill under his jurisdiction, and we find that the Attorney-General is shepherding that particular bill through the House. Now, we are taking a backward step in this regard. We find again the government saying that it is working for the interests of the people, but at the same time it is not doing that, it is only saying that. It gets us back to the shell game of now you see it, now you don't. I'm certain that eventually we will smoke the Honourable Minister of Labour out and he will have to make a decision as to where he's going, but it again points out that this government is not true to the people. It says it supports the people, but in actuality it doesn't, because it's putting the people who are working for a living wage behind the moneyed interest, behind the mortgage lenders, behind the finance companies, and it is saying you have to take a back seat when it comes to earning a wage in respect to a bankruptcy.

There are a number of other areas where this government is playing a game, a shell game, and it happens to show itself in a number of ways. The rent decontrol area is another particular area where again this government says, oh, we're trying to help the people that need the help. They have a brochure, paid for by the people, lauding this government as to what it's doing and what it is going to do, and for who. It's really, as I said, and has been said by others, political propaganda, and people will become aware of what it really will mean when they make out their 1980 income tax forms, that they are not going to get the support that they envisage in all this glossy literature.

But at the same time, this government says it is helping the people, and yet, from the hearings that we had in respect to the Rent Control Bill, we find out that this isn't true. The decontrol system is going to create a lot of hardship for a lot of people. Again, as I say, this is a shell game. This government indicates that it wants to do something good, and everything that it puts its hand to is not necessarily so.

We have another area, we haven't completed it yet, in respect to the milk decontrol, changing of the Milk Control Board to another form. We have the same results, Mr. Speaker, and again the government is saying one thing, and if you look at it realistically, you analyze it and you do a bit of research into what will eventually occur, you realize that it's not true of what the government is saying, what it thinks it is going to accomplish. I'm not even sure they think it. I'm pretty certain that they are probably only interested in supporting those people who are on their particular side, and they are not interested in the general public as such.

So altogether, Mr. Speaker, I indicate to you that this government is mismanaging and playing a shell game with the people of Manitoba, and they are not even trying to be coy about it at all. As I said, they have got a nice, clean, shiny brochure indicating how good they are, and yet we know from the facts that this is not going to be the case. Mr. Speaker, I want

to indicate to you that I am very disappointed in the administration that this particular government has been creating up to date, and I'm certain that many of my colleagues are going to join me and indicate the same as I have, that you cannot trust this government. It's playing a shell game. It's saying it's doing something for the people of Manitoba, but every issue that we have raised in this particular forum the last few days has indicated that this is not so. They have said less government is the best kind of government. Here we've been sitting for five months or longer with over 100 bills. Well, if there's supposed to be less government that is supposed to be effective, why do we have to have all these bills if they want to stay out of the lives of people? If they are so interested in the working people, why do they not support the working people and leave the payment of wages as it has been in the past, and not give the moneyed interest the first crack at it in case of bankruptcies? If they are so interested in the people of Manitoba, why do they not have a better stabilization in respect to rent control or a destabilization, period, so that people will not be affected so seriously as has been indicated to date?

And the same applies to milk. Mr. Speaker, this government is totally and, in a number of ways, inefficient in what it has done. I should also like to indicate that this has not only appeared in the kind of legislation they have brought forward, but it has also occurred in the way they have operated this House. They have been coming and going, they have been very arrogant in their attitude. I realize that they have to attend conferences and so on, but at the same time, the Ministers, when they have been here, have not participated in debate, have just put their bills arrogantly forward, and have said, take it or leave it, this is the way we're going to proceed. A fine example of that was the Honourable Minister of Education this evening. Hardly any rebuttal to the questions that were raised; just, we've made a decision, take it or leave it, lump it if you like, but that's the way it is.

Thank you, Mr. Speaker.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, I move, seconded by the Minister of Finance, that this House do now adjourn.

MOTION presented and carried, and the House was accordingly adjourned and stands adjourned until 10:00 o'clock tomorrow morning (Friday).