

**LEGISLATIVE ASSEMBLY OF MANITOBA**  
**Monday, 23 February, 1981**

**Time — 2:00 p.m.**

**MR. CLERK, Jack Reeves:** It is my duty to inform the House that the Speaker is absent today and I would therefore call upon the Deputy Speaker to take the Chair of this House in accordance with the Statutes.

**OPENING PRAYER by Mr. Deputy Speaker.**

**PRESENTING PETITIONS**

**MR. CLERK:** I beg to present the petition of the Mennonite Collegiate Institute pray for the passing of an Act to amend an Act to incorporate the Mennonite Collegiate Institute.

**MR. DEPUTY SPEAKER, Abe Kovnats (Radisson):** Presenting Reports by Standing and Special Committees . . . Ministerial Statements and Tabling of Reports . . . Notices of Motion . . .

**INTRODUCTION OF BILLS**

**MR. ALBERT DRIEDGER (Emerson)** on behalf of the Member for Crescentwood, introduced Bill No. 22, An Act to amend The Architects Act.

**MR. J. WALLY MCKENZIE (Roblin)** introduced Bill No. 26, The Medical Laboratory Technologists Act.

**ORAL QUESTIONS**

**MR. DEPUTY SPEAKER:** The Honourable Leader of the Opposition.

**MR. HOWARD PAWLEY (Selkirk):** Mr. Deputy Speaker, a question to the Minister of Education. Material prepared by the Federal Social Development Ministry which, Mr. Deputy Speaker, I'd like to table in the House, indicates that the federal share of post-secondary education costs have now reached 70 percent in the 1979-80 fiscal year and concludes that provincial funds indeed were directed from post-secondary education to other areas. I ask the Minister in light of his preparation for upcoming discussions pertaining to the financing of post-secondary education, federally and provincially, if the Minister can advise whether he is undertaking a similar analysis as to federal-provincial and other contributions to post-secondary education costs as the analysis done at the federal level.

**MR. DEPUTY SPEAKER:** The Honourable Minister of Education.

**HON. KEITH A. COSENS (Gimli):** Mr. Deputy Speaker, certainly I will be holding discussions with my colleague the Minister of Finance on this whole matter. There is some concern among Ministers of Finance, I understand, across the country that the Federal Government is on the verge of cutting back on the moneys that they have usually allotted to post-secondary education and I believe that what the honourable member is referring to are figures that

may or may not be accurate, that would orchestrate this very nicely, but certainly I'm quite prepared to discuss the matter with the Minister of Finance and compare our particular position.

I noticed that in one particular article it suggested that in the Maritimes all of the money that was going to their universities, for instance, was accruing from the Federal Government's transfer of payments.

In some research that was done on it about a year ago in this province we found that was not the case at all; that a goodly portion of our post-secondary funding was coming from our Provincial Treasury.

**MR. PAWLEY:** Mr. Speaker, further to the Minister of Education, he refers to proposed federal cutbacks. What we're dealing with is allegations pertaining to provincial cutbacks, '77, '78 of 32-point-some percent down to a little under 15 percent.

Mr. Speaker, my question to the Minister is, what does he see as Minister of Education, as responsible for colleges and universities in the Province of Manitoba, what does he see as an appropriate target for the share that should be assumed by the Provincial Government in regard to post-secondary education? Ought it be 15 percent, 20 percent, 30 percent?

**MR. COSENS:** Mr. Deputy Speaker, I'm not at this time prepared to come out with any particular percentage; I couldn't tell you what the percentage has been for the last 5 or 6 years; I couldn't tell you what the percentage was under the previous Government in this regard. Certainly the Minister of Finance may have figures that will illustrate what that percentage has been. I merely tell the honourable member that in the research that we did last year, we found out that the Provincial Government was indeed supplying a considerable portion of the moneys that go to post-secondary education in this province.

**MR. PAWLEY:** Mr. Speaker, it would be much more helpful if the Minister would tell us what he knows rather than what he doesn't know.

Mr. Speaker, further by way of supplementary to the Minister, as the Minister is heading into what is recognized everywhere as critical negotiations pertaining to Federal-Provincial cost sharing pertaining to post-secondary education, in view of the fact that there are serious allegations of the province moving away more and more from its fair share of post-secondary assumption of costs, does the Minister not feel that at this stage that he has an moral commitment in order to strengthen his credibility in dealing with the Federal Government pertaining with Federal-Provincial cost-sharing arrangements to set a minimum level by which the Province would agree to insure that it assumes?

**MR. COSENS:** Mr. Deputy Speaker, the argument being put forth by the Honourable Leader of the Opposition reminds me very much of the argument we heard from a Federal Minister in regard to health a year or so ago, and that particular argument was proven erroneous by the report of Judge Hall. Now

the honourable member is attempting to ride the same particular horse in post-secondary education. I would tell him of course that the negotiations going on are carried on by Ministers of Finance, not by Ministers of Education in this regard. As far as Manitoba is concerned I would suggest to the honourable member that a 13.8 percent increase in university funding alone will probably be far beyond any percentage increase that we see from the Federal Government.

**MR. PAWLEY:** Mr. Deputy Speaker, the Minister makes reference to health funding. We will be delighted to deal with the entire question of federal-provincial cost-sharing of health later during this session. Let me assure the Minister that there appears to have been a gross misconception as to what is taking place in Manitoba vis-a-vis Ottawa pertaining to financing of health care in this province.

Mr. Deputy Speaker, again to the Minister, can the Minister advise whether he does intend to take some small position pertaining to future Federal-Provincial negotiations pertaining to the level that the Provincial Government should be assuming in this province pertaining to post-secondary education costs?

**MR. COSENS:** Mr. Deputy Speaker, we have taken a very firm position as a council of Ministers of Education on this topic and deplored any cutback in the transfers for post-secondary education to the provinces. We have not been specific in the percentages because the transfers do not envisage percentages; they departed from that particular situation in 1977. So as far as the percentage that the honourable member is after, no province has come up with a percentage that they consider fair in this regard. They have come up with the position that says that they cannot envisage a cutback of the federal funding without great harm being done to the Provincial Treasury.

**MR. PAWLEY:** Mr. Deputy Speaker, just by way of further supplementary, does the Minister intend to file today or tomorrow, a response to the tables which were filed last Thursday pertaining to the allegations by the Association of Canadian University Teachers as to the cutback on the part of the province of its provincial share of post-secondary education costs?

**MR. COSENS:** Mr. Deputy Speaker, as soon as we have had an opportunity to examine all of the figures, all of the statistics that are relevant to this particular matter, then I would be quite prepared to table anything that's relevant.

**MR. DEPUTY SPEAKER:** The Honourable Member for Churchill.

**MR. JAY COWAN:** Thank you, Mr. Deputy Speaker. My question is to the Minister of Northern Affairs. It is our understanding that the Minister has been approached by several representatives of northern communities in respect to requests for action by the government in reference to the possible bankruptcy of Lambair and the economic dislocation which may be created by that potential bankruptcy. I would ask the Minister if he can now specify what action he or his government has taken in order to prevent that

economic dislocation or to, in some way, lessen the impact of that economic dislocation. At the same time we would ask the Minister if he can inform us what possible actions he may have under active consideration at this time.

**MR. DEPUTY SPEAKER:** The Honourable Minister of Municipal Affairs.

**HON. DOUG GOURLAY (Swan River):** Thank you, Mr. Speaker. I can confirm that I have had a telex this morning from a group of businessmen in the center of Churchill with respect to the Lambair situation, and I would say that we are concerned about the lack of service that will be evident into many of the northern communities. However, since Thursday or Friday of last week, my colleague the Minister of Labour has had some discussions with respect to Lambair and perhaps he would like to comment further on this situation.

### INTRODUCTION OF GUESTS

**MR. DEPUTY SPEAKER:** Order please. If I could just interrupt the proceedings for one moment, I would like to direct the honourable members' attention to the gallery where we have 55 students of Grade XI standing from Churchill High School. This school is in the constituency of the Honourable Attorney-General, and under the direction of Mr. Alex Sebeski, and I would ask the honourable members to join me in welcoming this group here this afternoon.

### ORAL QUESTIONS (Cont'd)

**MR. DEPUTY SPEAKER:** The Honourable Minister of Labour.

**HON. KEN MacMASTER (Thompson):** Mr. Deputy Speaker, I think the question has two parts, certainly two parts that I have a major concern with. The first one being the supplying of service that's been licensed out and permits given and licences given to Lambair, that service being providing passenger and freight service to the communities in northern Manitoba, in answer to that particular question and I don't think that was precisely asked by the Member for Churchill, but I would suspect that he has some interest in that. We have been informed that an interim permit will be issued possibly tomorrow morning to deal with the service that has been awarded the type of service permit licence that was awarded to Lambair in servicing people in Northern Manitoba.

**MR. DEPUTY SPEAKER:** The Honourable Member for Churchill.

**MR. COWAN:** I thank you, Mr. Deputy Speaker. That certainly was part of the question when we discussed the economic dislocation that would be created by this potential closure. But I would ask the Minister of Labour since he appears to be the one who has been conducting negotiations in respect to possible action by the government, can he indicate if his government is going to take any action to assist those communities or any action in order to try to prevent or forestall this bankruptcy, or potential

bankruptcy of Lambair, so that the service can continue at levels as it has in the past?

**MR. DEPUTY SPEAKER:** The Honourable Minister of Labour.

**MR. MacMASTER:** Mr. Speaker, the Member for Churchill threw a word in which is absolutely incorrect. I think it was a misconception on his part. I have been carrying on no negotiations. I have been made aware by a good number of people as to the events as they took place, and the assurances that I have been given is that an interim service will be granted to one of several applicants who are wishing now to step in and provide the service that Lamb is not at this moment capable of doing, and that interim service permit, I suppose is my expression for it, I suppose there's a more technical one, but that permit will be issued I understand, tomorrow morning.

**MR. COWAN:** Thank you, Mr. Deputy Speaker. It appears as if the government has been doing very little in respect to the possible bankruptcy. The use of the term negotiations was perhaps more of a hope than an actual fact. But I had hoped and anticipated that they would have been negotiating in respect to providing levels of service and also negotiating, or at least holding discussions with persons respecting the loss of wages for those employees who are going to be thrown out of work and with wages owing them, I might add, by this potential bankruptcy. In fact, those employees are out of work now.

I would ask the Minister, as Minister of Labour, if he has directed his department to investigate this situation in order to determine if The Employment Standards Act has been followed, as I understand there were more than 50 employees it would call into effect certain provisions of The Employment Standards Act under Notices of Termination, and I would ask him further hoping and anticipating that he has directed his department to conduct those investigations, what the result of those investigations were?

**MR. MacMASTER:** Mr. Deputy Speaker, the Member for Churchill may or may not be aware, but the aerospace industry in our country is a federal jurisdiction. It is not an Employment Standards provincial jurisdiction. Point 1.

Point 2, we have been in fact, in touch with the Federal Government. We have arranged that if a committee is needed that will be established. I have met with the Lambair people, the employees in Thompson, meetings between themselves and the Federal Government have taken place. In fact, an interim carrier is put in place tomorrow, there is a good possibility that a number of — and I can't give you the exact number — a number of the employees who are presently unemployed — and I say momentarily, hopefully, because somebody has to pick up the pieces and I think that will begin tomorrow — that those people will be back at work at that time.

And yes, Mr. Deputy Speaker, I have given them my personal assurance that we will do everything possible to get back their back wages. In the long run, somebody somewhere is going to pick up that particular contract to service those communities and

hopefully part of the picking up of the contract will be the picking up of the lost wages to those particular people who have approximately three weeks wages outstanding, one week being a holdback, two weeks in salary.

**MR. DEPUTY SPEAKER:** The Honourable Member for Brandon East.

**MR. LEONARD S. EVANS:** Thank you, Mr. Speaker. I'd like to ask a question about this subject of the Minister of Economic Development, and ask the Minister if he or his senior officials have met with the management of Lambair to see whether there was any assistance that his department could offer. I note in the newspaper, Mr. Speaker, that officials of the company have been desperately trying to get in touch with various government officials.

So has the Minister and his department tried to assist this company in surviving? I understand from newspaper reports that there have been attempts made by the company to approach various government officials.

**MR. DEPUTY SPEAKER:** The Honourable Minister of Economic Development.

**HON. J. FRANK JOHNSTON (Sturgeon Creek):** To my knowledge, there has been no official representation made to my department. There was a call made to my department by somebody from Lambair, January 6th, that was answered the same day and the person who was calling me wasn't available. Another call was made on the 12th, was answered on the 13th, and again the person calling was not available.

Mr. Deputy Speaker, if the honourable members would bring themselves up to date as to what exactly has happened during this period, they would find that there were negotiations carried on by an appointed trustee and that as late as last Friday there were arrangements made for someone to become part of that Lambair organization and would put it on a financially firm basis. That fell through. This morning it was in court, Mr. Deputy Speaker, and as the Member for Thompson mentions, that somebody will be appointed to take care of the service and I'm sure that we will be watching it very very closely to see that they do have service in that area.

**MR. EVANS:** I thank the Minister for his information, Mr. Deputy Speaker. I wonder however, and perhaps it's too late, but would the Minister be prepared to look at the company to see whether there is any type of assistance that could be given to keep a large, historic air service operative in Northern Manitoba; one that many remote communities are very dependent upon? I refer the Minister, Mr. Deputy Speaker, to a statement by the former vice-president, Mr. Greg Lamb, who said it would take only \$200,000 to keep the operation going. I am not suggesting that a loan or a grant be made, but I would ask the Honourable Minister whether he would undertake to look into this to see whether some assistance may be worthwhile and to keep a very historic and very important — I believe very important — operation going and serving the people of the remote communities in Northern Manitoba.

**MR. JOHNSTON:** As usual the member wasn't listening. As of last Friday there were arrangements made between two parties to have this company become stable and operate according to the licence that they are given by the CTC to supply the areas that they are supposed to supply under the licence. The Minister of Labour from Thompson just mentioned, which is correct, if they do not supply it, the CTC will appoint somebody to give that service, and that's what we're concerned about, service to the north.

**MR. EVANS:** Mr. Deputy Speaker, then could the Honourable Minister give us an assurance that the quality and level of service to these remote communities will be maintained or are we going to see a fragmentation of service, a deterioration of service and indeed fewer jobs involved thereby?

**MR. JOHNSTON:** Mr. Deputy Speaker, the Minister of Transportation who sits behind me is as aware of the position as I am, as the Minister of Labour, and as the Minister of Northern Affairs is, and I assure you everybody in this government will be very concerned and watch very closely to see that there is service given to Northern Manitobans according to what the CTC lays down, and they have said they would appoint somebody,

**MR. DEPUTY SPEAKER:** The Honourable Member for Fort Rouge.

**MS. JUNE WESTBURY:** Thank you, Mr. Speaker. My question is to the Honourable Minister responsible for Manitoba Housing and Renewal Corporation. I wonder if the Minister would share with the House the information that he gave to the Energy Symposium at the University of Winnipeg last week, in which he reportedly stated that the government is spending \$35,000 to upgrade 100 subsidized housing units.

**MR. DEPUTY SPEAKER:** The Honourable Minister responsible for Manitoba Housing.

**HON. GARY FILMON (River Heights):** Mr. Deputy Speaker, I believe that I issued a press release on that matter in conjunction with the talk that I gave last week.

**MS. WESTBURY:** I will have to find the press release. Would the Minister confirm that substandard insulation and air infiltration were inflating the heating bills and that was responsible for the upgrading; and would he also confirm that residents had complained about shoddy construction of the units, Mr. Deputy Speaker?

**MR. FILMON:** Firstly, Mr. Deputy Speaker, I will be glad to see that the member gets a copy of the press release; and no I cannot confirm the substandard insulation and shoddy workmanship were the cause and requirement of the program that was entered into. It's an initiative that Manitoba Housing and Renewal Corporation are taking, both to demonstrate and to take advantage of energy conserving techniques that are available in the marketplace today, and we would like to be in the forefront of using these techniques in our housing and in fact in

retro-fitting existing housing under our control, to take advantage of these techniques.

**MR. DEPUTY SPEAKER:** The Honourable Member for Inkster.

**MR. SYDNEY GREEN:** Mr. Deputy Speaker, I wish to direct a question to the Honourable Minister of Economic Development who is concerned with bankrupt businesses providing services to remote communities in Northern Manitoba going out of business. Would the Minister check to see whether his concern would apply equally to a company that is not bankrupt, that does not require assistance, that has been giving service by water, land and air to remote settlements in the Province of Manitoba and is now being driven out of business by unpredictable decisions and actions of the Motor Transport Board, which wishes to replace this service by two carriers who are deemed in advance to serve communities that this particular carrier has been serving for years?

**MR. DEPUTY SPEAKER:** The Honourable Minister of Economic Development.

**MR. JOHNSTON:** Mr. Deputy Speaker, I would be willing to look into the matter. This is the first that I have actually had it presented to me as a question. I have heard the member really discussing it in nearly every department Estimates so far but I haven't paid that much attention to it, and I will undertake to take a look at it.

**MR. GREEN:** Mr. Deputy Speaker, I did ask about this question in two departments. The Department for Consumer Affairs said that they want the service continued. I asked about it in the Department of Transportation and the Minister had a completely wrong interpretation as to what has happened before the board. I ask the Minister to check. — (Interjection)— Mr. Deputy Speaker, I find it incredible that honourable members will be amused that a local business company namely, Northland Transportation Company, which has provided — and I have indicated, Mr. Deputy Speaker, that I have acted for counsel on this case — there is no argument about that. I don't know why that should concern honourable members. Should it concern honourable members that a local homebred transportation company, which has been operating service by air, land and water to Norway House and Cross Lake for years, should be driven off the road by the Motor Transportation Board?

**MR. DEPUTY SPEAKER:** Orders of the day. The Honourable Minister of Economic Development.

**MR. JOHNSTON:** Mr. Deputy Speaker, he refers to the Motor Transportation Board and I said to the member that I would check with the Minister of Transportation regarding this subject about the allegations that he makes. I am not up to date on it. I said I would check on it.

**MR. DEPUTY SPEAKER:** The Honourable Member for Inkster with a final supplementary.

**MR. GREEN:** Mr. Deputy Speaker, I would also ask the First Minister whether it is consistent with his

government's policy on the Constitution, namely that they will not be prepared to let a court decision be the final word where an injustice is occurring and therefore will not entrench rights, whether the Minister will look at this question and see whether it is just that a local business, which has serviced two communities for ten years, be driven off the road or whether it is acceptable to do so because I am their counselor.

**MR. DEPUTY SPEAKER:** The Honourable First Minister.

**HON. STERLING R. LYON (Charleswood):** Mr. Deputy Speaker, one of the few honourable members in this House who needs very little instruction on proper parliamentary procedure is the Member for Inkster but occasionally we all have lapses.

I would suggest to the Honourable Member for Inkster that he argue his case in the proper forum on behalf of his client, not in the Legislature.

**MR. DEPUTY SPEAKER:** The Honourable Member for Elmwood. The Honourable Member for Inkster on a point of privilege.

**MR. GREEN:** Yes, Mr. Deputy Speaker, I speak on a point of privilege, because the ultimate forum for the redress of any grievance, and that is where we are at, we are at the ultimate, we are at the point that this carrier is going to be driven out of business by a government board, and I say that the proper forum to address any such grievance is the people of the Province of Manitoba before their duly elected representatives.

**MR. DEPUTY SPEAKER:** The Honourable Member for Elmwood.

**MR. RUSSELL DOERN:** Mr. Deputy Speaker, I would like to direct a question to the First Minister and ask him whether he has received several requests in writing, and in particular a petition and letter from senior management of Flyer Industries requesting a meeting with him to discuss persistent reports about the sale of Flyer Industries. Has he received such requests in his office and does he intend to meet with senior management?

**MR. DEPUTY SPEAKER:** The Honourable First Minister.

**MR. LYON:** Mr. Deputy Speaker, I can tell the honourable member that I have received some requests from employees I believe, of Flyer Industries. The substance of their comments may or may not have encompassed what my honourable friend said, I don't have a recollection. Those enquiries were sent along to my colleague who is in charge of that, and in due course the government, either through the appropriate Minister or through my office, will be making a response to them.

**MR. DOERN:** Mr. Deputy Speaker, I ask the Minister again whether in view of a concern on the part of senior management who have been attempting to make arrangements to meet the First Minister over the past few weeks, is he prepared to make a categorical statement about the continued

operation of Flyer Industries, since it may be adversely affecting morale and it is probably as well affecting production capacity?

**MR. LYON:** The answer to the question, Mr. Deputy Speaker, is no.

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

**MR. DOERN:** Mr. Deputy Speaker, I would also like to know whether the Minister intends to devote more time to the day-to-day problems of Manitobans on such issues as Flyer Industries, unemployment, outmigration, or whether he intends to continue to run up and down the country and over to England to stir up problems over the Constitution?

**MR. LYON:** Mr. Deputy Speaker, one of the reasons that my colleagues and I sit on this side of the House and my honourable friend sits on the other side of the House is that we have a better sense of the priorities of the community, of the province and of the nation, than do my honourable friends the socialists opposite.

**MR. DEPUTY SPEAKER:** The Honourable Leader of the Opposition.

**MR. PAWLEY:** Mr. Deputy Speaker, I would like to follow up on a supplementary posed by the Honourable Member for Elmwood to the First Minister pertaining to the offers to purchase and the petitions that apparently have been forwarded to the First Minister and letters in connection therewith. Can the First Minister advise whether or not the negotiations that apparently went on and proceeded for some time involving the President of Flyer, as well as the Chairman of the Board of Flyer, were sanctioned; and were they proceeding with the knowledge of the government last December of 1980?

**MR. DEPUTY SPEAKER:** The Honourable First Minister.

**MR. LYON:** Mr. Deputy Speaker, that's a question of detail that my honourable friend can raise in the appropriate committee when the Chairman and the operative officers of Flyer are there. That's not an operating question for the Premier or for the House.

**MR. PAWLEY:** Mr. Deputy Speaker, the First Minister is probably not aware, but the committee has already dealt with the matter of Flyer and I think it's a very straightforward question, it's not a question of detail. All it requires on the part of the First Minister is a yes, or a no and surely we can get one or the other out of him.

**MR. LYON:** Mr. Deputy Speaker, I can go even better than yes or no. I understand from the Minister responsible that if my honourable friend will take the time to look at Hansard, he will see that some of those questions were dealt with at the meeting of the Economic Development Committee, rather than picking up some flier — I don't mean the pun, some flier based on some newspaper clipping or whatever, that seems to activate him from time to time with some of his rather more useless questions.

**MR. DEPUTY SPEAKER:** The Honourable Member for Ste. Rose.

**MR. A. R. (Pete) ADAM:** Thank you, Mr. Deputy Speaker. My question is for the Minister of Natural Resources. I would ask the Minister if he can now advise the House if a resolution to the problem of undersized mesh nets on Lake Manitoba has been determined at this particular time? I understand that the fishermen were given two weeks notice to remove the particular nets from the lake, and I'm just wondering if the Minister has had an opportunity now at this time to decide what the government is going to do in this serious problem.

**MR. DEPUTY SPEAKER:** The Honourable Minister of Natural Resources.

**HON. HARRY J. ENNS (Rock Lake):** Mr. Deputy Speaker, I'm satisfied that the problem which, as I indicated when the question was first brought to the attention of the House, was by no means a new problem to commercial fishing in Manitoba, the problem of tight or illegal sized nets. I'm satisfied that as a result of meetings that were held with the fishermen in question, particularly those on Lake Manitoba, that the supplier of the nets has agreed to taking all nets back that he supplied in recent times that fit this description. One of the difficulties however is one of identification. He obviously cannot take on responsibility for all tight nets on the lake and I think that under those circumstances that's a reasonably fair offer that Mr. Leckie, who is the supplier in this instance, has made. We would hope that we can resolve the bigger part of the problem this way.

**MR. ADAM:** Then I understand from the Minister's reply that the nets in particular that have been found to be undersize, will have to be removed from the water, and whether or not the supplier takes the particular nets back is not a matter that concerns the Minister or the government. That will be something that will have to be determined by the fishermen and the supplier; that's the way I understand the reply. Is that correct, Mr. Speaker?

**MR. DEPUTY SPEAKER:** Orders of the Day. The Honourable Member for Ste. Rose with a final supplementary.

**MR. ADAM:** I'm wondering why the Minister refuses to answer. I have asked him whether or not the fishermen will have to remove those said nets from the lake. It seems to me it's a very simple question, yes or no. He has indicated that some of the suppliers were willing to return these nets if they could be identified as having been purchased from there, Mr. Deputy Speaker, but I would like the Minister to advise if in fact the fishermen will have to remove those nets from the lake.

**MR. DEPUTY SPEAKER:** The Honourable Minister of Natural Resources.

**MR. ENNS:** Mr. Deputy Speaker, the fishermen themselves are the first to appreciate and acknowledge that tight or illegal size nets do not work in their interests. There continues to be a

discussion dialogue take place from time to time as to how the measurements are being taken. There's a strong belief that's being held that some of the nets do in fact increase under water conditions when they're in the water, particularly the newer plastic or nylon nets but, Mr. Speaker, the direct answer to the question is that the regulations which are in effect are there for the protection of the fishermen and his future harvesting of that resource and the department cannot and is not being requested to relax those regulations.

We have had discussions with the distributor, the distributor has indicated his willingness to return and refund moneys for those nets that he either inadvertently, or for whatever reasons, supplied to the fishermen that were later to be found not of regulation size by conservation officers.

**MR. DEPUTY SPEAKER:** The Honourable Member for Roblin.

### NON-POLITICAL STATEMENT

**MR. MCKENZIE:** Mr. Deputy Speaker, I wonder if I could have leave to make a non-political announcement today? On Saturday it was my pleasure to join the Minister of Agriculture in Brandon, along with hundreds of cattlemen from all across North America and Canada for the Second Edition Limousine Production Sale which was sponsored and hosted by the Powell family of Glen-Care farms at Grandview, Manitoba.

Mr. Deputy Speaker, some 45 purebred Limousine cattle bred and raised by the Glen Powell family were sold at that sale and one animal in particular, a one-year old heifer known as Manitoba Crocus, GK72M, was purchased by a well-known Texan for \$37,500.00. Mr. Speaker, I dare say that this was likely a record price for that class of an animal in this province; so I'm sure, Mr. Deputy Speaker, this House and all Manitobans would want to join me today and congratulate this outstanding Manitoba farm family and at the same time to wish them continued success for the future and their deliberations as well-known cattle breeders. So, Mr. Speaker, to the Powell's of Glen-Care, Grandview, I say we doff our hats this day. Thank you.

### ORAL QUESTIONS (cont'd)

**MR. DEPUTY SPEAKER:** The Honourable Member for Brandon East.

**MR. EVANS:** I would like to ask a question, Mr. Deputy Speaker, of the Minister of Economic Development, with respect to the centre for industrial applications of micro-electronics at the University of Manitoba. I understand that this centre is now funded to the amount of \$300,000 per year under the shared-cost program of Enterprise Manitoba. Is the Minister and his department now actively seeking federal funding so that this particular centre can operate at a much more meaningful level than it is at the present time?

**MR. DEPUTY SPEAKER:** The Honourable Minister of Economic Development.

**MR. JOHNSTON:** Mr. Deputy Speaker, in 1978, the federal member that won the constituency of Fort

Garry is it — the one the Honourable Mr. Axworthy represents — he promised them funding during that election and during the next one as well. To date the Federal Government has not put any funding into it. I had the opportunity to bring this subject up with the Honourable Mr. Gray, as all of you know who was here last week because he is planning his Centres of Excellence across Canada, and Mr. Gray and I had a discussion about it and he certainly said that he would give it every consideration and he and I will be discussing it further regarding Manitoba's Micro-Electronic Centre receiving funding through the Centre of Excellence Program of the Federal Government but we have been waiting a long time, Mr. Deputy Speaker.

**MR. DEPUTY SPEAKER:** The Honourable Member for Brandon East.

**MR. EVANS:** I thank the Minister, Mr. Deputy Speaker, for that information and I would like to just ask him a supplementary and that is, whether he sees some time frame in which he will receive a response from the Federal Government in view of the potential importance of this kind of new technology industry in the Province of Manitoba. Has he some idea when we will get a response from the Federal Government on this particular project?

**MR. DEPUTY SPEAKER:** The Honourable Minister of Economic Development.

**MR. JOHNSTON:** I can't give the honourable member a time frame. I just had assurance from the Minister from Ottawa, Mr. Gray, that he was looking at it and hoped to have decisions very soon, Mr. Deputy Speaker. I can tell you that our commitment was through Enterprise Manitoba, \$300,000 a year, and the Province of Manitoba I might say, is very proud of the Centre and I might also say there's a group of private businessmen who have organized themselves together to also raise funding for that particular Centre in the Province of Manitoba.

**MR. DEPUTY SPEAKER:** Time for question period has expired. The Honourable Member for Logan.

### BUSINESS OF THE HOUSE

**MR. WILLIAM JENKINS:** Thank you, Mr. Speaker, I would like to make a change on the Committee for Economic Development and substitute the Honourable Member for Rupertsland in place of the Honourable Member for Rossmere.

### ORDERS OF THE DAY

**MR. DEPUTY SPEAKER:** Orders of the day. The Honourable Acting Government House Leader.

**MR. WARNER H. JORGENSON (Morris):** Mr. Deputy Speaker, I move, seconded by the Minister of Economic Development that Mr. Deputy Speaker do now leave the Chair for the House to resolve itself into a Committee to consider of the Supply to be granted to her Majesty.

**MOTION presented.**

### MATTER OF GRIEVANCE

**MR. DEPUTY SPEAKER:** The Honourable Member for Emerson.

**MR. ALBERT DRIEDGER:** I rise on a matter of a grievance. The subject matter of my grievance has to deal with the Federal Drought Relief Program, more specifically with the maintenance program that was announced last year. Last spring we suffered a dramatic drought in this province here and in July of that year the Federal Government announced a direct cash assistance program for the farmers of Manitoba and partly to Saskatchewan. At the same time the Provincial Government came up with a program of \$40 million designated for freight subsidy for feed and for the Green Feed Program.

The announcement for the Federal Program was for \$67 million, both very needed at that time. The Federal program was to consist of \$70.00 per beef animal and \$150 for every dairy animal, and \$16.00 for every sheep.

Subsequent to that in August, the Federal Government announced a further program of \$12 million to support the transportation of straw and silage and related programs.

Mr. Deputy Speaker, why I rise on the matter of grievance on this matter is that ever since that time, farmers were banking on the supposition that they would be getting some of this money. What has happened to this time, Mr. Deputy Speaker, is that the Federal Government has had a total of 29,680 applications to date. They have issued 18,235 cheques and they have rejected 9,328 people and this is the reason for my grievance, Mr. Deputy Speaker.

The Federal Program has created a lot of hardships, it's created a lot of problems within the province, within our livestock operators. Initially when the announcement was made you couldn't get the forms. Some people to this date still have trouble getting the forms. A Zenith number was established in Brandon; most of the times you couldn't get the information that you needed. The rules have been changed at various times; a short while later the Federal Government announced that the subsidy would not be \$70 a beef animal, or \$150 per dairy animal, but it would be \$35 per beef animal and a maximum of \$70 for dairy animals. However, the farmers had to apply by form as most of them did when they finally did have the forms available. What happened though is the discrepancies in the program, when you take the western part of the province, closer to the head office in Brandon, people were contacted by the Federal Government and asked to make an application.

In one specific community no farmers had applied so a federal agent went out there, had a meeting with them, brought the application forms along and instructed them to fill them out; they filled them out, sent them in; a short while later they had their cheques. That was a unique situation.

In my specific area there's farmers that have not been responded to at this time yet, plus the fact that approximately half of the dairy farmers are being rejected, and the method of rejection is so ironical. If a beef farmer applies he doesn't get checked out in most cases; they will take his application and send him a cheque. When a dairy farmer applies, they come out, they do an inspection, they cut the numbers down, and in most cases get rejected.

Mr. Speaker, what is so confusing to the farmers is that farmers living on the same section, one qualifies, the other one doesn't qualify, each situation is the same. Initially it was supposed to be based on grain and the crop insurance yields for the area; later on they changed it to the area precipitation. The farmers to this day do not know where they stand. I know some farmers have been getting the cheques, their much needed cheques; others that have banked on it, here we are in the month of February going towards spring again and the farmers still haven't got their money from the Federal Government.

The same thing applied under the Freight Assistance Program that was shared with the province. The Feds insisted that they pick up their half of the cheque and they would send their cheque personally; so the province sent out their cheque; the farmer thought that was all the subsidy he was getting for freight and finally finds out that the Feds still haven't paid theirs and it was up to three or four months before they finally did get that portion of it.

It is my understanding that a Federal Drought Advisory Committee was set up that was making recommendations to the Federal Government, and there was a lot of confusion and arguments within this committee that was working on it, and many of the programs that they were suggesting were not implemented. It appeared that nobody even knew who was in charge of the program, whether it was the Honourable Minister Whelan, or whether it was Hazen Argue, or Mr. Axworthy for that matter.

Mr. Speaker, this problem still exists. With all rejections that have taken place I'm sure our federal counterparts have been getting a lot of calls as I think many of our members probably have. They finally established that they are going to set up an appeal board. We are seven, eight months down the road and they are going to set up an appeal board but nobody knows what the rules of the game are with the appeal system. You can phone the Zenith number, they refer you to Regina. Apparently an appeal board is in place but nobody knows how to go about appealing, whether you can make a personal representation, or are they just going to take the rejections and go through them.

It is for this reason, Mr. Speaker, that I felt I had to raise a question here today. I must say though that the Federal Advisory Committee have made comment in their suggestions and I would like to quote here, "I thought that in Manitoba the provincial policies were covering most of the bases. I said further subsidy programs should not be introduced by the Feds to confuse the people. It also states here in Manitoba, I believe, that provincial programs were more effective at helping farmers acquire feed, and keep the cow herd intact than the federal effort has been," and this comes from one of their advisors.

Mr. Speaker, the thing that I find hardest to cope with is the fact that the discrepancies or inconsistencies that have been going on, especially in the area of dairy farms. In one case a fellow had 40 acres of barley; he filed a realistic report on the barley; he has 300 head of cattle, and they felt his yield was too high on 40 acres and rejected the application. Another case is that any farmer that has purchased or gone into the dairy or beef business since December of 1979 automatically does not

qualify. Another thing is that under the Silage and Straw Program, any farmer that doesn't qualify out of the 9,000 that we're talking about, these farmers don't qualify for the Silage and Straw subsidization either.

Mr. Speaker, the Minister of Agriculture, Federally, Mr. Whelan, is in the city this week. I believe he is speaking to the dairy farmers today, and I hope they bring their message to him as well.

Our Minister of Agriculture, a few months ago, wired to the Federal Minister stating that the farmers should all qualify for the subsidy across the board instead of having this kind of a program. What has happened is we have one farm turn against the other farmer in terms of, I got, you didn't get, this type of thing. I would encourage our Minister of Agriculture that he again repeat to the Federal Minister the idea that we should not have the discrepancies here; that either all farmers get, or no farmers get.

The other thing, Mr. Speaker, I doubt whether it is normal maybe for a member on the government side to get up an air a grievance, and I would just like to say that I am disappointed in the members opposite, the few that they have that represent rural areas, that they have not seen fit to raise this issue as well at any given time. The Leader of the Opposition feels more concerned about a Farmlands Protection Act, even though he can find very little wrong with it. The Member for Ste. Rose has been raising all kinds of issues in this House and I am sure he must be faced with the same situation in his area, and still has never seen fit to raise it.

In closing, Mr. Speaker, I would just like to say that I want to congratulate our Minister of Agriculture for the way he's handled the drought program, and encourage him once more to proceed to try and influence the Federal Minister to straighten out his program so that the farmers at least know where they stand and can proceed with this year's crop. Thank you.

**QUESTION put, MOTION carried** and the House resolved itself into a Committee of Supply with the Honourable Member for Emerson in the Chair for Highways and Transportation; and the Honourable Member for Virden in the Chair for Labour and Manpower.

## CONCURRENT COMMITTEES OF SUPPLY

### SUPPLY — LABOUR AND MANPOWER

**MR. CHAIRMAN, Morris McGregor (Virden):** I call the committee to order. We're on Page 84, Labour and Manpower 1.(c)(1).

The Member for Churchill.

**MR. COWAN:** Thank you, Mr. Chairperson. Over the weekend I had an opportunity to go through the document which the Minister had tabled respecting the Province of Manitoba's contribution to the Canadian Plan of Action for Women, and a number of questions have arisen from that initial reading of the document. I'd like to ask the Minister if he can provide us with some details on the special employment action measures which are first mentioned on page 3 of the document and then are mentioned further along in the document in other areas. To be specific, I would ask the Minister if he



can indicate if it is the intention of his government to bring in legislation which will in fact, bring domestics under the provisions of existing legislation, such as The Employment Standards Act and other Acts which they are currently excluded from by definition.

The report indicates that this is a concern of the government, it is also a concern of most Manitobans, I am certain. There is always some question as to why they were excluded in the first place, although in my analysis of the situation it has been suggested that the provincial exclusion came about as a result of a federal exclusion in respect to unemployment insurance and other areas of federal jurisdiction.

However, I think the time is such that we should be able to, in this day and age, bring forward the type of legislation which would, in fact, bring these domestics and other persons, by the way, who are excluded from different Acts by definition under the provisions of the Act. So I commend the Minister on the initiative, or at least on the intention that was shown in the plan of action, but I would hope that he could be more specific as to what actual measures have been put in place to deal with this problem.

**MR. CHAIRMAN:** The Honourable Minister.

**MR. MacMASTER:** Mr. Chairman, I think it would be simpler — I've got the question of what variety of things we are doing as it relates to opportunities for women; I will get some document and give it to the member because it flows through many departments and flows through many sections of Labour and Manpower and so I can get that precise document for him on that.

As far as the domestics go we're probably ahead of, I believe, every other province in Canada, as we understand, it from the federal scene anyway, in reaching an understanding and agreement with the Federal Government where in fact there will be at least an agreement in place between domestics and their employers and in fact a system, some method, in place, where the provincial's jurisdiction will be aware of the vocation and the conditions and the wages that are being paid to domestics in our province, something that is not in place today, I don't think in any jurisdiction in the country. We think we're pretty close to having something in place and agreed to by all parties. Once we do, we think it will be a standard that may be accepted, according to the federal side of things, may be accepted hopefully by other provinces across the country.

**MR. COWAN:** Is the Minister speaking to the specific of a contract, which if I understand the situation correctly, would be one that would be settled between the Federal Government through the Ministry of Immigration and the Provincial Government through the Ministry of Labour and Manpower? The question that I had directed to him however, was one of removing legislative barriers to protection for domestics and others who are currently barred from enjoying many of the legislative benefits which arise from a number of Acts because of exclusion by definition. It's a fairly straightforward amendment that would be necessary if the Minister were indeed to proceed along that course of action, and I would suggest that is most likely the proper course of action, notwithstanding any supplementary actions which may be taken in regard to definitions

and implementation of the contracts between domestics and employers.

It is important that we bring them, at least I believe that it is important that we bring them under the provisions of legislation. Perhaps the Minister can indicate to us if that is an intention on the part of his department and if so if we can expect that type of legislation in the near future. At the same time if it is not, perhaps the Minister can elaborate as to why they have chosen a non-legislative mechanism when the legislative mechanism appears to be a relatively easy one to implement.

**MR. MacMASTER:** Mr. Chairman, I think that the inclusion of that particular group of the work force at this time is not appropriate at this particular time until we do have the amount of input that we have had to date into drafting an agreement or a contract, if you wish, that will be acceptable to all parties. That in itself will include — it will be representative of some legislation that's in place. I think that is necessarily the first step and at a later date it could quite conceivably be that these people would then be included in the existing legislation.

**MR. COWAN:** If I can point out to the Minister, and I will read from Manitoba's contribution to the Canadian Plan of Action, the interpretation of the problem by the persons who put together that policy statement and what it says, and I'm quoting, "Domestic and homemakers are another group that sometimes experience labour problems as they are not covered by The Employee Standards Act. Large numbers in domestic occupations have no protection with respect to minimum wage, vacation, and hours of work." I would suggest to him that there are also other Acts that currently exist in which there is no provision for protection for domestics and other groups. The Minister has indicated to us, if I interpret his remarks correctly, that it is not the intention of the government to bring those persons under those Acts and provide them with that legislative protection. The question to him quite simply then is, why has he chosen to go a non-legislative route in respect to this necessary action at the expense of the legislative route? What barriers does he see that would prevent them from pursuing the providing protection to these people legislatively?

**MR. MacMASTER:** Mr. Chairman, I think the document that the member is reading from makes reference to a future consideration by our government and I have not ruled out in any way that will not be a future consideration, but we have to, in our opinion, get something in place as quickly as possible to deal with the domestic situation as it is today. We have to attempt to work out something with the Federal Government so we are aware of those that are coming in and under what conditions they are going to be working. And that, at this moment, is the first step towards achieving the ultimate, which is in the document he's reading from.

**MR. COWAN:** I don't think it should be necessary to point out to the Minister that not all domestics are immigrants, that there are large numbers of domestics who are low paid workers, who are working without the provisions of legislative protection, and who are from this very province, so

in fact if the Minister is going to set a contract procedure up that would be used for the purpose of ensuring some protection for those workers by contract between themselves and the employer, and the different levels of government, he will in fact, not be doing anything for those large numbers of domestics who are native born or who are already citizens of Canada and therefore would not show up on any immigration rolls, would not be dealt with by the Immigration Department.

The only way in which to provide those persons with protection is, to my way of thinking, by legislation, and the legislation is a very simple matter. It just strikes from the definition of certain Acts, the exclusion of domestics. It's not difficult legislation to draft, one would think that we would want to offer legislative protection of this sort, such as minimum wage protection, vacation protection, hours of work protection, to all our workers, and I might add that I believe it would go so far as Workers Compensation. I believe they are restricted from collecting Workers Compensation because of an exclusion from the Act.

So I would ask the Minister, what action he will be taking, or his department or government will be taking in respect to providing those persons who are non-immigrants, yet domestics, some protection under the law.

**MR. CHAIRMAN:** (1) — the Honourable Minister.

**MR. MacMASTER:** I guess the Member for Churchill didn't follow my words or I didn't give him the right words. When we're talking about an agreement for domestics, we're talking about all domestics.

**MR. COWAN:** How would then the Minister determine where domestics would be working in the province so that an agreement could be written up? It would seem to me that it would be a much easier course of action just to say that they are provided with protection under the law and therefore they have recourse through the department to redress grievances which they may have and that it would be up to them to make those grievances known to the department, rather than, in every instance, to set up a contract. That seems to be a bulky and unwieldy way to deal with a very simple problem.

So the question to the Minister, specifically is, how will they determine where domestics are currently working and where domestics will be working, because not all domestics are hired through employment agencies or domestic services; many are hired privately. Not all domestics are immigrants; many are from the province. So the fact is that without what would appear to be at first glance, an overwhelming bureaucracy, it would be impossible to effectively monitor where those domestics are employed. So when a domestic then does have a problem in respect to wages, vacation or working hours, hours of work or a problem in respect to Workers Compensation, they could simply notify the Employment Standards Division of that problem, as does the thousands of other workers in this province, or as do, excuse me, thousands of other workers in this province, and the matter would be dealt with in the most expedient way possible. You have the bureaucracy in place to deal with those already, it's just a simple matter of carrying on the number of

cases that would originate out of the domestic sector of the work force.

So can the Minister indicate where it is, how it is that he expects to be able to maintain a running list of where domestics are employed so that contracts can be written out and distributed?

**MR. MacMASTER:** That's part of the work that this Committee is doing in conjunction with the Federal Government today. The member is quite correct; there are a lot of domestics that we will never know anything about and a lot of them for a good reason, they don't want to be known about; they don't want anybody to know about them. They have a private sort of an arrangement and a lot of them are very very pleased with that. That's part of the reason why no other government in the history of the provinces has brought them under that particular legislation.

**MR. COWAN:** Is this Minister then condoning this private sort of agreement if it in fact does not meet the minimum standards for other workers in the province?

**MR. MacMASTER:** I am not aware of the private agreements that are in place, but I know that there are people who make their own arrangements with others to work in their house for a short period of time. We're all aware of individuals that do that and by and large they are reasonably pleased with getting in and making a few dollars and getting out.

**MR. COWAN:** So it does not concern the Minister that they may not be afforded the benefits of all the other workers in the province in respect to minimum wage, in respect to holidays, in respect to notice of termination, and in respect to hours of work; that they have no legislative recourse whatsoever, because they have chosen to make a private sort of agreement with their employer. If I might, I would suggest to the Minister that he would not allow that under any other circumstance. You can't make a private sort of agreement that in fact denies you the basic rights of all workers in this province in any other industry, unless it is specifically provided for in the legislation. An example, a worker in this province is entitled to notice of termination, however, at the time of hiring they can sign away part of that requirement but they do so voluntarily with the employer. The fact is that they don't have to sign away. The fact is that they might sign away and that is a provision that is specifically provided for by that Act, but when it comes to minimum wage nobody can sign away their right to the minimum wage unless it's by Ministerial permit in respect to the employment of handicapped and disadvantaged persons.

So what the Minister is saying — that there are two sets of rules in place — one for domestics and other groups which don't come under the different Acts and another set for the entire industrial work force; not industrial work force. I suppose that's too specific, the entire work force. Can the Minister seriously condone that sort of double standard in respect to work done by domestics?

**MR. MacMASTER:** Without saying that the people are not getting the appropriate sort of coverages, because it hasn't specifically been brought to my

attention that people aren't. I'm just saying that governments of all stripes in this province as in other provinces have permitted original specific personal arrangements to be made.

**MR. CHAIRMAN:** The Honourable Member for Fort Rouge.

**MS. WESTBURY:** Mr. Chair, I wonder, is this where we would ask about the Advisory Council on the Status of Women, or do you want to talk about that later on, or has that already been discussed?

**MR. MacMASTER:** It's already been dealt with, Mr. Chairman.

**MS. WESTBURY:** Will we be receiving an annual report showing their recommendations? We will be? . . . Okay, thank you.

**MR. CHAIRMAN:** 1.(c)(1) — the Member for Logan.

**MR. JENKINS:** Mr. Chairman, just to carry on with some of the questions that my colleague, the Member for Churchill has raised, I find it kind of ludicrous that the Minister is in consultation with the federal authority, and yet we have not at this time from the Minister, found out if he has ascertained how many people are employed in the domestic services field in this province. It's all very well and good to strike off committees, but do we know how many people are employed at the present time? I haven't heard anything from the Minister and I can tell the Minister, just looking through the legislation that is administered by the Department of Labour and Manpower, I can pick out about nine Acts where these people would, if they were covered by labour legislation in this province, where there is some coverage for them, plus the fact also, Mr. Chairman, that there are some specifics of federal legislation that perhaps should be covered too, and I realize that's a federal responsibility. I'm talking, for instance, of Canada Pension Plan payments, Unemployment Insurance Commission payments, there are perhaps income tax payments.

Now what we're dealing with here seems to be, Mr. Chairman, a void in the whole field of domestic services. Are there any contracts filed anywhere? From what I understand the Minister to have said, there is nothing on file in the department; we're working practically from scratch. It's all very well and good for the Minister to say, well, governments of various political stripes in the past haven't done anything about it, but more and more in the latter years, we are finding out and hearing more and more people are being victimized, especially when we are dealing with people who come from outside this country, come here on work permits. Those, I can understand that there is some way of checking, but as the Member for Churchill has already stated, what do we do with those that are native born or come in from other provinces in this country that are Canadian citizens. It's kind of funny that the Minister is now engaged in conferences with the Federal Minister, but by the same token, he doesn't even have any information on the people that are in the domestic service work force here in the Province of Manitoba.

How does he reconcile the fact that he's going to be negotiating something on behalf of people when

he doesn't even know how many he has in that field in the Province of Manitoba? I realize that the Minister doesn't have access to federal income tax payments, unemployment insurance, Canada Pension plan payments that are there, but I think those are some of the things that the Minister should be raising.

I think also the Workplace Safety and Health Act, there are many hazards around the home, many of the accidents that we read about do take place in the home. And there's no coverage for these people under that Act. There's no coverage for them if they are injured in a home environment accident under Workers Compensation. Just where do they fit into that field? Do they then become a responsibility of the province or just what is the coverage that these people can expect at present time; recovery of wages is another one. Suppose the employer says he's not going to pay them any more. There is no contract in force. I imagine many of them — there is no legally signed contract in force, it's just perhaps word-of-mouth and a handshake. So the Minister, to set up the bureaucratic system that he's going to do by having . . . is he telling us that in conjunction with his federal counterparts that they are going to set up contracts for every domestic in this province? My God, I don't know how many people — I won't even hazard a guess how many people are employed in domestic services here in the Province of Manitoba but I imagine it's a considerable number. To set up this type of a contract system is certainly going to be a bureaucratic headache that the Minister, I'm sure, and his department are really not prepared to deal with.

As my colleague has said, the simplest method of dealing with this is to include these people within the Acts under this province that every other worker — these people are workers just as well as anyone else in this province. I think that they are entitled to protection under the Workplace Safety and Health Act. I think they are also entitled to vacations with pay. I think they are entitled to pension benefits. How many of them are covered under any type of a pension benefit with their employer? That's another — they're not covered under The Labour Relations Act. They are not covered under The Employment Standards Act for the recovery of wages, and I know that the mess that we're in at the present time under The Employment Standards Act and The Payment of Wages Act, is that these people stand way down the line when it comes to collecting the money that is owing them, but I don't know what the Minister has in place even to pay these people if they can't recover their wages.

I think that the Minister should take a very good hard look at where he's going and rather than set up the machinery that is going to be required to process — I don't know, maybe hundreds, maybe thousands of contracts. I'm sure the Minister can't tell me at this time how many are employed in domestic services in Manitoba. If he can, I'll be quite pleased to hear him, but I think, Mr. Chairman, to just say that we're looking at this thing, and governments of political stripes in the past have not dealt with it, and also the province provides domestics for help for the elderly. Are these people covered? What Acts are they covered under? These are people that are employed by the Province of Manitoba. Are they

there as civil servants, are they there as casuals, or just what coverage and what protection do they have under the Acts that are administered by the Minister of Labour and Manpower in this province?

**MR. CHAIRMAN:** The Member for Churchill.

**MR. COWAN:** Thank you, Mr. Chairperson. I don't want to belabour the point. I imagine we'll have other opportunities to talk about it, and I do sympathize with the Minister when he says that is an area that has been neglected for quite some time, not only by his government, but I might suggest that our government was less than forceful in response to the problem, however, I believe we did make some attempts as I believe the Minister is making some attempts in order to deal with the problem. I'm not trying to cast a finger of blame in any respect, I'm just trying to point out that it's a very serious situation and use what persuasive powers we may have in order to encourage a Minister to come forward with this as quickly as possible; legislation that would provide protection to domestics, all domestics in this Province.

The Minister indicated that he felt that through co-operation with the Department of Immigration that they would be able to bring forward a method of contractual agreements that would deal with many of the problems. Indeed, they would be able to bring forward some contractual agreements to deal with the numbers of immigrants who are working under permits in the province, in that respect I mean foreign domestics, and my figures which are about two years out of date indicate at that time there were 220 to 235 foreign domestics working under permits in the Province of Manitoba.

And the procedure for a foreign domestic for being allowed into the country, initiated with an offer of employment by an individual to the Department, that's Department of Immigration, for the purpose of bringing that worker into the country for work as a domestic.

At that point, and this is a couple of years ago, an agreement was drawn up between the individual and the department as to the terms and conditions of work. As mid-January of two years ago the department was insisting that a base wage of \$3.15 an hour with time and-a-half for over forty hours be the wages. That applied to Manitoba at that time, it was supposed to be a national policy in six months. I'm not certain whether they went ahead with it or not. That contract also allowed the employer, by the way, to deduct a maximum of \$125 a month for room and board from the salary of any domestic, so it not only dealt with the amount of money which was paid them, it in fact dealt with the amount of money which was to be deducted from their wages for services rendered to them.

The other particulars of the contract, could include the hours of work, the job description, and the length of employment, but they didn't have to include those, that was part of the contract that could be written up. So this system of a contract has been around for a long time. There are difficulties with it, as the Minister is aware, that it is not the same as legislative protection. It is a contract, and what would happen if the contract were to be violated, the Department of Immigration would attempt to bring the parties together and they may find it necessary

to terminate the domestic's employment, and place the domestic into another domicile which, in fact, does not provide the type of recourse which legislation would.

If one of the parties that had signed that contract had been judged to flagrantly abuse the offer of employment in the beginning, then the Department of Immigration reserved the right not to approve further applications by those parties, so that system, while it does attempt to deal with anywhere from 200 to 300 foreign domestic workers in the province is in itself inadequate, I would suggest, and does nothing for the domestics who originate from the province or from Canada.

The Minister is absolutely correct when he says that the legislation in other provinces is similar to Manitoba in respect to its exclusion of domestics from various Acts. However, I don't know whether I heard him correctly or not when he said that there was no other province that included domestics under their provincial legislation. If that was the case and I'm not saying he said that, I'm saying that's what I think he might have said, I'd only point out to him that the domestic workers are included in The Employment Standards Act of Quebec, Newfoundland, and Prince Edward Island, according to my information and that's just The Employment Standards Act. They are also included in other Acts which they are excluded from in Manitoba.

So the situation is not as simplistic as he would have us believe or it's not as clear-cut as he would have us believe. There are other jurisdictions who have attempted to deal with it by legislation. He is right that we were unable to, and I was not a party to that caucus, but I don't walk away from their decisions. I don't know exactly why it was that we were unable to. At that time I think there were difficulties in respect to exclusions under The Federal Act, and we were just following along. Since that time it's my understanding that difficulty has been dealt with, but I think it is obvious that repealing the exclusion of domestics from the Act which they are excluded from in Manitoba is necessary to correct several anomalies created by the exclusions.

Number one, there can be little justification for singling out a specific segment of the economic society in this manner so as to have the effect of allowing certain employers special powers over their employees. I would hope that the Minister would agree with me that by not bringing these persons under the provisions of legislation, he is in fact allowing certain employers in this province to have extraordinary powers over their employees. It is a system that is difficult to understand the justification for that, but that is exactly the effect that the exclusions create. Employees following under the Acts, other employees falling under the Acts, have recourse to be assisted by employers that are not available to employees that are excluded from the Acts. In a specific example of The Human Rights Act, this is particularly repugnant, unjustifiable, and that's another area where this issue has to be addressed and I think that as the previous government, we have to take full responsibility for that and I'm not trying to fault one government or another, I'm just saying that all governments to date, have failed to act in respect to providing this sort of legislative protection.

There's also a less obvious inequity that results as a direct effective exclusion to domestics within the

Legislative Acts and that's foreign domestics that are brought in by their offer of employment and they sign that offer of employment, that contractual agreement which the Minister has made reference, have some protection afforded to them by that offer of employment. Canadian domestics do not enjoy the same protection.

The result by the way, of this, is that there is a tendency for Canadian domestics to be less likely to enter the domestic sector and once entered, to stay in the domestic sector because they can find Legislative protection afforded to them in other workplace sectors or other industrial sectors that they cannot enjoy within the domestic sector. The fact is that the non-Canadian, the foreign domestic, has some protection and so that would not be as much a factor with them.

The actual changes in legislation that would be necessary to effect the inclusion of domestics within the various Acts is minimal, but their impact could in fact be substantial. There is the argument, of course, that changes can be made but because of the nature of working conditions, and in a case of many disputes, that would be difficult to monitor; it would be a matter of one person's word against another person. Well, that may in fact be an argument that has been used in the past against the inclusion of domestics into Legislative Acts. However, I would suggest that the Minister's methodology will create far more problems in respect to that specific area of concern than would inclusion in the Act.

What it would do basically is when a dispute did arise, there would be some legal recourse to it and that, I think, is a protection which is necessary to all workers and I would hope that the Minister will give due consideration to when dealing with this problem and will not rely entirely upon a contractual system which, I believe, we have pointed out has serious deficiencies, so I'm saying that not to suggest that they have been any different from any other government and therefore, should be chastised for that; it is not my place. I'm just saying that many governments have failed to deal adequately with this and I would hope that their government would be one that would bring forward the type of legislation that would deal with the problem.

**MR. CHAIRMAN:** The Member for Fort Rouge.

**MS. WESTBURY:** Thank you, Mr. Chair. Through you to the Minister, last year in response to some questions I raised, the Minister said the Women's Bureau has been in touch with the Human Rights Commission in Manitoba with a series of meetings arranged as it relates to sex harassment. I wonder whether those meetings are continuing or whether the Women's Bureau has perhaps provided civil servants with some avenue of appeal or an ombudsman type situation where they can appeal where they feel that they are the victims of sexual harassment, or if Miss Bradshaw can give us any information on that at all.

**MR. CHAIRMAN:** The Honourable Minister.

**MR. MacMASTER:** Mr. Chairman, the Women's Bureau certainly advises women who complain to them about alleged, and I'll use that word until it's determined, certainly alleged sexual harassment,

they refer them to the Human Rights Commission and that's basically what is taking place today.

**MS. WESTBURY:** Mr. Chair, I wonder if any consideration has been given to some kind of educational program through the Women's Bureau or developed through the Women's Bureau to inform possible victims and possible perpetrators also of what can be considered to be sexual harassment since we are told that some people who some of us feel are sexually harassing really feel they're doing what's expected of them as employers or executives or senior members of staff. I think that it could perhaps circumvent some of the problems that do arise in view of the fact that women now are aware that they no longer have to submit to the kinds of sexual overtures that women in the past have had to submit to or else give up their jobs. I don't know if you've given this any thought, Mr. Minister — you have — whether anything has been developed but I think that could be. You could perhaps provide leadership to others in the province as well as protect both those making accusations and those being accused against.

**MR. MacMASTER:** Mr. Chairman, I should have read the bottom line. I knew that there was some work being done on it. The Women's Bureau in conjunction with the Human Rights Commission are putting out a brochure, of which I'm sure there's going to be hundreds if not thousands distributed throughout the Province of Manitoba as it relates to sexual harassment. It will be going to both employees and employers, and I think it's important that employers as well as employees know really what it's all about before the employer finds himself or herself in trouble and isn't really aware of the problem. There is a brochure being put together now; we expect it very shortly. I'll make sure that the Member for Fort Rouge gets one of the first ones off the press to let her view it.

**MS. WESTBURY:** Mr. Chair, I thank the Minister for that, and I want to congratulate the Women's Bureau on taking that step because as has been suggested by the Minister, I think it is important that everybody understand just what is intended in the expression "sexual harassment," so thank you for that.

**MR. CHAIRMAN:** 1.(c)(1) — pass; 1.(c) — the Member for Churchill.

**MR. COWAN:** Yes, on 1.(c)(2) if the Minister can just provide us at some time within the next couple of days with a list of the Other Expenditures, we would be appreciative. It's not necessary to take up the time of committee in outlining them, if he want's to provide it in written form.

However, I would like to talk about the advertising campaign that was discussed last year under this particular item, and ask him if its ongoing; what the success rate has been in respect to it; do they feel that it has provided the service for which it was intended to provide, and specifically, if they have done any analysis as to the effectiveness of the campaign.

**MR. MacMASTER:** Certainly the advertisements have had a very positive affect and we will be

carrying on with the Transit ads and ads for various seminars. We think that it's doing an adequate job. I suppose always more could be done but the Women's Bureau is pleased with responses that we are receiving and when they do talk to people they precisely say, how did you hear of us, where did you hear of us, and a lot of it now with the activity that's taken place throughout the province, and they have been speaking and holding seminars all over the province. The word is pretty well spread throughout the Province of Manitoba that we do have a Women's Bureau and it's very accessible. The advertising, I guess, sort of puts the frosting on the cake to it, that others are becoming more aware. I guess the best advertisement in the world is once you are well enough established is word-of-mouth, and I think they are well enough established now that there is a tremendous amount of word-of-mouth about how well they're doing, and that in fact is working very well, the advertisement program, and it is Transit and ads for seminars that will be taking place this year.

**MR. COWAN:** Yes, I notice that the Transit ads have a tear-off provided on the ad. I would ask the Minister if he could indicate what sort of response they are getting in respect to those tear-off applications for assistance from the Women's Bureau.

**MR. MacMASTER:** It is having a good degree of success. We are trying to evaluate and analyze it through our research department, just trying to get the precise answers that the member has talked about, really, how did you come to know of the Women's Bureau, and an analysis like that, as the member will appreciate, takes a long time to get a good cross section of people, so that the numbers are somewhat meaningful rather than just a quick spurt of figures and numbers over the course of a period of a month.

**MR. COWAN:** The Minister had indicated the other day when discussing Estimates that he would try to find out why it was that the Occupational Health and Safety Survey was not completed in regards to the specifics of why it wasn't completed. I would ask him if he has any more information concerning that matter which he had promised to get back to us on.

**MR. MacMASTER:** The Women's Bureau were pulling together bits and pieces, which I said to the member I'd have a look at, and that's all it is, is bits and pieces. There is nothing complete in that whatsoever and it certainly doesn't reflect any facts or figures today. All I can simply say is I guess they got on with other things and just did not complete that in any great detail at all.

**MR. COWAN:** As it is an area of major concern, I would ask the Minister if he is intending to direct the Bureau to attempt that type of survey once again, and if so, when we could expect the results, or have they in fact given up on providing a detailed analysis of some of the problems which face women in specific in respect to workplace safety and health hazards.

**MR. MacMASTER:** They haven't given up on it specifically but there isn't a specific study that's

going to take place this year. That is, I think, as bottom line as the member would want rather than a whole bunch of chit-chat about the other odds and ends and things they are doing as it relates to it.

**MR. COWAN:** Again, we can only encourage the Minister to provide as much priority to that area as is possible because it is an area of great concern, I know, to him and as well to the Bureau and others who must face those hazards on a day-to-day basis.

In respect to the mailings which go out from the department from this Bureau, I would ask the Minister if there is a standard mailing list which the department uses to ensure that all of their information is getting out to those persons who are most interested in receiving it.

**MR. MacMASTER:** I'll produce that list for the member, Mr. Chairman.

**MR. COWAN:** Thank you, Mr. Chairperson. I thank the Minister for that commitment which he had given to us in respect to other lists as well, and I hope that we can provide him with some of the names and contacts which we have developed which may be able to increase the effectiveness and the efficiency of mailing lists.

**MR. CHAIRMAN:** 1.(c)(2) — pass; 2.(a)(1) — pass — the Member for Churchill.

**MR. COWAN:** We're on the Workplace Safety and Health Division now. I would hope that the Minister would be able to provide us with the background information which he has provided to us in the past respecting the staffing levels and activities of this division.

**MR. MacMASTER:** Mr. Chairman, just a statement covering, in general, the responsibilities of that particular division. The Workplace Safety and Health Branch is responsible for administration of The Workplace Safety and Health Act and its regulations. The objectives of the branch are the elimination of worker exposure to hazards in the workplace, a strengthening of the individual's ability to recognize and avoid risks through educational guidance and the creation of positive attitudes towards safety and health concerns in the workplace.

The branch is divided into five basic sections to accomplish these objectives. The administrative section, responsible for overall direction of the branch; the safety and health inspection section carries out daily inspections of workplaces, issues improvement orders and assists in the training of labour and management in safety and health matters. The educational services section conducts regular seminars covering all aspects of safety and health in the workplaces throughout Manitoba. This includes safety and health committee workshops to assist in their formation and development. The industrial hygiene section monitors and evaluates workplaces to ensure a healthy environment. A hearing conservation program is being developed and investigations are underway on the use of carcinogens and hazardous chemicals in the workplace. The asbestos program is also continuing in an effort to control this hazard.

The occupational medicine section acts as a medical authority under The Workplace Safety and

Health Act. It continues to administer the silicosis regulations and consults with industrial physicians and workers.

Safety and health bulletins are now being distributed to workplaces and a safety newspaper is under development. Recently 162 workplaces were added to the original designated list of workplaces required to form safety committees, with the removal of 40 workplaces from the requirement, a total of 438 workplaces now require safety committees. Regulation review and development is also continuing on a regular basis.

As far as staff goes, Mr. Chairman, last year there was 45.23 staff man years and for 1981-82 we are requesting 49.23, an increase of four staff man years. Additional staff, one will be responsible for an educational program and other safety and health activities for the agricultural industry. The second SMY will be to assist in developing and implementing of a carcinogen program and to follow up in programs or carcinogen identification in industry. One is to provide clerical assistance in administrative matters to the branch resulting from increased workload of additional programs, and another SMY to provide for an Executive Director for the entire branch.

**MR. COWAN:** I wonder if the Minister could be more specific as to the duties of the Executive Director for the branch?

**MR. MacMASTER:** The Executive Director will be the person entirely responsible for the entire division. There was a recommendation out of the Claude Wright Report on mining that a senior person, they call it an ADM, at this particular moment we're calling it Executive Director, which in fact could work into an ADM soon, or later. That position is what's being requested in these Estimates.

**MR. COWAN:** Could the Minister be more specific as to the duties of that individual. How will that individual relate to the present director of the branch? Will it be a position that is higher and therefore has responsibility for the present director of the branch, or will it be a position that is on the same plane, or one that is of a lesser responsibility?

**MR. MacMASTER:** Certainly an Executive Director of a division runs a division, the entire division and everybody in it; has similarities and categories to an ADM.

**MR. COWAN:** And what will happen to the present position of Director of the branch?

**MR. MacMASTER:** Not a thing, Mr. Chairman.

**MR. COWAN:** So that position will, in fact, remain as is. There will be an Executive Director of the branch imposed on top of that position. Does the Minister expect to bulletin that position, and if so, when should we anticipate those bulletins to go forward?

**MR. MacMASTER:** Executive Directors and ADM positions can or cannot be bulletined. I haven't given any thought at this particular moment, I'm more interested in going through my Estimates than I am in how that particular position will be filled.

**MR. COWAN:** Can the Minister give us any indication as to when he expects to fill it?

**MR. MacMASTER:** When the Estimates are completed and I suppose technically, we could have started advertising or we could have started looking or we could have started sending out enquiries, we could have done a variety of things, but I like to, by and large, finish my Estimates before we go for filling positions. I said it before to the Member for Churchill and others that I do not ask for positions I do not intend to fill, and fill as rapidly as possible. There's nothing been requested within my Labour and Manpower division Estimates for additional SMYs that I do not think is needed immediately or they wouldn't be there.

**MR. COWAN:** Which leads us to the question to the Minister and that is, how many of those positions are currently vacant?

**MR. MacMASTER:** Could the member ask another question? I'll get back on that. I think it's only one or two and if it is it's in transit sort of thing; there are no positions. Again, the old practice for years in Manitoba was positions not funded. There's none of that kind of thing and if in fact there is a vacancy and quite possibly there is one, it would be filled, or in the process of being filled.

**MR. COWAN:** I would ask the Minister, and beg his indulgence in this manner, because I think we've done it in the past. I'd like to read down a list of positions which I have that were presently in the branch and ask him if those positions are filled, and if those positions are still there and then ask him to indicate by specific title the new positions that are added. It's a fairly arduous procedure and this is the only department on which I will ask him to go through that procedure with me, but I think it is important that we have a full understanding of where the employees are employed in this particular branch.

One is the Director of course, still employed, this is for the past year and the previous year or the year coming up, excuse me, a medical consultant — is there still a medical consultant in the branch? One?

**MR. MacMASTER:** I wonder, Mr. Chairman, if as the member is reading them off I can just signify at the point where there is one vacancy. Let me give the member some information on his list. There is one vacancy at the moment and it's one of the inspectors in Brandon that's vacant. When he gets down to clerks, we wish to add one. When he gets down to carcinogen program officers, we wish to add one, and the two outside that of course are the two I mentioned; one to work with the agricultural community in the province and the executive director. I think he'll find that his list and mine are virtually identical if he adds one to the clerks, adds one to the carcinogen program, adds an executive director and an agricultural person on the outside of his list, and if he takes note that there is one vacancy momentarily in Brandon, our lists are probably fairly identical.

**MR. COWAN:** That would give us how many Safety and Health officers in total, counting the vacancy, assuming that's going to be filled in the near future?

**MR. MacMASTER:** Twenty-three.

**MR. COWAN:** And that would compare to how many last year?

**MR. MacMASTER:** There were 22 last year. We've taken one out of administration and put it in as an inspector. We changed the position, so we have now 23, but virtually the same number over all, except there was a shift of one SMY; not a person, an SMY.

**MR. COWAN:** Maybe we could just read through the list because there's been some shifting and I know it's a bit time consuming, it would probably take five minutes, but if the Minister can just nod as we go through it and I can fill in my sheets. Medical Consultant we already went over; Occupational Health Nurse — I have down one for last year, one for this year; Occupational Health Nurse Consultant — is there one for last year, one for this year on that? The last time I show that in my figures is 1978. It may have not gone beyond that — it was beyond — okay; Head Industrial Hygiene, one, last year, this year; Industrial Hygiene Chemist, I had four as of 1979 — four and four, still the same; Technologists for Industrial Hygiene — I had two as of 1979.

**MR. MacMASTER:** I think the titles are changed. We have an Industrial Hygiene Laboratory Supervisor, and then we have an Industrial Hygiene Technologist, and then we have three Industrial Hygienists. So I think we're probably talking about the same numbers but maybe slightly different titles.

**MR. COWAN:** And then the Lab Chemist - one, one; Training and Education Consultant — the last time I show that is for 1979. It may not exist.

**MR. MacMASTER:** I have three Training Officers.

**MR. COWAN:** Three Training Officers.

**MR. MacMASTER:** . . . and a head of Education Services, so we are probably again talking about the same things but I have different titles here.

**MR. COWAN:** It would be four in total then?

**MR. MacMASTER:** Yes, they have been upgraded, retitled, reclassified.

**MR. COWAN:** Senior Construction Consultant — again 1979 is the last year. Is that still there — one, and one? Industrial Consultant?

**MR. MacMASTER:** They're supervisors now, Jay.

**MR. COWAN:** General Consultant is no longer there; Education Officer?

**MR. MacMASTER:** We call it Head of Education.

**MR. COWAN:** Head of Education - one?

**MR. MacMASTER:** Yes.

**MR. COWAN:** Research Officer?

**MR. MacMASTER:** It's not under that title.

**MR. COWAN:** Okay. Director of Occupational Medicine, is that position still vacant? It was as of a

couple of months ago, because I ran across a problem in respect to the duties of that officer and which I'll be discussing with the Minister in more detail, but I just assume that it is still vacant.

**MR. MacMASTER:** I don't know what title the member is using, Mr. Chairman, but there is only one vacancy as I've said. Now we have a Medical Consultant so maybe that's called what you titled it.

**MR. COWAN:** There is a fine difference between the Medical Consultant and Director of Occupational Medicine and I'm certain we will discuss it in more detail; we have discussed it in the past. It's a situation that the Minister has indicated to us he was going to deal with by appointing a Director of Occupational Medicine. The assumption was that when that happened, the Occupational Medical Consultant's position would be redundant and therefore no more but that the person occupying that position or whoever was appointed as Director of Occupational Medicine would have powers under the Act which are not available to a Medical Consultant. I think perhaps it might be better to get into that discussion after having gone through.

Is there any change in clerical staff from the eight from last year?

**MR. MacMASTER:** Six plus one Administration Officer which gives us seven, and we're asking for an additional one this year which would give us eight. Now I don't think you would call the Administration Officer clerical but it's an administrative type of service.

**MR. COWAN:** I thank the Minister for going through that list with me. It's very difficult because from time to time I know the department finds it necessary to shift positions and to shift people to meet needs and no one denies that is not a legitimate response to different needs and therefore we're willing to put up with a bit of the difficulty in determining exactly where the staff are. But the fact is that since 1977 when this division was first formed, we have not seen that substantial an increase in the staff. That year it was at 42. Now the Minister will say that there were some funded and some unfunded, and I am not certain as to exactly how many were funded and how many were unfunded, but it was anticipated that 42 persons would work in that division, and that was the first year. One would hope that as the division was able to acquaint itself with the problems and was able to become more familiar with what was needed to be done that it would be able to add staff to meet those different problems. What we see is over a course of four or five years now a total of only seven staff added. I'm not saying that staff should be added for the sake of building a bureaucracy, or staff should be added for the sake of adding staff alone, but I think that it is an area of great need. Perhaps it is the area of greatest need for the Minister, and that is the whole area of Workplace Safety and Health, and for that reason we would always support it and we have always encouraged and prodded and pushed for more staff to do more work so that we could in fact deal with some of the many problems that affect workers today in respect to occupational hazards and unsafe conditions more efficiently and more effectively.



The Minister indicated that we could expect the Workers Compensation Board Report, I believe it was today, although he did not give us a firm commitment to provide it to us today. I would hope he would be able to provide us with some information as to when we can expect that, because it does make a difference as to our deliberations in this particular department.

**MR. MacMASTER:** Mr. Chairman, I didn't say I would have the Workers Compensation Board review report today, I said that I had hoped to have the Cam MacLean Committee Report today, and I expect to have that. It's apparently coming from the printers today and will be printed and given to myself. The member had asked if I would give him a copy of the draft that I haven't seen that's gone to the printers on the Lampe Report and I don't think it's appropriate that I do that.

**MR. COWAN:** I can certainly accept that it is most likely inappropriate to do that, however, I'm certain the Minister will certainly accept my asking for it, and I thank him for taking it under consideration. But I would ask the Minister, not the review report, but for the Workers Compensation Board report, their annual report, which in fact lists the number of accidents which were encountered by workers and reported to Workers Compensation over the past year in the different areas, and it is extremely important to us to be able to tell whether or not in fact the workplaces are becoming safer and are becoming healthier and it's only through that report that we can get the many statistics that are necessary for us to make the statistical comparisons. Perhaps he can indicate when we can expect that.

**MR. MacMASTER:** I excuse myself for making reference to the two other reports. I've got one of my staff going now to phone the Workers Compensation Board to find out when in fact precisely I'll be in a position to table that report in the House. I don't know what the legislative authority is, I just have to say I'm not sure where it's at.

**MR. COWAN:** I'm certain, given the bill that we passed earlier in the year, and one which I spoke against for exactly this reason, that the Minister has a legislative authority not to table that report. I'm not saying he's doing that intentionally, it's just that there is no legislative authority to make him table that report, given that bill, however it would be extremely helpful to us.

But without that report I can suggest that we are going to find that accidents either increased last year over the year before or if they did not increase they are very close to what they were in the previous year and there are all sorts of factors which have to be taken into consideration as to the number of workers, the number of hours worked, and I think once we do that we will find that there has been very little change, and if there has been any change at all, it's probably an upward change in respect to accidents. The Minister has, I note, been handed something by his staff. I would ask him if that is a run-down on the accidents that were reported to Workers Compensation last year?

**MR. MacMASTER:** Mr. Chairman, I don't intend to tell the Member for Churchill every piece of

document that's handed to me by the staff, but I can tell him that of the three provinces that we did review as far as staffing numbers went, in Alberta there were 224 people associated with Workplace Safety; in Saskatchewan there's 41, including the mining sector; and in Manitoba there's 67, including, if you wish, the mining sector.

**MR. COWAN:** I thank the Minister for the information on staffing in other provinces, but the question I was asking was in respect to accidents reported to Workers Compensation Board. He doesn't have that, he indicates.

I know there was a report that went out which brought us up to December, but did not include the month of December and therefore we can't use it as an accurate comparison, but it showed that the accident rates were not changing very much at all. The reason I bring that up is that I think it is important that we constantly and consistently check the effectiveness of this branch by reviewing the number of accidents, where they are happening, the length of those accidents, the duration of the disabilities, if disabilities are encountered, so that we have an overall view of where we have to provide the greatest assistance and where we have to prioritize in respect to the branch's activities.

I know the Minister is aware of the problem that toxic substances represent to workers in this province. We knew that last year when he indicated that they were bringing forward a carcinogen control program. I would ask the Minister if he can provide us with some information as to the activities of those persons employed under that particular program and following that, the activities of those persons employed under the noise control program, which was another special program mentioned in last year's Throne Speech.

**MR. MacMASTER:** As it relates to the hearing program or noise, whichever he wishes to refer to, we would hope in the not too distant future to have not only have it reviewed, which has become a very difficult process, but we hope to have some regulations in shape. They are being formulated in a variety of ways right now and in fact, I would think there is a good possibility, before the House is out, that regulations as it relates to the hearing program initially will be put forward by myself.

On the carcinogen situation it's been a very difficult year and there has been a great amount of work done. Basically we have been trying to review the major sources of research on industrial carcinogens that are available. The department is developing a program for industrial guidance in the control of toxic chemicals in the workplace and this is really, I guess, the guts to the thing.

The program will outline the basic steps which must be implemented to minimize exposure to the hazards. We are reviewing standards and other legislation, both federal and provincial, and reviewing some of the legislation and standards that are in effect throughout United States. We are attempting to establish a preliminary policy statement which is being prepared for internal review within the entire government. This statement is scheduled for completion in the near future and will deal with classifying suspected and confirmed occupational carcinogens and exposure by the degree of hazard,

registration of carcinogen use by industry and this was a key issue of the Member for Churchill, and certainly I concurred that is one of the prime issues, one of the basics that we have to establish what is in use in industry. Guidelines and regulations to ensure uniform and safe handling of carcinogens, again this was a prime concern to us in the last Legislature, maintaining occupational records, monitoring techniques, research testing, compliance enforcement, employer worker and public participation information to assist industries and workers.

Attention has been given to develop methods to provide industry and workers with accurate information. Industrial hygiene bulletins will be prepared on a number of recognized occupational carcinogens and distribution will begin within the next few months.

So we've done not all of what we wanted to do, but we're certainly getting the basics in place, trying to identify the chemicals, trying to identify the industries, and gearing ourselves up to putting bulletins out and preparing ourselves to go out and go through an educational process with industry and with workers in the province.

**MR. COWAN:** The Minister has brought up the matter of informational bulletins. I wonder if he could provide us with a copy of all those informational bulletins which have gone out through the division since the implementation of that specific policy a couple of years ago; not now, but perhaps for this evening's sitting.

**MR. MacMASTER:** I intended, and still intend to file with the Member for Churchill every type of piece of bulletin we put out in case he hasn't — we were talking about being on the mailing list the other day. I think that he generally is, at least it's been my instructions that he is, so I don't know if there's any bulletins that we've ever put out. I noticed the Member for Fort Rouge says she is or she isn't . . .

**MS. WESTBURY:** I would like some . . .

**MR. MacMASTER:** Okay, then that was my instruction too, that MLA's and caucus rooms were to get copies of all the brochures and literature that we put out and again I'm going to put a packet together now because of the insistence, and rightly so — the Member for Fort Rouge, we'll put together two packets of all the literature that we have put out in the last year.

**MR. COWAN:** Perhaps the Minister can indicate what happened in respect to the informational bulletin which he indicated to us last year was being worked on in respect to chemical hazards in the workplace, and in specific in respect to toxic substance control. He said — excuse me in 1979 — he said, I think again rightly or wrongly, and I am quoting the Minister, it's going to be our objective this year to establish a procedure of making people aware of the problem — the problem of course being that one of toxic substances — through seminars and as well the others that were working on a bulletin, and that isn't finalized, again I'm quoting, how that's going to work, but we are working on an informational bulletin which I think

would also be an ideal way to get this information out.

The Minister is now indicating that they are still working on that bulletin. I would ask him what delay is hampering the production of such a bulletin.

**MR. MacMASTER:** Mr. Chairman, the information that's given to me is very basic and reasonably simple, that if you are going to get into this field, and we're into it, then we'd better be damn good and sure of the facts and the proper data that we're using. I don't want to be part of any piece of literature that goes out dealing with this very sensitive issue, very important issue, without making sure that the data base on which we are working and the information that we are working on is absolutely correct. Now if he is talking about the precise bulletin dealing with this, I say to him that the people that we have involved in this assure me that we are close to having a bulletin, a very basic bulletin, prepared to put out, and that's really all I can say about it. We've put out some annual bulletins on a variety of things, and I'm prepared to table all of them with him. Some of them may in a way deal with it, but I think he's probably talking about something more specific and we haven't precisely put together that specific bulletin yet.

**MR. COWAN:** I thank the Minister for that information, however, when we discussed this item last year, we said that we didn't think that the efforts on the part of the department were enough to respond to what is a very serious and a rapidly growing problem, and I would suggest that they are still not enough, even with the addition of one person to the program, which the Minister indicates he is prepared to provide over the next year.

The matter of cancer and occupational cancer in specific is one of great concern I know, to the Minister, to the department and to workers in this province, and while we don't have statistics that are more immediate than 1978, I believe those statistics are useful enough to provide to the Minister, and that is that there were, in the Province of Manitoba, over 1,700 deaths which could be directly attributable to cancer, and that there were over 4,700 new cases of cancer, or approximately 4,700 new cases of cancer in that year. If we extrapolate that information and look at it in respect to the number of statistical cases which we would expect to be of occupational origin we would find that there would be approximately several hundred deaths and well over a thousand new cases which can be directly attributed to occupational exposure, if we accept the statistics that are being used commonly throughout the industrial world that outline the numbers of cancers which individuals may have as a result of occupational exposure.

It is a very serious problem, and it is a very severe problem for the Province of Manitoba, for all workers who have to work with the vast introduction of new chemicals — chemicals that are coming onstream at an unprecedented rate. The Minister says that he wants to identify those chemicals and identify the workplaces in which they are being used, and I agree with him, that's a very necessary part of the activities of the department, but two people are not going to be able to do it, and the Minister knows that two people are not going to be able to do it even with the full support mechanism of the department.

It's my understanding that the Minister had one person and a summer student working on this program over the summer, and one person since, with or without assistance, I'm not certain, however with those individuals working on this program, they were unable to come forward with an information bulletin — an informational bulletin that just would have provided the basic details and data.

If the Minister is waiting for a firm statement in respect to occupational carcinogens, he's going to wait a long time before that informational bulletin becomes available, because there are very few firm statements that can be made. It's an area where our lack of knowledge does far exceed our knowledge. That's not the Minister's fault; it's not the Government of Manitoba's fault, it's something that is the situation throughout the industrial world, and we're not even keeping up with what's coming onstream. We're not able to effectively determine what's there already. There has been so many conflicting statements and conflicting figures in respect to carcinogens and carcinogenic properties of chemicals and substances that I'm certain the Minister has taken the course of action which I have been following for the past year or so, and that is not to try to attribute specific figures but to say generally this is a problem. Are there 500,000 new chemicals coming onstream each year, or are there 200,000 new chemicals coming onstream, or are there 250 new chemicals coming onstream next year? Those are the variances in the statistics which I have run across which just goes to point out the complexity of the problem. It just tells us that we don't have a good handle on the problem at all. Are there being 200 that are being introduced into the workplaces or are there 2,000 that are being introduced to the workplaces? Are 14 of them carcinogenic or are 60-some carcinogenic, or are 2,000 carcinogenic? Those again, are all figures which come forward in respect to the extent of the problem and the fact is that we just don't know how far this problem extends, but we do know, and the Minister knows that we have a very serious problem and a very severe problem, not only in this province, but as I said, throughout the industrial world.

Let us take a look at those figures. There's approximately 24 people in this room; let's say 20 to make it easier. I'm not a mathematician so I like to keep my computations as simple as possible. If we use the statistics that are generally accepted, four of the people in this room will die of cancer — four of the people in this room will die of cancer. I think that is a statement worth repeating. Five of the people in this room will contact cancer during their lifetime, and if we use the breakdown that is further provided to us in respect to occupationally induced cancers we know that anywhere from 19 to 40 percent of those persons who contact cancer and who die of cancer will do so because of — at least in some part — occupational exposures.

It is a significant problem for not only the province but for the people in this room and it is one which demands the attention of the government. It is one which I believe the government has not responded to adequately. I am not faulting what they have done. I am not suggesting that they haven't made an effort, but I am saying categorically that I believe they have not made enough of an effort in respect to

identifying the problem; in respect to researching the problem in other jurisdictions so that we can use their information to provide data for our own situation in respect to warning individuals who may face cancer as a result of their occupations and in respect to compensating those individuals who are suspected of having contacted cancer because of occupational sources.

The Manitoba Federation of Labour did a report last year with a summer student that suggested that between 315 and 400 Manitoba workers are dying every year of cancer caused by exposure to substances at their workplace. And that report suggested that we are probably grossly underidentifying the occupational induced cancers. So the fact is that it is a very serious problem and yet, at the same time we have the Chairperson of the Manitoba Workers Compensation Board saying that he thinks a small number of cancer cases identified by the board every year is an accurate reflection of the workplace dangers and does not understate the case. Well, in fact, the small number we're talking about, I think would probably be less than ten; maybe less than five. I'm not certain; we will have to look at the annual report when it becomes available.

So we have that discrepancy in the perception of the problem, and I'm not saying that one or the other is correct. What I am saying is, it is an area where we are totally ignorant of what is happening and what is going to happen, and I would suggest to the Minister that the problem is going to get worse, not better. And I think that if one follows the incidence of cancer in this province, one will find that in fact we are coming across more cancers, that more people are dying of cancer each year, and that the problem is indeed worsening rather than becoming better.

So what we have to do is recognize that we have an area where we have very little knowledge, where we have very little information available to us, but where a great deal of work is demanded and while we commend the efforts of the Minister in beginning to deal with the problem, we certainly condemn him for not having gone further in response to what he knows is a major catastrophe for the workers of this province.

As far back as October 1977, and that was after the election, three days after the election, the Advisory Council on Workplace Safety and Health in this province agreed that there was a need to coordinate federal and provincial action in the areas of toxic substance control and at that time they said that they would convey that message to both the new Minister and the new Deputy Minister at the earliest possible convenience. That was the direction given the Chairperson of that committee by the committee itself. So we know that they had prioritized it at that time and that they had brought forward strong recommendations for action, and we see them again in November of 1977 talking about that same issue when they're going through the Act, and they said at present there is very little done in the legal control of toxic substances in the Province of Manitoba, and they were right at that time.

And they are right if they made the same statement now, that there is very little done in the way of legal control of toxic substances in Manitoba. That is not to take away from the efforts of the

employees of the division in respect to trying to deal with that problem. I know I have relied upon them from time to time to assist workers who have forwarded complaints through me to them, in response to samples, in response to information, and they have always been more than enthusiastic and more than helpful in their approach. However, that does not provide them with legal ways of controlling the problem. That just means that they are good employees and that they are doing their job as best they can.

But I would suggest, and they have never said this to me, but I would suggest that they are being hampered by the lack of legal control over the introduction of toxic substances, and it is an area that is very very complex. The Advisory Council said that there was going to have to be consultations between the Federal and Provincial Governments; Saskatchewan went a couple of years ago on a program to attempt to co-ordinate their approach to identifying and controlling toxic substances, and I have a press release that just came out from their government a couple of days ago which suggested they have literally said it's an area where the Federal Government is going to have to take the initiative and that they are going to have to push the Federal Government to take that initiative. But the Federal Government, we know, and I think the Minister and I will both agree upon this statement, will not take that initiative unless there is strong pressure from the provinces and strong pressure from the workers themselves to force them to take that position.

They have done so very little in respect to comprehensive control of toxic substances that they, too, must be severely faulted for their lack of action. The fact is that no government is dealing with this in as comprehensive a way as is demanded by the problem. The Advisory Council, by the way, speaking to the matter of informational bulletins for chemicals, suggested on June 1, 1979, that there be an informational bulletin for chemicals, so that suggestion is not new but we still don't have the bulletin. We still don't even have a rudimentary bulletin to send out to people in respect to the hazards they may face in their workplace from toxic chemicals.

So we have to review this project as well as the noise control project, another area of great concern in some great detail during the Estimates; I'm certain we'll have an opportunity to proceed further with them at the sitting of the committee this evening. I just want to leave the Minister with the message that we are not satisfied and think that much more has to be done if we are to effectively deal with this problem.

**MR. CHAIRMAN:** The hour of 4:30 having arrived, I move that committee rise for Private Members' Hour.

Committee rise.

## SUPPLY — HIGHWAYS AND TRANSPORTATION

**MR. CHAIRMAN, Abe Kovnats (Radisson):** This committee will come to order. I would direct the honourable members' attention to page 82 of the Main Estimates, Department of Highways and Transportation, Resolution No. 87, Item (d) Highway Traffic Board, Motor Transport Board, Taxicab Board

and Licence Suspension Appeal Board, Item (1) Salaries — pass — the Honourable Member for Inkster.

**MR. GREEN:** Mr. Chairman, I introduced some very general remarks on this item in which I did not mention a particular company; in which I did not mention a particular case; in which I spoke about the benefits, or lack of benefits, of regulation and the manner in which the Motor Transport Board deals with an application when it is made.

My honourable friend got up and said in answer to that, Mr. Chairman, that I lost a case in court and that I am bringing the grievance into the Legislature. You will note, Mr. Chairman, that I didn't mention the court case when I brought the matter up, and there are still proceedings before the court, Mr. Chairman. The court case might not be lost but that is really beside the point. What I am concerned with, Mr. Chairman, is whether the Minister wishes to know what happens when we get out of this Chamber and how citizens are dealt with and whether or not the rules, which he made applicable, which he indicated are the way in which manners should proceed, are in fact taking place before the Motor Transport Board. And if the Minister is not wishing to be aware of that, Mr. Chairman, then I tell him, frankly, I don't think that I should be wasting my time discussing this matter in his estimates.

Mr. Chairman, the Minister is not listening; the Minister apparently does not care what happens in this area.

**MR. CHAIRMAN:** (1) — pass — the Honourable Member for Inkster.

**MR. GREEN:** Mr. Chairman, I wish to put it directly to the Minister. Is the Minister concerned generally with what he said is supposed to occur with regard to Motor Transportation applications does occur, or is he unconcerned and is he unconcerned as to whether or not the kind of treatment that he says he contemplates is given by the legislation is given? If he says that he is unconcerned, if he will stand up and say that he is unconcerned, then I will terminate my remarks.

**MR. CHAIRMAN:** The Honourable Minister.

**HON. DON ORCHARD (Pembina):** Mr. Chairman, I don't in any way want to terminate the Member for Inkster's remarks. If he cares to place a position, a suggestion on the Estimates, I'm prepared to listen.

**MR. GREEN:** If the Minister is prepared to listen, then I want him to listen because what he said the other day indicates, Mr. Chairman, that he is totally misinformed as to the particulars of the case involved and as to how matters are treated before the Motor Transport Board.

Mr. Chairman, first of all, I want to tell the Honourable Minister that four years ago, the Member for Rock Lake was in the House, four years ago the Member for Rock Lake got up and said that you are getting your clean environment commission to run around and close up businesses in the Province of Manitoba relating to hog producers and the requirements for hog producers. The Member for Morris got up and aired a grievance with regard to a case of a man who was running a hog ranch, and

citizens moved in around him, and the judge awarded damages against him from the citizens because the citizens had come in, in that hog ranch — and I believe the Member for St. Boniface knows the situation.

Mr. Chairman, did I say he lost his case in court; or if it happened to be the lawyer there, would I say, sour grapes, you lost your case, because that's the way the Minister is treating them. The Member for Rock Lake knows that we immediately enacted regulation which stipulated what hog producers can do and prevented the Clean Environment Commission for merely saying that they are creating a smell and have to close up; and with regard to the courts, we immediately enacted legislation undoing a then court decision because what we said, Mr. Chairman, is what the Conservatives now say; that they will not subject rights to the ultimate decision of the courts, they will see to it that a citizen whose rights are affected can ultimately get redress from the Legislature.

Mr. Chairman, the Minister got up and said last week, and I know, Mr. Chairman, that I have not brought this matter up in the Legislature. I have been on the case for three years, the Minister knows it, I have not brought it up in the Legislature because the government was aware that the matter was in court, and my impression, Mr. Chairman, and I don't think it's wrong, is that they were sympathetic to the position and hoped that the courts would rule in favour of my client.

Mr. Chairman, I want to pose to the Minister, and the Minister of Economic Development, and I'm sorry that the Minister of Northern Affairs is not here, but I pose to you the following hypothesis — (Interjection)— The Minister of Northern Affairs is here. Good, then I want the Minister of Northern Affairs to listen.

Supposing that where the road now ends some miles east of Thompson there was an entrepreneur in the Province of Manitoba; let us say it's Kip Thompson who delivered goods back and forth from Ilford, who worked his butt off from the end of the Thompson road and actually provided ground transportation and water transportation between the end of the Thompson road and Churchill; and he did it for ten years, and the province progressed; and as a result of that progression and his work and the work of all kinds of other people and his taxes, they built a road from the end of the Thompson road to Churchill. Would it surprise the Minister of Northern Affairs, that the guy who worked his butt off for ten years would be told by the Motor Transport Board that he can no longer deliver on that road; that that road now is the property of two companies who have a licence that says that every time a road opens up in northern Manitoba they are the carriers and anybody else who wants to carry has to prove that they are not willing to provide the service; and if they are willing, he's out and they are in? Would that surprise the Minister of Northern Affairs?

The Minister indicates that he would be surprised. Now I'm going to tell the Minister that the two governments combined here drove a northern entrepreneur out of the fish business. We set up the Freshwater Fish Marketing Corporation which said that only they will process fish, and one of the people in that area was Northland Fisheries, and the owner

is a long-time resident of the Province of Manitoba, one who has provided entrepreneurial service and aggression in northern Manitoba, Mr. Chairman, longer than most of us have been here in the Legislature, and longer than some of us have been in the Province of Manitoba. Northland Fisheries, which was based in Norway House, it was annoyed that it was thrown out of the fish business but it didn't cry tears. The principle happens to be a very aggressive entrepreneur, the kind of free-enterpriser that the Conservatives say they like, so he decided he would fill a vacuum, Mr. Chairman; he would provide transportation services to Norway House and Cross Lake, which at that time were not served by road. And Northland Transportation, therefore provided, by boats on Lake Winnipeg, and by winter transportation in the wintertime virtually, Mr. Chairman, all of the transportation in the summertime, and he competed along with other carriers in the wintertime, that's what he did, but he did almost all of it in the summer and did something, Mr. Chairman, which nobody else did because you could not get by road to Cross Lake and because Hydro had made a road to Jenpeg, Northland, Mr. Lazarenko decided to put a barge into Cross Lake and therefore could go by road to Jenpeg and then by barge to Cross Lake and opened a service to Cross Lake in the summertime by water.

Now what we did, Mr. Chairman, is we built two new roads, one to Jenpeg and then from Jenpeg to Cross Lake and when the two new roads were built, Northland that had been using those roads, either as winter roads or had been serving the communities in the summertime, applied to the Motor Transport Board to be able to continue to use the two roads which it had been authorized to use as winter roads and what did the Motor Transport Board say? It said Swan River, The Pas and Gardewine who have never delivered freight to this place in the summertime and who were merely competitors in the wintertime, have a pre-existing licence which pre-dates the roads and since they have now indicated that they're ready, willing and able to serve, they're in and your out, and we all passed this legislation that says — and the Minister said that they have to prove that there are not sufficient facilities for transportation in the area before you can get a licence — nobody dreamed that we were talking about merely the right to carry on a road that didn't exist; and we didn't dream that the person who was then providing the service would be kicked off by new carriers. Now, Mr. Chairman, do the members think that I am exaggerating? Does it sound like I am exaggerating the case because it's a horrendous case? We have two carriers neither of which are based in Manitoba. Gardewine the owner lives in Alberta; Swan River, The Pas is a CNR company, CNR subsidiary. —(Interjection)— It is now, and I'll tell you something about Swan River and The Pas and Gardewine as it relates to your area as well when the time comes, as to how they compete in Northwestern Manitoba where they're supposed to compete for your people's business, I'll tell you something about it with the Board's knowledge. In any event, these two companies are told by the Board that they have pre-existing rights and therefore, my client who has been servicing the area by winter roads and by boat, is off the road.

Northland makes an application, Mr. Chairman, the application is supported by every elective

representative in the area with the exception of the Federal Representative — not because the Federal Representative want to come, he just happened not to be there — here are the people who said, we want to have Northland continue to be able to provide the service, just to be able to compete. A representative of the Freshwater Fish Marketing Board, Harvey Bostrom, the MLA for many of the affected communities, he represents the communities; Oliver Monkman representing the Manitoba Metis Federation; a representative of the Norway House Fishermens' Cooperative Ltd.; a representative of the Norway House Indian Band; Paul Lowe, a merchant in Norway House; a representative of the Big Black River Co-Operative; a representative of the Big Black River Community Council; the Mayor of Norway House; a representative of the Cross Lake Community; a representative of the Cross Lake Indian Band; a representative of the Northern Co-Operative Services Ltd. The Minister said that I brought it up in every department. I brought it up in two departments. He said that I brought it up in every department that came up, and it's not a laughing matter. I brought it up in two departments.

In one department the Minister said, we support the service, and we know that Northland is the only one who gives service which includes both transportation from places unlike Winnipeg, which are not served by motor vehicle to Norway House and if they can't use the roads, they've got to take out their boats and the government will have to set up a boat service and the Minister acknowledged that and said that's why we want this service continued.

It was supported, Mr. Chairman, by every elected representative in the area whether it be an Indian Reserve or a community council. It was supported by the representative of the government of the Province of Manitoba. It was supported, Mr. Chairman, by the MLA. It was supported by the Co-Ops and what, Mr. Chairman, did the Board say? The Board said that Northland wants to serve these communities on the basis that he will serve and they will serve and whoever does the best service will ultimately be the carrier or there will be competition for it. Is that such a terrible thing? The Board said in these words, "Survival of the fittest is not a good idea. The fittest may not survive". That's what the Board said. The fittest may not survive, and therefore he would not permit it to be on the basis of the survival of the fittest. That's free enterprise.

Now, Mr. Chairman, am I exaggerating? Because I want to read what I said was the testimony; that these people did not serve when the going was tough and that when the going became easy, the person who served when the going was tough is kicked off the road. Does anybody in the House feel that if that's the way things are, we should leave it that way and Northland Transportation should be kicked out of business? Because if you can't serve Norway House, and cannot serve Cross Lake, Mr. Chairman, he will be out of business and I suppose the man will find something better to do. I understand that the same company is one that was talking about purchasing . . . that Mr. Lazarenko is involved with Ilford River, will be involved with the purchase, or was one of the people spoken about his being involved in Lambair, which was spoken about today.

Now, Mr. Chairman, I'm going to read some of the testimony at the hearing for you to see whether I am exaggerating, and I want the Minister of Economic Development to listen, and I want the Member for St. Boniface to listen because I believe the Member for St. Boniface will find this incredulous. I'm going to read the testimony of Gardewine Enterprises as to what the situation was:

So what you are saying, Mr. Friesen, was that with the obligation to serve the Cross Lake which you rate so heavily, that for three years you didn't serve them because you couldn't get across the river other than through Fred Sinclair. Northland had set up a barge to get across Cross Lake. Gardewine couldn't find a way of getting across Cross Lake, so they didn't serve because the only way they could get there was across the river other than through friends, they didn't serve them, they admitted it.

Friesen: that's correct. That was the impediment to you with your colourful pictures and your tremendous operations and your hundreds of transactions, one a week. You couldn't get across that lake. That was your problem in serving Cross Lake. This is what he said.

Yes, but there was an alternative service available and people could use it.

He found an answer and the alternative service was Northland Transportation, yes, and you let him look after that problem until there was a road, isn't that right?

Until there was a government ferry with its two big engines that you could steer almost like you steer a car, isn't that right?

Up until that time, although you had the authority, you did not service Cross Lake.

Mr. Green, we are truckers, we are not boat operators or airline operators, we are truckers and that is our field and that's what we are very good at and that's what we do. We are not boat operators or aircraft operators, it's not our job.

And that was the reason you didn't serve Cross Lake for those years?

That is correct, in the summertime; we did serve it in the winter and in the winter they competed with Northlands. (Interjection)— Yes, in the summertime.

I'm sorry, in the wintertime you, along with Northlands and others, competed for winter freight to the points that are referred to in this application beyond the termination of Route 373, is that correct?

Answer, yes.

And this application will not change one iota of your competition with anybody you have competed with in winter road traffic.

Well, of course it will.

Who will it affect?

Well, it is very, very obvious that, in the event that this application were not granted, then carriers other than Northlands will be hauling the freight to Cross Lake and Norway House in the summertime and it is only reasonable to assume that if it goes in the summertime, it's also going to go there in the winter time.

The winter road is non-existence, the winter road is non-existent.

Yes, Mr. Friesen, you have understood my question but you certainly have given us some information. I will give you the question again. This

application, if granted, will not disturb by one ounce of freight the amount of competition that you've had with regard to winter road; will not decrease the competition on winter roads for which you have been serving on winter roads to these points.

Of course it will.

How will it increase the competition?

If this permit is granted then Northland will be able to haul freight to Norway House and Cross Lake in the summertime.

I am not discussing the summertime, I am discussing the winter time.

Well, if this application is not granted then they will not be able to haul there summer or winter. It's no longer a winter road, Mr. Green.

That's right, I appreciate that, Mr. Friesen, and therefore the purpose of your opposition is not to preserve your present position vis-a-vis competition, it's to get rid of one competitor. What you have said is that the refusal of this application will wipe out Northland Transportation summer and winter time from the road.

What is his answer to that? I certainly hope so; I certainly hope so.

And the Minister said that you've had your day in court. Mr. Chairman, we went to court, and the Court of Appeal said that the Board behaved very badly; it said that it should not have treated Northland Transportation the way they were treated; it should have treated them the same as Swan River and Gardewine.

But the court cannot grant a licence, and the Minister doesn't seem to appreciate that; and the court cannot reverse a decision of the Motor Transport Board. So this decision, telling the Board that it behaved badly, went back to the Board in September of 1979, and all that the Board was supposed to do was to make a new decision conforming to the opinions of the Court of Appeal.

The Board sat for four months and did nothing. Northland finally sued the board on January 8, 1980. Listen to this. Northland sued the Board on January 8, 1980. On January 11, 1980, the Board made a decision saying, we've reconsidered this and we dismiss the application; we dismiss the application. You see, the court can't tell them what to do, nor can the court say that their decision on the merit is bad or good; all the court can say is whether they have interfered with a question of law. It went back to the Court of Appeal — and I tell the members in this court room that it is not as the Minister said, that the court approved or agreed with the decision of the Motor Transport Board — the Court of Appeal, in describing the actions of the Board, said that the Board's action in this case is reminiscent of the time of Charles II. And then they said, we cannot change the Board's decision.

So if the honourable member thinks that there is an appeal from it, there is no appeal. We have set up a Board that can make those decisions, unless there's a demonstrable error in law, in a way which I happen to disagree with the Court of Appeal's interpretation, but nevertheless, I accept that decision. The member says I've lost my case. Does the member say that the citizens of Manitoba should be affected in that way? That's not the case as to whether I lost my case or I won my case. Does the member say that he is prepared to have that kind of

conduct, that kind of action, affect a citizen in the Province of Manitoba who has worked to provide a business, is providing a business?

Mr. Chairman, the government has not been unsympathetic and the Minister knows it. Northland is still on the road because, pending the court case, the Motor Transport Board has not kicked them off the road and the court case is still pending. I am not discussing the court case, Mr. Chairman, my friend brought it up. I am asking whether he is satisfied that that is the kind of decision that he permits the Board to make.

So what is the ultimate, Mr. Chairman, that for ten years Northland Transportation has been serving those communities, now winter and summer; that Swan River and Gardewine have served them only on winter roads; and now that the summer freight is there Northland is still the heaviest carrier. All of the people in the community said they want to have Northland continue.

Mr. Chairman, interestingly enough, the Board Chairman, whose actions in this case I deplore, and I say, Mr. Chairman, behaved simply as a protector of pre-existing carriers and said so in his decision. I'm not now charging him with something surreptitious; he said, Swan River and The Pas have got more invested in their business than Northland has and therefore I think that we want to keep them on the road and it's too bad if Northland is kicked off the road. Is that the basis?

First of all, there was no evidence that they had one cent invested in their business. The only evidence as to who had money invested in the business was Northland.

Mr. Chairman, I'm not talking about the Northland case; I'm now talking about the case, the Honourable Minister of Northern Affairs, about the guy who is now struggling, in northern Manitoba, to deliver freight between two points which are not covered by roads and who is subject now, that if a road goes in, that he's out and somebody who has never covered them is in.

Mr. Chairman, the Minister said, and I say that the Minister is being misinformed; the Minister said that this is to ensure that you don't have a carrier who really doesn't carry, except until he gets a load. Am I being unfair, because that's what the Minister said, and it's in Hansard? He said, we want to make sure that there is continuous carriage, that we don't have somebody who carries only when he gets a load.

Mr. Chairman, at the hearing it was indicated that Northland has provided continuous carriage, undertook to provide carriage and transportation whether he had a load or not, but Swan River sent a letter, which is filed with the Board and which I will produce for the Minister, Swan River sent a letter to a customer saying service to Jenpeg is on a once-a-week basis; service to Cross Lake will depend on demands, and when a load is obtained. That's what they said. And the Board kicks the continuous carrier off the road to provide for somebody who is going to carry when they get a load.

Now, Mr. Chairman, I can't win the court case in front of the Minister, but the Minister is representing a government which, first of all, says that ultimately the Legislature protects you. And if you can show me that there has been harm done, and I am showing the Minister that there is harm done, then I have,

and I have for the past three years, said to the Minister, regardless — not to him or his predecessor, and I have received good treatment, Mr. Chairman, I have received sympathetic treatment — I have said to the Minister, regardless of what the court may or may not decide, what do you feel about this? Is this right? The Minister of Economic Development is trying to save businesses. He's asked now to look into a bankrupt company in northern Manitoba. He is worried about businesses. Here is a business that's being driven out of business by the government and not to retain other people's business, because Northland is not affecting Swan River's or the other company's freight at all. They will still compete with them in the winter time and he will now have an added competitor in the summer; they will now compete with him where they never used to compete with them. He used to carry all the summer freight; now they're going to have a chance to get part of his freight.

Is the Minister satisfied that that fellow, a local businessman who's worked all his life in Manitoba to establish a business, should be kicked out in favour of two non-resident companies? Or should they at least be able to compete; or should it be, as the Motor Transport Board Chairman says, survival of the fittest is not good enough, the fittest might not survive, and therefore, we have to protect these two companies and give them the freight and business that was carried in the hard years by somebody who all of the representatives of the community say they want to continue to provide the service. Is that what the Minister wants in order to show that the member lost his court case because it's got nothing to do with whether I lose or win my court case? I can tell the honourable member that there are many other court cases that I win and some that I lose. And I do not bring them into the Legislature unless I believe that the principle is far more important than the individual case.

**MR. CHAIRMAN:** The honourable member's time is up. (1) — pass — the Honourable Member for Winnipeg Centre.

**MR. J. R. (Bud) BOYCE:** Mr. Chairman, it's against the rules to rehash past debates but here again we have a manifestation of the unwillingness of the government to look at the principle which is being presented to us.

From time to time, Mr. Chairman, in the years that I've been here, there have been cases, particular cases, specific cases which have been brought before the House — I remember in the last session there was a case involving somebody by the name of Hawes where, according to the law, the Statute of Limitation should apply. But nevertheless, because of the mitigating circumstances, the case was brought before this House and it was decided by the Legislature, because for those of us who suggest that entrenching Charters of Rights is not, in the final analysis, the best way to protect people's rights, that it has to be this body that protects their rights, then whether it's a general case or a specific case it deserves more than the short shrift which it has been given by this government which supports the contention that the best place to protect people's rights is in the Parliament or Legislature in the country.

What has happened, Mr. Chairman, and I think it's because of the tendency over the years for parliamentary bodies to, not only delegate authority, but to abdicate their responsibility. The Minister appoints the board that is being referred to; the Minister, if he wants to support the idea that the government is, in the final analysis, responsible, then he has to take the responsibility for this particular case, as he does in all general cases. And to hide behind the, let the courts decide, or that some outside agency, or that some outside body, this has happened over the last 20, 25 years in our country. The politicians; oh no, don't ask me, that's a court decision; don't ask me, that's a board decision; don't ask me, that's the College of Physicians and Surgeons' decision; don't ask me, that's the Dental Association's decision; don't ask me; don't ask me.

So I don't know, Mr. Chairman, whether government members actually are reflecting upon what is happening because of their attitude vis-a-vis this case; that they're destroying their own argument. I know nothing about the particular case that was referred to by the Member for Inkster but I'm sitting here more in the general case, and I see that the attitude of government Ministers, thinking it's a laugh, criticizing the member because he lost his case in court, I don't know where his case is, it's irrelevant to me. But the principle of what he's talking about, as is proper in this House, when this particular item is up asking us to vote moneys to perpetrate these type of decisions and we have the right and the responsibility to challenge the Minister who is responsible, and hopefully governments will continue to be responsible, that we will not formalize this drift into irresponsible government in our country where more and more politicians say don't ask me, don't ask me, that's the board's decision. I have listened to this debate with great interest, as I participated in another debate which took place here recently on another matter, and the decision that was taken at that time, in my judgment, was an error, but I will still support the hypothesis that the best place to protect people's rights is in the Legislature because we have the right to throw them out and put somebody else in who perhaps, hopefully, will defend the rights of citizens. It's a court decision, and to say that the court supported the decision after having the Member for Inkster quote what the attitude of the court was relative to that decision, the board behaved as if they had existed in Charles II's time. I would take that very seriously, and I haven't heard a commitment yet that the Minister is even willing to look at this particular case or review that which his board is doing, because if he is not satisfied with the way that the board is implementing government policy, then it is his responsibility to change the board. It's as simple as that.

There's another point while we are on this, Mr. Chairman, that political interference — people talk about political interference in these supposedly free-standing bodies — that's another thing which is distracting from our system. It's not political interference, it's accepting political responsibility; that he as a Minister — it's passed by Order-in-Council which makes the Executive Council collectively responsible — but in past practices the Minister responsible has an awful lot to say about who sits on a particular board.



So, Mr. Chairman, this continual eroding of our system . . . I hope that the Minister will at least assure the House that he will review the decisions of this board that they're asking us to vote money to support, because if he can't give this assurance, then I see no reason why we should vote this sum of money, Mr. Chairman.

**MR. CHAIRMAN:** (1) — pass — the Honourable Member for Inkster.

**MR. GREEN:** Mr. Chairman, the Minister is obviously taking the position that if he sits quiet and doesn't answer any questions that the problem will go away.

I want to tell the Member for Winnipeg Centre, that the Minister did change the board. The Minister did change the board. The Minister hasn't changed circumstances but the Minister changed the board.

Mr. Chairman, first of all I want you to know that the chairman of the board was Al Mackling, the former Attorney-General of this province, and he was very highly regarded by the existing truckers, and he did indeed protect the existing truckers and said so. If there was a man trying to get into the trucking business and tried to interfere with an existing trucker's route, they could depend on Al Mackling to defend the interests of the existing truckers and he said so, and made several political statements, Mr. Chairman, recorded in the newspapers which I took up with the Minister of Transportation, that he thinks it's wrong for people to drive their own trucks and carry their own freight in Manitoba. That's what he said. He thought it should be given to the trucking associations and the truckers. The chairman of the Motor Transport Board — and I asked two years ago the Minister of Transportation whether that was government policy and he said it wasn't government policy —(interjection)— it wasn't — that didn't stop Mr. Mackling, the chairman of the Motor Transport Board from doing that.

The chairman of the Motor Transport Board, in my respectful submission, treated the Gardewine and Swan River in a way which was preferential to treating Northlands Transportation. I don't even have to make that a respectful submission. The Court of Appeal found that that was right; that he did; that he behaved badly. Even when he made his new decision, they found that he behaved badly, but they said that they cannot change his decision, and that will take care of itself.

But, Mr. Chairman, one of the big protagonists in this case is Gardewine and Sons Limited and Paul's Hauling Limited. Both of those people are represented by the firm of Haig Irving and Company, and the lawyer who appears before the Motor Transport Board is Bud Irving. And by the way, Mr. Chairman, the Motor Transport Board have a list of lawyers who they will give any applicant, or they used to give any applicant or person who was before the board, and it included Mr. Irving, Mr. Ryall; it didn't include Sidney Green, but they had a style of advertising lawyers to people who appeared.

I happened to have represented various firms before the Motor Transport Board, not simply Northlands Transportation. The fact is, Mr. Chairman, that when the Minister appointed a chairman, and I really don't know the young man, I've never met him; he may be a perfectly good

person, make a perfectly good chairman; but in the circumstances, Mr. Chairman, do you appoint a partner to Bud Irving to be the chairman of the Motor Transport Board in the circumstances that Mr. Irving is the man who appears most often before the Motor Board, represents Gardewine and Paul's Hauling in this contentious case, and his partner is appointed the chairman of the Motor Transport Board. Does that comply with misquoted statement — and I will deal with the misquote that justice must not only be done, but must seem to be done — that the partner of Bud Irving is now the chairman of the Motor Transport Board?

When I heard that Laurie Mitchell was going to be named the chairman and was named the chairman, I said, that's excellent. Mr. Mitchell is a person who was a magistrate, but apparently it was only part-time, to handle one particular case. But the chairman of the Motor Transport Board is now a partner of the firm that for years was a partner, yes, and you know, Mr. Chairman, even if the Court of Appeal, even in the Court of Queen's Bench, they have an unwritten feeling, many of the judges, that if there is a case and it involves a firm of which they were previously a member, they don't sit that case. But the Motor Transport Board sits every case, or virtually every case, and Mr. Kinley has been appointed chairman of the Motor Transport Board.

Does it bother the Minister that the evidence before the board was that when Northland was in the field, the price of oil transportation was 23 cents and 22 cents and that when Northland was not in the field the price was 29 cents? Does that bother the Honourable Minister? Because we are paying for that oil and we are paying those transportation charges. Does it bother the Honourable Minister that after all these people gave evidence that they wanted to continue the service that they received from Northland, Mr. Chairman, and some of it would make good reading, you could call a witness from Cross Lake who is the chairman of the community council.

He said, do you know Peter Lazarenko?

He says, yes I do.

Can you tell me how long you have known him?

His answer is, I cannot remember when I did not know Peter Lazarenko.

And support, we want to continue to receive the kind of service that we have been receiving from him.

The argument, Mr. Chairman, and it's a blatant argument, that Mr. Irving says to the board that you must substitute the intelligence of the board for the ignorance of these people. That is the submission that is put and that is what is accepted. Do those things bother the Minister?

**MR. ORCHARD:** Mr. Chairman, the Member for Inkster has made the government, myself, my predecessor aware of the circumstances involved in the Northlands Transport application before the Motor Transport Board. That matter has been and still is before the courts, in various actions that the Member for Inkster has undertaken on behalf of his client, Northlands Transportation.

In the interim time — and I must say that was the former chairman of the board — Mr. Mackling was the chairman at the time the original decision was made. That decision was based on evidence that was presented on behalf of the applicant and also I

assume that Swan River, The Pas and Gardewine were both there as opponents to the application.

Now, Mr. Chairman, we, both my predecessor and myself have not undertaken or have not had the board — shall we put it that way — undertake any action which would prohibit to the operation of Northlands Transportation pending the legal matters which are before the courts in regard to this application, which is now several years old.

The Member for Inkster made some allegations that the new chairman, according to him, must of necessity be a biased person and cannot give him a hearing. (Interjection)—

**MR. CHAIRMAN:** Order please. The honourable member on a point of privilege.

**MR. GREEN:** Mr. Chairman, on a point of privilege. Yes, Mr. Chairman, I have never said that. I said under the circumstances, if justice is not only done, I say he might be a perfectly good person, a perfectly good chairman and I repeated those words. I cannot say he's biased; I will not say he's biased. But under the circumstances when justice must not only be done but be seen to be done, do you appoint as a chairman a partner of the firm who is described by the board as representing more people before the Motor Transport Board than any other lawyer? I never said he was biased.

**MR. ORCHARD:** Mr. Chairman, the Member for Inkster has indicated that the choice of a new chairman to be chairman of the Motor Transport Board should in some way, and bearing in mind that this chairman of the Motor Transport Board will deal with some 400 applications that are before the board, should choose a chairman of the board who has no connection whatsoever with his particular case, which he has had before the board. I cannot accept that.

The gentleman that we have in place as chairman of the board I believe is a qualified person, capable of running the board and capable of making decisions on behalf of the people of Manitoba and the Government of Manitoba for the trucking industry.

I don't have any particular problem with any decision that he may make in regard to an application before the board. I think he will deal with the application in a fair and unbiased manner considering the facts being presented and give full consideration to any application before the board. It is also of interest, Mr. Chairman, to point out that whilst the decision, made by Mr. Mackling when he was chairman of the board, has been pursued to various levels of the court that the Motor Transport Board has under the new chairman, has done no re-examination or re-assessment of the Northland's case. I think that's not an unusual thing since it is still before the courts.

The Member for Inkster may very easily take his case before the Motor Transport Board on behalf of Northlands Transportation and present his case and the Motor Transport Board will give him a very fair hearing. The Member for Inkster has not pursued that because he is currently pursuing court actions predicated on a decision of a chairman who is no longer there. I have no qualms and no difficulties whatsoever in assuring the Member for Inkster, and

anyone else who has some concerns as to the operation of the Board, that should the Member for Inkster represent his client Northlands, or Northlands choose someone else to represent them, before the Board and make the application for the services that they were wanting to provide with the kind of evidence that the Member for Inkster indicates was there and I assume is still there, in support of the application, that that application would get a review which would be predicated on the evidence presented, the case developed and would not be biased by a decision by the former chairman who is no longer there. That avenue has not been taken by the Member for Inkster as I indicated because he has had his case before the courts on two different actions, but that avenue is certainly there, readily available for the member to pursue. At any time that he would like to make that application the Board would undertake to hear it and make a decision according to the evidence that may be presented before the Board.

**MR. GREEN:** Yes, Mr. Chairman. I regret to advise the Minister again that he is in error. An application has been made for a review, it has been rejected. They told us we'd have to start all over again. Another application has been made for a review, there has been no reply to that application. The application for a review, Mr. Chairman, need not be predicated upon the court case. If the Northland was advised that there would be an application for a review it has told the Board it will suspend, not abandon, because it is still looking for its right, but would suspend action on the court case. Therefore, Mr. Chairman, I take it from what the Minister has said, that an application for review will now be proceeded with in accordance with what the Minister has said. I want to indicate, Mr. Chairman, that I never said that the new chairman is biased; I will have no difficulty saying that the old chairman was biased because he said so; he was biased in favour of the existing carriers against my clients and also the Court of Appeal found that that was the case and that's still pending before the Court of Appeal and will not be abandoned. But if there is a review and, interestingly enough, Mr. Chairman, and what is most important, is that the Minister has not said one word today that would justify what has occurred and that is heartening because he can't find it to be right. No right or left thinking person could find that to be right.

I would therefore hope that ultimately redress will be done and that this northern entrepreneur who is in the best spirit of everything that the Conservatives talk about will not be kicked off the road. Now, Mr. Chairman, I have now a copy of the letter, and the Minister will find this letter very interesting, because the Minister has said that the reason that they want to make sure that you don't have too many carriers or that the Board is protecting the fact that you won't just have a carrier who goes when he has a load — those were his words, if not those words exact verbatim, generally what he said. Northland undertook before the Board to provide service on a regular basis and that wasn't a mere promise, that's what it did in the past.

Swan River sent a letter to north country homes, Mr. Chairman — here is a copy of the letter, I wonder if I can have the Page come over and give it

to the Minister. This is a letter to a north country home by Swan River, The Pas. Attention: Mr. Clarkson. "Thank you for your letter of January 2, 1978 received here today. We presently serve Jenpeg from Winnipeg once weekly normally departing from Winnipeg on Wednesday. It is our intention to service Norway House in conjunction with this operation. Rates to Norway House are as follows: . . . Winnipeg to Cross Lake will be serviced as volume warrants."

In other words frequency of service will be determined by the length of time it takes to accumulate a trailer load. You kick a carrier off the road for this. Mr. Chairman, the previous Chairman was biased, the previous Chairman was acting in a style reminiscent of Charles II. Both of those things found by the Court of Appeal; it's not biased they gave preferential treatment. This businessman is now subjected to being kicked off the road on the basis of that decision of the Motor Transport Board which didn't exist at the time that the decisions were made because there was no Motor Transport Board. They're just bringing in an amendment to create one this year. Well I am heartened, Mr. Chairman, that the Minister has said that his administration does not want to see this man kicked off the road; that they have tried to see to it that it doesn't happen; that the court case that's pending will prevent that from happening in the meantime and that there will be a review of the licence, because that's all that's needed.

**MR. ORCHARD:** Mr. Chairman, the member is misinterpreting what I said when I indicated there would be a review of the licence. What I indicated to the member would be a course of action suitable to assuring that justice is done in this case is for the Northlands Freight and Forwarding to make application before the Board to have the case heard by the new chairman and new members of the Board. Review of the application has been undertaken twice by the former chairman, or once by the former chairman I assume, and the same decision was rendered as the member indicated happened on January 8 to January 11 of 1979. I would suggest to the member that an application before the Board will be dealt with by the new chairman with the kind of alacrity that is needed in this situation.

**MR. GREEN:** No. I don't wish the Minister to be misinformed and therefore stating wrong things. There was no review by the previous chairman; it wasn't a review that was applied for, it was exactly what the Minister is now saying, an application was made and the application was twice dealt with. The Board has the power and indeed told us at one time that we are prepared to review your existing licence or to review the decision. Now, Mr. Chairman, I want you to know that this application comprised a hearing involving at least seven days; that the board has now set rules that if you have a hearing and you don't get your application granted, although I don't know for the life of me why they would want to make such a rule, you could be ordered to pay \$100 a day to the other side. I can tell you that the other side will extend this application out to two weeks. All of the evidence is already there; it has been paid for by the Motor Transport Board because they lost their

case before the Court of Appeal, if you want to rub in losses which appears to be your way. All they have to do is read that case which is 2,000 pages long which they have and hear whatever additional evidence is granted and review the existing licence.

I can tell the chairman of the committee that such an application is now before the board for review; that a review would be much more suitable than another application because Northland already has a licence; and a review would mean that you wouldn't have to bring those people in from Cross Lake Band and Cross Lake Community Committee and Norway House Band and Norway House Community Committee, and again, the Minister is the representative of the Co-op, and the Board has not answered the letter seeking such a review. I would hope, Mr. Chairman, that the Minister will not foreclose the idea that what can be done is not what was done last time, which was a review of the application, but simply a review of Northlands existing authority which would be much simpler.

**MR. BOYCE:** Mr. Chairman, it's an important matter and I don't want to try the patience of the committee. There are other alternatives which are available. The member can certainly bring in a Private Member's Bill and have the whole thing considered before a committee regardless of how the court case evolves.

Briefly, Mr. Chairman, if I may just review a few points. The principle that this House is responsible for rights. I was a newly elected member and I got myself in a lot of hot water, I think they appointed me Minister in charge of persecution, religious minorities or something because there was a — this goes back a few days. But the idea that this House is ultimately responsible, it's passing strange that the former Chairman of this particular Board was the Minister responsible for an organization, Crown agency, the Liquor Control Commission, that behaved in a manner which I thought was rather arbitrary and I think the cartoon in the Tribune was me giving the Chairman of the Board a hotfoot. But I went all through the books looking to see what I could do as a member to protect these people from what I thought was an arbitrary exercise of power and I found something that was really an archaic practice of petitioning the Lieutenant-Governor-in-Council and I think they had to have a special Cabinet Meeting to get rid of me, but they sustained the decision of the board to behave. I never tested it in law.

It was interesting and subsequent to that there was a case in the Northwest Review where something comparable had occurred and somebody had applied for a Writ of Certiorari or some legal term or something like that. But perhaps we should take a look at all the laws we pass in areas like this and make those clauses which say that the courts, on appeal, will review the legality of it and charge the courts once again with what I think they should do is do equity so that they not only review it as far as what was done was legal but whether it was in fact equitable. I'm going away off on Mr. Tangent, Mr. Chairman, I know but this is another thing which has crept into our system that it was, in our history, the responsibility of the courts to do justice and equity, and I think it still exists in the Court of Queen's Bench — I'm not too sure after some of the

arguments I've had with my friends in the legal profession — in the Court of Queen's Bench Act over there it still says something like, if law and equity, then equity. Now what that really means I don't know.

But I think the case has been made and the points are on the record and I'm glad that the Minister answered somewhat, although I appreciate the position that he's in because it is difficult for us individually to be responsible for a collective decision. I get the feeling that the Minister is not too comfortable with this decision and I'm not putting words in his mouth, I just have that feeling, he doesn't have to respond to it. But it's the overall discomfort on my part that the government here, again, is manifesting an attitude of let's get the session over, let's get through with this, let's get out and everytime something like this comes up it's not considered in the light of the national debate which is taking place.

I found the Minister individually to be very amenable to constructive changes in the last session with some amendments that were being made to some of the legislation that, in committee, he entertained some amendments that were brought to his attention so he has demonstrated some amenable ability to accepting changes and to monitor it. So that I, not only as a Member of the Legislature but as a Manitoban, would ask the Minister to keep an eye on this particular case and, regardless of what the decision of the court is, from what I have heard about it and parts of the evidence which were presented by the Member for Inkster, I don't think it was a just decision as I understand justice. And if this legislative body as part of the parliamentary system is going to protect people's rights then we have to discharge our responsibility and the Minister is charged with a specific responsibility.

**MR. CHAIRMAN:** (1) — pass — the Honourable Member for Ste. Rose.

**MR. ADAM:** Thank you very much, Mr. Chairman. The Member for Inkster has brought forth some information to this committee that would suggest that perhaps we should be looking at a review of transportation policy. You know, it appears that the information that he has brought forth last Friday and today, it would appear that the Board is acting in a manner unfair and discriminatory towards the particular company in question.

**MR. CHAIRMAN:** The Honourable Minister on a point of order.

**MR. ORCHARD:** Well, I just want to make sure the Member of Ste. Rose doesn't paraphrase the wrong allegation or shall we say wrong discussion that the Member for Inkster has put forward. I don't think the Member for Inkster has a particular aversion to the operation of the Board. His concern was for the decision made by the former chairman of the Board as the chief office of the Board, not the Board in total.

**MR. CHAIRMAN:** The Honourable Member for Winnipeg Centre on the same point of order.

**MR. BOYCE:** Just to that point of order, the Member for Inkster did raise the question of the

legality of the existence of the Board. There was some question about the existence of the Board itself.

**MR. ADAM:** Mr. Chairman, I still say, in view of the information that is coming forward in this particular instance, and there are other instances and I intend to bring some situations not too dissimilar to what has been brought to the attention of the Minister by the Member for Inkster, and it is perhaps time that we should be reviewing the entire transportation policy of this province of whether it is desirable or undesirable. Now I'm going to paraphrase the Minister because last Friday, when we discussed this particular case and there was debate on whether or not there should be a monopoly or whether or not there should not be a monopoly for transportation of goods and the Minister, I'm paraphrasing him now, I believe said that he was not sure or he did not know whether it would be desirable to have a monopoly or whether it would be better if we had more competition than in transportation of goods, so I believe that I am paraphrasing the Minister correctly when I say that. If I haven't I'm sure he'll stand and tell me that he did not say those things.

But, Mr. Chairman, on the issuing on PSV Licences, you know we find an example in the community of McCreary where the local trucker for whatever reason, went out of business and this is taken over by one of the larger corporations such as Gardewine — and I think it is Gardewine — and we find where the small entrepreneur, the small businessman who resided in the community, who hired people in the community, who was part of the community, who paid taxes in the community, was handling all kinds of goods. He would handle livestock; he would handle goods coming back from Winnipeg and this was a desirable situation. But for whatever the reason, Mr. Chairman, you finally end up with an outside firm who has no communication really with the community; they have no input in the community; they do not live in the community; they hire people from out of the community and we find that they come in and they take over and they say well, we want all the profitable stuff; we want all the profit of profitable goods to transport so we'll bring in the goods from Winnipeg, whatever they transport from Winnipeg for groceries or whatever it is, and then they say well, no we want that but we don't want to handle the livestock because that's too messy and that doesn't pay and you know it's a messy job, so let's not handle it; we want the gravy but we don't want the poor stuff.

So what do you find, Mr. Chairman? You find a community without the service; they are lacking in service. So what happens? You have people all over the community requesting for service to transport livestock. What happens, Mr. Chairman, the Board will issue a conditional licence, or whatever the type of licence is provided for those purposes, they will issue a licence to another carrier who is willing to come into that community and just pick up livestock and transport the livestock to market, Winnipeg, or wherever it may be but he is prevented from bringing back other goods to that community and thereby he is just taking the unprofitable end of the transportation requirements of that community. That's what's happened at McCreary, Mr. Chairman.

Now, I haven't spoken to the party or the company that went in and decided to haul the livestock out,

They were given, I believe, a temporary licence to try it out for a year and he applied to get hauling out; he didn't want to deadhead back from Winnipeg; that's not profitable and it was decided that they would review; they turned it down I believe and they would review it in six months time or so and I haven't heard lately if that has been changed or not. But here you have an undesirable situation and it would appear that this should be changed because you have a large corporation which has actually no direct involvement in the community that it is serving and it is taking the more profitable end of the transportation of goods to that community but they do not want to be involved in the other end of it and that is the transportation of livestock.

Now we find also, Mr. Chairman, that another situation that has been coming to our attention recently and that is the fact that some of the local transportation companies apparently are losing the transportation of beer and some of the small transportation companies who, like I have just mentioned, who are part of the community and live there and work out of these communities have found that they are losing the major portion of their business that would actually make it a profitable operation or a viable operation. Now this has happened in Ste. Rose. I believe there was a question as to whether or not it would happen in Neepawa, I believe it hasn't happened in Neepawa, but there was some suggestion that it could happen or it might happen in the future, so you have another situation there.

We also have another situation where I can mention again that it is also in the McCreary area, where the bulk dealer for the Imperial Oil, who sells bulk fertilizer, is prevented from hauling in fertilizer for his customers. He's required to get his fertilizer in again by some other company that has a monopoly of some kind, whether it be with the company that supplies the fertilizer or whether it is a special permit that they obtain from the Board — I'm not sure how that works — but here is another situation where a local individual is unable to go in and get the fertilizer that he distributes to his customers; he has to get an outside firm because he is prevented from bringing those goods himself.

I find this completely contrary to a policy that would want to keep small communities viable. I've just brought two cases to the attention of the Minister that is affecting the McCreary Area, where two individuals are prevented from servicing, giving better service actually, giving better service to the community than do these other companies.

We've had the case in Ste. Rose where the hotel keeper went into Winnipeg pleading that the transportation of beer be done by the Ste. Rose Transfer and to no avail, to no success. They were unsuccessful in their attempts and the transfer is out of business. I understand all he does now is hauling a bit of grain; so he is no longer providing service to the community.

Now there again, how do you haul the livestock out? Ste. Rose Transfer used to haul livestock; they used to haul groceries; they used to haul beer; they used to haul everything. They were providing what was presumed to be a good service. Now we have the C.N. I presume, coming in and Gardewine and they don't haul any livestock out. So who is

supposed to haul the livestock out? So the fellow who has to haul the livestock out, if he wants to do it, he comes back home empty. Now that's a pretty good situation, isn't it? I think we should be looking at these things.

I have another case that I want to bring to the attention of the Minister and I have a letter — this was brought to my attention and I have a copy for the Minister — because the person in question is a Mr. Johnson of Ste. Rose who is a florist. I spoke to him on Saturday and he gave me a copy of the letter for the Minister and I said I would use my good office to see that he got a copy and I am sending a copy over now with the page. I have a copy here which I made this morning from the original. It's not addressed to the Minister as there was insufficient time. The gentleman was very concerned about problems that he's having with PSV, Mr. Chairman, and it was just an accident that I walked into his place of business and this was brought to my attention. He said, "I don't know who to contact. I have written all over. I have written to Ottawa, I have written all over the place to see where I can get redress for the problems I'm having with a particular company." So I said well, I'll take this in because we are now dealing with the Manitoba Transport Board which is the body that issues licences and so on, so it's obvious that there are some problems that have to be addressed.

Here's a gentleman that was assured, and he's not the only one I understand, there are others involved, other florists in the Province of Manitoba, and I want for the record to read this in, Mr. Chairman. "Dear Sir:" It's addressed to anyone. "I'm writing in regard to a matter I think should be heard. The common consumer does not know how" — I think there's a word missing here, it's supposed to be "how lucky" — "they are until they become a business person. Now, don't get me wrong, I love my business very much and would not trade it for any other profession at this time. What I am writing about is the unfortunate way we, the retailer, can get ripped off. So it seems we can't do anything about it as it is shipper's risk".

Now, the problem here, Mr. Chairman, is that it has to do with transportation of flowers and the transportation companies will not haul I guess or transport flowers unless at shipper's risk. This law, I find out, has been in force for at least two or three years now. "Who made up this rule", he asks, "someone that shipped out dead goods, perhaps? In December of 1980 I had shipped out to me what was to be my order for Christmas, many varieties of poinsettias, mums and azaleas. Upon receiving them here at the store, more than 85 percent of the plants were frozen, damaged. The transport company that I had them shipped with would not take claim for the plants as they said the plants had frozen and not damaged. The company I speak of is Gardewine and Sons coming from Winnipeg and working through Dauphin.

"I have taken my case to a lawyer who suggested I take the case to a small claims court. Upon speaking with other florists around, apparently that tactic has been tried with no success. I've talked to the claims manager in Winnipeg and he said it was my risk that they had gotten frozen, as it says right on the shipper's bill. Now I stated before, if the goods had

been claimed as damage I would have been reimbursed for my loss. I'm not writing to you to seek public glory role or anything of the sort; I am writing because I believe we should not be at the mercy of the trucking company who makes little or no care in the shipping of goods and then laughs all the way to the bank. As he knows, he has us short at both ends.

"I have written my letter to others of authority also. I am not sure if anything can really be done but I believe it's time that someone made a stand instead of just letting it pass by the board and chalk it up as experience. How many other unsuspecting people are going to get the same poor treatment by people we depend upon for good service to which it lacks greatly. When I had phoned the trucking company, a month prior to Christmas, and asked if the goods would be safe in their shipment I then was told that the goods transported would be in no danger as they had shipped for other florists around and had no problem. But I find the opposite has happened, other florists have, indeed, had problems but never made a claim because they thought it of no use. One florist did make a claim about a year ago but has never heard anything from them since.

"I wonder how many people around the province have had poor service of this company and other companies like it. I will never use Gardewine Transport's services again and I will never recommend them to anyone to haul anything. I don't care how dead it is before being delivered. A very unsatisfied and taken the customer. And it's signed by the florist, Mr. Lindsey Johnson of Ste. Rose du Lac.

He was obliged to pay the transportation costs; the goods were brought in, Mr. Chairman, and the boxes were dumped there. In fact, they were hauling the boxes not upright and he had to go outside and advise the driver, please, at least carry the goods in upright because they are flowers and could be damaged, Mr. Chairman. But they were brought in and they were opened right there and they were found to be frozen. Mr. Johnson had been advised when he inquired from the company, will you be able to transport these goods in a satisfactory manner, and they had assured him that he was. Now, Mr. Chairman, when they opened these . . .

**MR. CHAIRMAN:** Order please. The Honourable Member for Minnedosa on a point of order.

**MR. DAVID BLAKE:** I wonder if the member would table the letter that he has quoted from there, Mr. Chairman.

**MR. ADAM:** I've just given the Minister a letter; he has one copy.

**MR. BLAKE:** A photostatic copy of that letter you read?

**MR. ADAM:** Certainly. The Minister has a copy, Mr. Chairman. So, Mr. Chairman, the goods were opened right in front, immediately, and they were found to be damaged and the driver said, well, tough luck, boy, you know, that's you're baby, eh, so you take the loss. So here's a small businessman that's trying to get started in the community of Ste. Rose that lost \$500, Mr. Chairman, approximately \$500 loss to him.

And the sad part of it is that you couldn't obtain a replacement for these goods. There was none available so he lost his entire Christmas shopping goods that he should have had for Christmas which he lost. I see some of the members kind of smirking and laughing but I don't think it's a funny matter, Mr. Chairman. I think it is serious. I think it is serious, Mr. Chairman.

**MR. CHAIRMAN:** The Member for Minnedosa on a point of order.

**MR. BLAKE:** Mr. Chairman, on a point of order. I was making some remarks to my colleague; I wasn't smirking and laughing at the plight of the constituent that he's carrying the case forward for. It's a noble case but I don't think it's the point to bring every little letter that he gets from his constituents into this Chamber and spend hours and hours of the members' time going over them. It's a parochial thing he can take up with the Minister or the department privately but the Member for Ste. Rose seems to feel that he has to read every letter that he receives into the record so as he can take Hansard and forward it back to his people and say, look what I'm doing for you. This is not the case to get redress for his constituents that have a problem.

**MR. ADAM:** I would like to know, Mr. Chairman, whether the Member for Minnedosa had a point of order. I would be amazed if you would decide that was a point of order. —(Interjection)— The Member for Minnesota got up and stated an opinion, Mr. Chairman. I ask if that's a point of order.

**MR. BLAKE:** I represent the constituency of Minnedosa, not Minnesota.

**MR. CHAIRMAN:** Order please. On the correction for Minnedosa, for Minnesota, I would agree with the honourable member on whether a man has smiles on his face is no cause for any heated debate or discussion; it could be gas pains, that could be anything. I don't think that remarks of that nature are a matter of a point of order.

The Honourable member for Ste. Rose.

**MR. ADAM:** Mr. Chairman, I'm not sure whether I said Minnesota or Minnedosa, but I mean perhaps that's where you should be. (Interjection)— Mr. Chairman, obviously this is an important matter, it's a matter that has to do with transportation, not exactly the kind of a problem that the member for Inkster has raised in this House Friday and today; but it seems to me that it's a matter and I have brought other situations in regard to what's happening in the transportation field in Ste. Rose and in McCreary and I say, in how many areas is these happening? It's probably happening all over the province and I say that perhaps we should be looking at a thorough review of the policy in transportation, and I resent when the Member for Minnedosa gets up and says that we should not take the prime of this committee.

Let it be in the record that the Member for Minnedosa gets up and says that here's a person who is being served by a particular company and lost \$500 over the Christmas holidays; that we should not take the time to discuss it and find out

what's wrong. He would like to slough it over, Mr. Chairman. No, it could happen to a transportation company in his own area, it could be a customer in his area, Mr. Chairman. And we are dealing with the Motor Transport Board which has to do with the granting of licenses to transport goods in the Province of Manitoba and I say that perhaps there isn't enough competition in this industry and that's why I say that perhaps we should be looking at a review of the entire transportation policy in this province because it appears that there are far too many things happening.

I would like to know from the Minister what is happening insofar as the transportation of dangerous goods. We issue vehicle licenses to transport all kinds of inflammable goods and dangerous chemicals. What protection has been given to the public in this regard? I think Mr. Chairman, that perhaps it is time that we have a thorough review of all aspects of transportation in the Province of Manitoba.

**MR. CHAIRMAN:** The Honourable Minister

**MR. ORCHARD:** Mr. Chairman, I note the Member for Ste. Rose brought one area to consideration here, namely, the loss of a local trucker in Ste. Rose and I would wonder if a local entrepreneur in the town of Ste. Rose, or indeed in the town of McCreary, which he also referred to, actually made application to undertake that PSV license and transfer service into both of those communities. He mentioned that some outside trucker who had no interest in the community, didn't care for the community, didn't provide employment in the community, only took the cream out of the community, is now serving that community. That would not be the case if a local entrepreneur had applied to provide the service in the community.

I take from the tenor of the member for Ste. Rose's remarks that he would concur with the member for Inkster that he would prefer to see the local carrier industry, the trucking industry in Manitoba deregulated and that is a point of consideration that I will take seriously now that the Member for Inkster's position is being supported by the Member for Ste. Rose as one of the real representatives in the NDP caucus

**MR. CHAIRMAN:** (1) pass. (2) pass. (d) pass. Resolution No. 87 pass.

I would refer the honourable members to page 78 of Main Estimates. Resolution No. 79. I. General Administration, (a) Minister's Salary — pass — the Honourable Member for the Pas.

**MR. McBRYDE:** Mr. Chairman, there were a number of questions addressed to the Minister by myself and a number of others. I raised, in a very parochial way, a number of local roads around The Pas constituency and I wonder if the Minister has any further information on that particular item. I would be especially interested to find out what has happened and what has gone wrong with the highway from the Pas to the Saskatchewan border, I think it's 228 and I raised it in my comments to the Minister the other day. There was a problem with acquisition of right-of-way for that particular road, upgrading and paving. That was started in 1977, it

was approved in 1977 and I'm not aware of that having been resolved yet or of work having been announced for this year by the Minister, so I wonder if he could check into that and into the other roads that were raised by myself and my colleagues in terms of what is the Minister's plans in terms of those particular roads and will there be any work done that isn't shown in the handout sheet that he did give us the other day. I'm taking again about the Easterville Road connecting No. 6 and No. 10, the Moose Lake Road, Cormorant Road and what's called the Manfor Access road that goes to Umperville. Those are the particular roads that I raised with the Minister and I would like some response from him next time we get together because I think it's 4:30 now.

**MR. CHAIRMAN:** (a) pass — the Honourable Member for Ste. Rose.

**MR. ADAM:** I'm just wondering . . .

**MR. CHAIRMAN:** Order please. The hour is 4:30. I'm interrupting the proceedings for Private Members' Hour and Committee will resume at 8 o'clock this evening.

## PRIVATE MEMBERS' HOUR

**MR. SPEAKER:** We are now under Private Members' Hour. On Mondays, Resolutions are the first order of business. The first Resolution on the Order Paper today is Resolution No. 5, moved by the Honourable Member for St. Matthews, and an amendment moved by the Honourable Member for Rupertsland.

## PROPOSED RESOLUTIONS

### RESOLUTION NO. 5 ASSISTANCE TO NATIVE PEOPLE

**MR. SPEAKER:** The Honourable Minister of Finance has six minutes remaining.

**HON. BRIAN RANSOM (Souris-Killarney):** Mr. Speaker, I believe that I had largely concluded my remarks the last day that this resolution was discussed but I could perhaps just summarize in closing and say, the base of the contribution by the members opposite that I think the position taken by the Member for Wellington was one of largely refusing to acknowledge the existence of a problem that was consistent with that outlined in the resolution by the Member for St. Matthews.

The Member for Inkster I think, was putting forward a position that this was a constitutional problem and one that would have best been dealt with by an approach similar to that recommended in the Federal White Paper in 1969.

The Member for Rupertsland seemed to feel that the government simply should go ahead and provide services to Native people without regard for the constitutional responsibilities and seemingly perhaps, even without regard for the position put forward by the Native people themselves.

I think that that is not a course of action that is likely to be positive. I think we have to acknowledge

the structure that exists now which we must work within. I don't think that it would be of benefit for the province to assume federal government responsibility. I think the province must hold to insist, as the Indian Native people do, that the Federal Government accept its responsibility and until that structure of responsibility is changed, we must all do our best on a tripartite basis to work within that framework for the benefit of the status Indian people as well as for the rest of the people in Manitoba. Thank you, Mr. Speaker.

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

**MR. McBRYDE:** Yes, Mr. Speaker. It's good to see you back in the Chair, Mr. Speaker. We did miss you earlier this afternoon.

The situation that the resolution addresses itself to in the amendment is one that arises out of an historical accident in terms of the development of history and the Native peoples in the Province of Manitoba. But, Mr. Speaker, the fact that this government under these particular Ministers are bringing forward the original resolution, to me, Mr. Speaker, is somewhat of a joke. It's somewhat of a joke coming from those people over there, a resolution that purports to be in the interests of Native people in the Province of Manitoba, even though the purport of the resolution is to try and place blame and responsibility totally on the Federal Government.

Mr. Speaker, coming from a Government of Manitoba, that has totally ignored the situation of Native people in the Province of Manitoba; a government in fact, whose actions have shown not only disinterest but a negative discrimination against people of Native ancestry. I think the most blatant example of the attitude and position of this particular government is the fact that the government has for many years, given some direct core financial assistance to at least two Native organizations and other bodies that do assist in a number of ways, the development of Native communities in the Province of Manitoba.

But the most disgraceful and shameful act was the one taken by the Minister, who is just taking his chair, the present Minister of Northern Affairs under the direction, I suspect, of the Minister of Labour, the Member for Thompson.

Mr. Speaker, for the past number of years a number of organizations like the Manitoba Metis Federation, like the Manitoba Indian Brotherhood or Four Nations Confederacy, like the Native Communications, like the Friendship Centers in the Province of Manitoba, like other organizations, have received some direct financial assistance. But, what happened under this government and under this administration; the moment one of these organizations did their job of representing the people that elected them to office, the moment they complained about the actions of the Conservative Government in the Province of Manitoba; the moment the organization saw fit to support one of its locals in a demonstration in the Legislative Building when the Norway House local was unable to get the kind of action it needed for the development of its people and its community, took direct political action. The Manitoba Metis Federation as the

representatives of all the Metis people, took the side of the Native people from Norway House and what happened? In a crass political maneuver on the part of the Conservative Government, a decision was made to cut off funding to this organization because this organization saw fit to publicly criticize the actions of this government in terms of the Native people in the Province of Manitoba.

Now it's this same group that's coming before the Legislature with a resolution asking the Legislature to support them in a resolution when this government has shown itself completely incapable, unwilling to do anything positive in terms of assisting the development and growth of the Native population in the Province of Manitoba and I think the action by this government in terms of the Metis Federation, is a clear example.

The last time I spoke to a group of Metis people I said, it's very simple. Under the leadership of the Minister of Labour and the Member for Thompson and under the incompetence of the Minister of Northern Affairs, the Provincial Conservative Government has declared war on your organization; have decided to do what they can to destroy your organization because you publicly expressed your dissatisfaction with the direction of this government.

The Minister of Finance, I think, misunderstands and misinterprets the position taken by the previous government in relation to Treaty Indians in the Province of Manitoba and my colleague, the Member for Rupertsland made that distinction between Native people as in the original resolution and Treaty Indians within the Province of Manitoba and then further subdivided Treaty Indians on Reserve in the Province of Manitoba and Treaty Indians off Reserve in the Province of Manitoba.

Mr. Speaker, I think the Province of Manitoba has a number of options open to it in relation to Treaty Indians, responsibilities for Treaty Indians and Federal Government and Treaty obligations and Federal Government responsibilities. The province can follow as the Minister of Finance prefers, the approach taken by the White Paper which was rejected by the Indian people of Canada, by the Treaty Indian people or registered Indian people of Canada, very clearly in 1969 and it was brought forward. But the option within that White Paper for a province is to have the Federal Government to pay it a sum of money to provide services to Treaty Indians. So that is option number one, the province will begin to provide the services to Treaty Indians and the Federal Government will pay a lump sum of money to them.

Option number two, is that the province will deny any responsibility for Treaty Indians and say in effect, that Treaty Indians are not citizens of the Province of Manitoba, that the Province of Manitoba or any provincial government has no responsibility at all for Treaty Indians. That is the option that this government has taken, Mr. Speaker, and that is the option that they are trying to get our approval for through the original resolution that was presented to us.

The first two options were not acceptable to the NDP government when we were in office and the option that we tried to pursue was one of a tripartite negotiation with the Treaty Indians of Manitoba and with the Government of Canada. That is the option



that I would favour in terms of the future, and for the edification of the Minister of Finance in his comments the other day, the present Member for Inkster at that time disagreed with the option we selected as a government, and he was I think of like mind with the Minister of Finance in terms of the first option that the province assume responsibility with federal funding for Treaty Indians in the Province of Manitoba.

The first option was clearly rejected by the Treaty Indian people of Canada. The second option is to deny any citizenship to Treaty Indians in the Province of Manitoba, to make them non-citizens of our province, which is the course being followed now. The third option, which I would urge this government and this Minister of Finance and the member that introduced this resolution to consider, is a tripartite arrangement or an agreement or an understanding with the Treaty Indian people of Manitoba and with the Federal Government. I don't see a big problem in getting some understanding and some agreement with the Treaty Indian people of Manitoba. It's always been a problem and it's going to continue to be a problem to get agreement with the Federal Government to clearly live up to their responsibilities as agreed to by the three parties involved.

When the Province of Manitoba under the previous administration examined the cost to the Province of Manitoba in terms of the Federal Government not living up to their responsibilities to Treaty Indians, I think the Minister of Finance has the figures in front of him from his comments the other day, my offhand recollection, Mr. Speaker, was that in 1976 the estimate was about \$35 million that the province was picking up costs that should have been picked up by the Federal Government in terms of their obligations to Treaty Indians in the Province of Manitoba.

What would happen under this administration, because we know their attitude towards the Native people in the Province of Manitoba, would be that if the Federal Government began to contribute the full amount that they should, which is probably much over the amount I mentioned by now, this government would put those funds immediately into general revenue.

The understanding that Premier Schreyer had and the government of the day had back in 1976 in negotiations and discussions with the Treaty Indians in the Province of Manitoba, was that those funds that the Federal Government would begin to assume responsibility for that were rightly their responsibility, if the province were for example to save \$20 million because of the Federal Government assuming responsibility which is theirs, then the province would reinvest that \$20 million in terms of an economic development fund for Treaty Indians. That was a clear understanding between the previous administration and this government because, Mr. Speaker, the previous administration had some understanding of, some connection with and some trust rated with the Treaty Indians in our province, something that has been lost under this administration and their attitude and their approach to all the Native people in the Province of Manitoba.

Mr. Speaker, the previous government was willing in certain areas and certain ways, in agreement with the Treaty Indians of Manitoba, to provide some

services and some assistance to some reserves and the Treaty Indian people. The areas where we felt that there was a clear federal responsibility and had agreement with the Federal Government, was especially in the area of health care, that that should have been a federal responsibility, especially in the area of unreserved services, that should be the area of the Federal Government.

But the previous administration had what was called the Special Northern Employment Program to assist all the remote communities including Indian reserves and economic development projects on Indian reserves. Mr. Speaker, this source of funding which was an outgrowth of the Winter Works Funding Program provided to be a key ingredient in getting some small ongoing operations off the ground at that time. There's some fairly simple examples in my constituency, in the area that will now be lost to the Interlake constituency, in the community of Pine Dock. In that particular instance, a non-treaty community, commercial fishing is the main occupation in that area but during the off season for commercial fishing they wanted to have a pulp cutting operation, and they needed just some extra assistance to get the project off the ground. The Special Northern Employment Program provided that kind of extra assistance to assist them to buy one piece of equipment to create only 12 or 14 jobs in the community, but 12 or 24 very important jobs in that community and 12 or 14 jobs that no longer exist under this administration.

The other area that the Province of Manitoba agreed to provide funding to Reserves was through the Unconditional Grant mechanism. I think that this is the one area that this government has not yet touched, and that is the straight unconditional grant that goes to municipalities in the Province of Manitoba — I believe it still goes to Indian Bands. But aside from, that when the Member from Inkster was Commissioner of Northern Affairs, a \$2 per capita grant was brought in to assist the community councils directly and that \$2 per capita grant was made available to Indian Reserves in the Province of Manitoba. So there was an additional grant that went to the Reserves and the Treaty Indian people in the Province of Manitoba that was cut out by this government, that was eliminated by this government.

Another program that was in existence in the past was the Critical Home Repair Program. That program, when it was announced, when it was conceived, there was considerable discussions in terms of responsibilities and whether or not the program should apply on Reserve. When the Federal Government agreed to support the program then it was decided it would apply on Reserve. And this was a very important program especially for some of the older people in the Reserve communities. The people that had houses but houses that didn't have water, didn't have indoor plumbing, that didn't have proper insulation, that didn't have proper heating systems, these people that qualified with this program were able to get it through the Critical Home Repair Program. In fact, I know in the area of the Peguis and Fisher River Reserve, one of the Reserve members started his own small construction business based on the Critical Home Repair Program. He was the one that assisted the senior citizens to fill out their applications under this

program and he was the one that did most of the contract work in that area. He employed himself and one other person to do the work. There were two more jobs created on Reserve and the necessary service provided on Reserve.

What did this government do? What did the Conservative Government do when they assumed office? They said that people on Reserve are no longer eligible to receive this program, pure and simple, even though an understanding had already been reached with the Federal Government. I guess I was disappointed at that time because I found out about it from a constituent of mine who received a letter directly from MHRC, from the Critical Home Repair Program, saying that she was no longer eligible because she was a Treaty Indian living on Reserve. At that time I contact, it was then the Manitoba Indian Brotherhood, and they gave very little public response to the fact that that program was eliminated. That was probably less due to the fact of lack of concern on their part than to the problem they were having within their own organization at the time that prevented an effective political response to the political action on the part of this government.

Where the Province of Manitoba had accepted some responsibilities in limited areas this government has done away with; where the Province of Manitoba has clear responsibility, in terms of the rest of the citizens in Manitoba, in terms of the citizens of the remote communities, in terms of the non-status Indians or Metis people of the Province of Manitoba, where they are not asking us by their original resolution to say they have no responsibility; where they have accepted their responsibility they have failed miserably. They have negatively affected the non-treaty Indians and the Indian people in the Province of Manitoba by, not only their disinterest but by direct callous negative actions that have affected people in the remote communities and that have affected people of Native ancestry in the Province of Manitoba. They have hurt them in the area of funding for education programs; they have hurt them in the area of economic development programs; they have hurt them in the area of providing their own local self-governments in remote communities. Just about every aspect you want to look at of the economic and social life of Native people in the Province of Manitoba this government has taken action to negatively affect them. And then they have the nerve to come forward to this Legislature asking us to support their position in terms of Treaty Indians in the Province of Manitoba and we are not willing to do that. We are not willing to do that, Mr. Speaker, in any way.

The option that we would take, if we were in government, is an option of co-operation between the Treaty Indians and the Federal Government to clearly assign responsibility but not to say that the Treaty Indians of Manitoba are not citizens of our Province, not to deny them any rights in relation to the Province of Manitoba which is what this government is doing and which we cannot support.

**MR. SPEAKER:** The Honourable Member from Fort Rouge.

**MS. WESTBURY:** Thank you, Mr. Speaker. When I was speaking on the main resolution I ran out of

time. I had been referring to the failures of the Roblin-Weir years, which I think are important to understand, in view of the wording of the resolution that was brought to us. I was regretting the complacency, for want of a better word, of the New Democrats relative to their record while in office. In responding to the New Democrat Amendment, to the Amendment from the Member for Rupertsland, I want to just continue a little more to talk about the history of governments in Manitoba relative to the Treaty Indian problems. In 1975, we had one Minister who pledged that his government would accept the responsibility for the social dislocation of the Native people affected — this was when he was appearing before an inter-church panel inquiring into the church on Nelson diversion, Mr. Speaker. He said, "We have the responsibility to see to it that there is an option to provide that way of life which is traditional to the people if they so desire it and that we have a further responsibility of increasing options which were not there before." It's unfortunate that one of these options included Indians being forced off their lands and driven into the urban ghettos as we have been hearing about them, Mr. Speaker.

It's particularly unfortunate that neither of the governments, neither the Conservative Government nor the New Democratic Government, have kept their promises to the province's Native people. The Member for St. Boniface has referred to the federal Liberals and I referred to the federal Liberals also in my original remarks. I don't feel any of us in Canada can be very complacent about what has happened with our Native people. In fact, I'm going to support the amendment because I think it is vastly superior to the motion even though I don't feel that that prevents me from criticizing some of the actions of the New Democratic government. They may feel, Mr. Speaker, some of marks are history and they are history. The resolution that was presented to us brought in some of our history. The consequences of the history and the callous indifference of previous governments are still with us and are going to remain with us in the matter of the high level of unemployment and the waves of violence and crime and alcoholism among Native people in both the city and in the rural area, Mr. Speaker.

I wonder if we can ever begin to hope that the present government has learned anything; whether they genuinely tried to help Native people to become more self-reliant; why does the provincial government continue to drag its feet on the matter of Native land claims. Land is one of the few resources left to the Native people and the obstructionist approach that has met their appeals can only reinforce the bleak status quo.

The Northern Flood Agreement, Mr. Speaker, more than three years old, has only marginally been implemented. While Manitoba Hydro is reaping the benefits of it five Indian communities are burdened with its liabilities. Is the government seeking out answers? Do they want to consult with the Native people and Native leaders and come up with the protests that might work? —(Interjection)— Every time you ask a question may come back with Federal Government, Mr. Speaker. Do we, as a provincial government, have no responsibility to the Native people? The resolution only condemns Federal Government. I am not here, as I said before, as an

apologist for any level of government, Mr. Speaker, I am here representing my party and saying the way our party views the problems of the Native people as they have existed and as they continue to exist.

Mr. Speaker, the Northern Affairs Minister was quoted in January as saying that he didn't think that the Four Nations Confederacy, of course, the Manitoba Indian Brotherhood was interested in the negotiations for the New Initiatives Agreement. I'm told that he didn't even ask them; so how did he know they weren't interested.

When we're looking around and casting blame we not only look outside this Chamber but we look at ourselves, a little introspection wouldn't hurt, Mr. Speaker. I suggest, and my party in Manitoba suggests, that none of us can be very happy or very self-satisfied with anything that has been done by government in the matter of the Native people of our province. I regret the way that every time you ask this government to look at something, to look at what they're doing, to look at what they're not doing; all they can do is sit there and yell something about the Federal Government. This isn't a positive approach, Mr. Speaker. Let's have a look at what's wrong, see what we can all do to improve the conditions for the Native people.

The Member for Rupertsland was fulsome in his praise of the Communities Economic Development Fund and that was a valid concept. No part of the province has been so neglected as the North and no people have been so neglected as the Native people. But, I don't think the previous government either can take any satisfaction on the reputation of CEDF among Native people, because I'm told they view it as a pork barrel, Mr. Speaker, instead of the provider of economic opportunity that they had been led to expect.

I must say, Mr. Speaker, that whether they're listening or not, certainly the people to my right over here seem to not respond in as defensive a way to the criticisms I'm offering. I hope that they're listening. Perhaps if they're ever the government again, that they will perhaps come forward with a different attitude towards the Native people than we saw in the 1970s.

I want to talk about the wild rice industry, Mr. Speaker. In the early 1970s, Dave Courchene was the prime mover behind the Indian Wild Rice Producers Co-op. He obtained extensive concessions and leases for a large number of rice-producing lakes. The company received \$60,000 in loans from CEDF. And what happened in August of 1975? The provincial government had to go to court, take the co-operative to court to try to recover its money. The company declared bankruptcy, the taxpayers were on the hook. And while this was still before the courts, the provincial government hired Dave Courchene as an Economic Development consultant for Project Pimajihowin also known as the Northeast Development Initiative. This was funded by both the federal and provincial governments in 1975 under the Manitoba Northlands Agreement, with a 60-40 cost-sharing arrangement. The purpose was to develop an economic base for Native communities in the northeast sector of the province. During the same time, Mr. Courchene developed Thunderbird Lodge while receiving \$32,000 in consultant fees from the province. Thunderbird Lodge sank in a sea

of red ink, but the NDP sailed to the rescue with \$75,000 public dollars via CEDN.

Thunderbird Lodge went bust anyway. It was a futile gesture. Mr. Courchene declared personal bankruptcy and once again the taxpayers of Manitoba were left holding the bag and the sad part of this, Mr. Speaker, is that it was the Native people of our province who suffered. They were the real victims of this series of actions.

However, we wonder about that government's commitment to other Native people. In 1975, I'm told community leaders in the northeast region unanimously rejected a government proposal to establish a provincial park in the area. What happened? The government unilaterally imposed Nopiming Park on several Native communities who didn't want any part of it. However, we hear them continue to talk about their commitment to Native people. There's no denying that Manitoba's Native, Indian and Metis people require a commitment, but there's no denying that so far they have not received that commitment, except in words.

I'm supporting the amendment because in it the mover of the amendment admits that the NDP regime and its successor have been as remiss in their obligations as the Federal Government has and I agree with that.

I agree that the NDP have shown a greater interest in the advancement of Native people than the Conservatives have. What the Liberal Party doesn't agree with is the manner in which they've gone about it, the business of cultivating Native leadership, while ingoring the rank and file. It's unfair, undemocratic, intolerable and unworkable. We have huge deficits run up by agencies like the CEDF and we have a large number of failed economic development projects in remote communities.

I've concentrated today more on the policies of the NDP, but this government that we've had since 1977, is equally suspect and I'm back to the wild rice industry again; it's back to haunt us. The focus isn't on Indian wild rice producers, but on a corporation whose name I find difficult to pronounce, Man-omin-ekay, but it was the same old package with a new label. Wild rice. The centre of another scandal. Provincial Government making concessions to, believe it or not, Dave Courchene, again gain control of rice producing lakes for a corporation in which he had avested interest. And once again we're told the project has gone up in flames. It's my understanding that MR. Courchene and his group have been ousted from the corporation and that the new directors allege that over \$100,000 are unaccounted for.

Now whatever the resolution is of this matter, once again, it's the Native people and not their leaders, their so-called leaders, who are suffering the consequences. All this money has been going down the drain and the Native people have not benefited from it, Mr. Speaker. This corporation was established to benefit a few at the expense of many and the many are reliant upon. This is one of the few natural resources still available to them.

Now the Member for Rupertsland is correct in stressing a need for adequate education and training and economic developments for Native people. He's correct in urging both Provincial and Federal Governments to do their fair share in promoting them. But these will only come about when all

governments start responding to the very real needs of Native people and stop spending public money to buy off their leaders, Mr. Speaker.

The amendment is a fair summary of the failures of all levels of government in their responsibility and it is an improvement to the main motion. When the amendment fails, as I presume it will, I guess I'll support the resolution even though it addresses only part of the problem.

If this government is in office long enough, and it seems unlikely at the moment that it will be, but if it's in office long enough to become mature to the point where they will acknowledge past failures even of Conservative past governments, as I have tried to do standing here in referring to the Federal Government, Mr. Speaker, perhaps that will reflect a sincere desire and intention on their part to better the lives of the Native people, both rural and urban.

But coming forward with a resolution such as came from the Member for St. Matthews which suggested, perhaps unintentionally, that migration of Native people should be inhibited and talked of the migration of unskilled Native people as putting an intolerable strain on the fiscal resources of the City of Winnipeg and the Provincial Government, without acknowledging any responsibility on the part of his government to educate or train those Native people, Mr. Speaker, is just an irresponsible motion. Because it also urges the Federal Government to accept its constitutional responsibility, I will support it, but I want to protest about the wording in some of the "whereases".

**MR. RANSOM:** I wonder if the honourable member would permit a question. Since the honourable member said that our government was dragging its feet on the settling of land claims and the position that we have taken is essentially the same as that taken by the previous government, I am wondering if the honourable member would be willing to outline what the policy would be of a Provincial Liberal Party with respect to the settlement of Indian land claims.

**MS. WESTBURY:** When the Provincial Liberal Party takes the government, I doubt if I'll be the Minister responsible for Native land claims, Mr. Speaker, and I'm sorry I cannot outline what that position will be and I don't mind acknowledging that I cannot outline it. The information that I have as to the government dragging its feet came from the Native people themselves, Mr. Speaker.

**MR. SPEAKER:** The Honourable Minister with another question?

**MR. RANSOM:** Yes, Mr. Speaker, I'm sure that the honourable member is aware that under the treaties the Federal Government is responsible for fulfilling the land entitlements and I wonder if the honourable member could advise whether or not she is aware if the Federal Government has agreed to make part of Riding Mountain National Park available for fulfillment of land entitlements.

**MR. SPEAKER:** Just a minute please. Questions of awareness are hardly acceptable. Would the Minister care to rephrase his question?

The Honourable Member for St. Boniface.

**MR. LAURENT L. DESJARDINS:** Thank you, Mr. Speaker. I wish to say that I had no intention in

taking part in this debate until I heard the last speaker, the Member for Fort Rouge, and I object very strongly to the word "callous" that she used in referring to the actions of the former government.

I might say that she reminds me a bit of the Monday morning quarterback who criticized and it's always easy to look back and criticize, especially when that party has only one season ticket to the game here. I think that they should do a lot of soul searching before coming out with the kind of speech that I heard just a while ago.

Now, the member took everybody to task, the Federal Government, I think she was forced to pretty well and then the present government and the past government. Now the only one that came out of there as clean as white snow, not the snow that's left today, but is the party that she represents and I think that this is most unfair.

First of all I object to it quite strongly, because I was the Minister of Health and Social Development in the former government and I know the trouble that we had with the Federal Government.

And let me say this, that in 1968, and I'm talking about just the need in health especially, in 1968, the same party that the member belongs to, the Liberal-Federal Party, came in with a White Paper. They wanted to make all the Natives citizens of these provinces and therefore, they wanted the service that they had always been responsible for, that they had delivered, they wanted this to be taken over by the Provincial Government, but they were ready to pay for it.

That's another thing. I don't think that the Natives acted correctly all the time. It's easy to be patronizing and to say that why don't you make sure that the rank and file get something. But what were we told? Well, first of all the Natives themselves wanted no part of the white paper, that's the first thing. The province at the time and the government that I belong to said, we will deliver the service, we're ready if you accept; even if the Natives didn't accept it, the Federal Government accepts that providing you help with the financing of it, and that was never done and the Federal-Liberal now had the best of both worlds. They never went ahead because there was protest from the Natives, but they never accepted their responsibility. They were not delivering; They did a very poor job at delivering the services and they expected the province to do it, but they're not ready to pay anything to the province to help in the financing of that at all. The big culprit in that is definitely the Federal Government, that's number one.

And then the member said that there was what? Pork barrelling. You know as I say, that's like Monday morning quarterbacking. You're damned if you do and you're damned if you don't. You're told don't patronize; don't do it yourself; work with the Natives in the community. Mr. Courchene and those people were not elected by the members of any government. He was elected by the Natives themselves. He's the one and his people were the ones that were sent to meet with us.

And even on this question of health care, I don't know of any other Provincial Government who, in percentage for the population and so on and the total budget, that put in more money to the service.

There was an Advisory Committee, a committee working between the Natives and the Provincial

Government, to work with the Federal Government. The Federal Government ignored us completely. I remember going and attending meetings of the Minister of Health and Social Development with the Federal Minister, who was Mr. Lalonde at the time and he ignored us completely. There was very little support from other provinces because they didn't have the problem that we had or they were a richer province. Ontario didn't push too much and Alberta, well Alberta, with all the money that they have it was a drop in the bucket and they didn't want to bother, and we didn't get very far with Mr. Lalonde, I can tell the Member for Fort Garry that.

So there is no doubt that all the governments are to blame and the Natives themselves, the Natives themselves. They're the ones that chose their leaders. They're the ones that said you deal with our leaders. You know, you don't impose your will on us. We want to be part of this and you deal with our leaders and when you do so, well then you're accused of pork barrelling.

You know, if I had the answer, if any member had the answer to the problem of the Natives, they'd do pretty well. It is very very difficult. There's been a lot of failures, and the member of my party that brought this resolution is accepting the blame by bringing this amendment, there's no doubt. I think we're all to blame but I certainly didn't accept the remarks of the Member for Fort Garry, who said that it was a callous matter, the way we were dealing with this and said we had no interest at all. —(Interjection)— for Fort Rouge.

I think she has a lot of nerve to come in and lecture us at this time, and she resents the fact that we mention the Federal Government. She's the one that brought in the question of parties. —(Interjection)— Yes, yes, she said but she also said that she was on the defensive when it came to that and whenever she mentioned anything, the people were referring to the Federal Government. Of course they're referring to the Federal Government, because if there are people to blame and there's a lot of them that are to blame, the Natives, the past government of this province, the present government of this province, but most and more than anybody else was the Federal Government in Ottawa that is to blame for this.

So I certainly will support the amendment. I think it is better than the resolution. The resolution is an easy one. You don't accept any responsibility and put it on the shoulders of another level of government. Well, I think we need more than that if we're going to achieve anything. We have to say the Provincial Government is to blame, or was to blame, the Federal Government and the Native people themselves, and don't forget that, the Native people themselves; because if they want us to deal with them, sometimes they won't allow you on the reserve to go and find out things or try to get information. They resent that. So, if we're going to ever solve this problem, I think that we have to put our heads together, but not have somebody preach to us that we're callous, because we haven't succeeded as we would like to. Thank you, Mr. Speaker.

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

**MR. LEN DOMINO:** Mr. Speaker, from listening to this debate it appears that there are two questions

that members are addressing themselves to. One question which was addressed by at least one member, was is there a problem? I would assume that we would receive almost unanimous consent that there is a problem, there's a problem with urban Natives and there's a problem back in the North and the rural areas of this province with Native people too. And the problem is not exclusively Native, it's all of our problem, society's problem, but I would assume you would accept there is a problem.

The second question, of course, is who is responsible for showing the leadership necessary to solve this problem?

I want to deal with the first question that was brought up first by the Member for Wellington. The Member for Wellington, and I just finished reading his remarks, stood up in this House and attempted to suggest that there was no problem; that the welfare rolls show that there's been no additional people on the welfare rolls, and that there is indeed not a problem for the City of Winnipeg. Mr. Speaker, I don't know who represents that caucus but I do know that — and I suppose it being a private member's bill there's no need for there to be a straight caucus position on it. But what the Member for Wellington said and what the Member for Rupertsland said were two totally different things.

I could bring myself to agree with most of what was said but the Member for Rupertsland. Today, I might place emphasis on different segments of his argument. —(Interjection)— I'll get to that point eventually whether I'm going to support this amendment or not. But the Member for Wellington, I find it very very difficult to comprehend what he was trying to do. I suspect without imputing motives that he wanted to take the cheap shot, that he wanted to paint people such as myself, who insist on bringing this topic up, and insist on discussing it in this House, he wanted to paint myself and others as rednecks and racists which is the farthest thing from the truth. In this House he said there's no problem, and he quoted unemployment statistics; he quoted provincial government migration statistics to show that Native people aren't moving to Winnipeg. But just last year, almost to the month when he spoke in this House, he received a headline in the Winnipeg Free Press which said government blamed for Indian migration, and the first paragraph of the article, and it quotes attributed to Mr. Corrin were, "Callous provincial government policies have encouraged thousands of Native families to move from northern reserves to Winnipeg's Inner City," says MLA Brian Corrin, NDP, Wellington. The totally absolute opposite of what he said in this House a month ago. Now we have seen what that member is capable of; we have seen him change his mind on a matter of principle from voting on first, to second, and third reading of a bill. We've seen him alter his stand radically and change completely so guess it's no big surprise that he should change his ideas and his impression and what he's saying when it comes to the problem of Natives migrating to Winnipeg.

Mr. Speaker, I want to make the point that there is a problem, and I don't want it to be said that it's a Native problem; it's a community problem; it's a problem of our society, but the facts stand undisputed. Throughout the 1960s and 1970s there has been a continual stream of people who move

from the isolated northern reserves and from the rural reserves who move to urban areas — and mostly urban means Winnipeg. When they come to this city they find themselves often in horrible conditions without the ability to find a job, living in housing conditions and social conditions which are absolutely unacceptable and that is a problem for the individuals directly, and it is a problem for the communities they move into, and it is a problem for the Provincial Government and the city government and there is absolutely no way that members of this House can deny it. I am happy that no other member has got up and attempted to deny there's a problem. It's of course easy to say there's no problem, and Domino you're a racist for bringing it up; which is the farthest from the truth and an emotional argument.

The facts are, Mr. Speaker, that presently there are about 100,000 Native people in Manitoba, Native people being all those people who claim to have certain element of Indian blood in their veins and a cultural heritage that they can follow back to the Indian people of this province. Of those 100,000, somewhere between — well there's about 13,000 registered Indians in Winnipeg or in urban areas and about 25,000 other Natives in urban areas. About 80 percent of all of that group or about 30,000 individuals reside in Winnipeg. Those are the latest figures that I was able to find. Those are Federal Government figures from the Department of Indian Affairs. By the year 2000, if the trend continues, total Indian, Metis, and non-status Indian population will rise to about 90,000 people who were urbanites in that group. That will leave Winnipeg with about 75,000. No problem at all, 75,000 new immigrants. We want them; we encourage people to come to this city. But it is a problem if the vast majority of those people are untrained, unable to compete, and therefore fall to the bottom of our social strata. It's a problem for those people; it will cause sickness and disturbance in our society and of course it's an economic problem for the other citizens in society, because if they can't find jobs, if they can't compete, if they can't contribute, they become a burden whether they're Native people, or Italian people or Ukrainian people or whoever.

Mr. Speaker, there is reason to believe that Winnipeg may have even more than it's 75,000 which would be a fair share of the migration, because right now Winnipeg happens to be the largest Native community in this country; probably the largest Native community in North America, but certainly the largest Native community in this country. Native people have said to me and others that because of that they feel a special attraction to Winnipeg, even though the circumstances here, in many cases, are horrible and deplorable, they're still better than the circumstances back on the reserves and back in the rural and northern areas. We may indeed receive a much larger percentage than could normally be expected because we may receive Native people from Saskatchewan, northern Ontario, all through western Canada, because of the special affinity they feel for Winnipeg because of our large numbers of Native people.

Mr. Speaker, it has been mentioned by members opposite, and they beat on their chest a little bit just recently, during this very Private Members' Hour, about how much they did to help Native

communities. If they did so much, how come the problem wasn't alleviated? If they worked so hard and spent so much money, understood the problem so well, had so much affinity for those people, why did the problem grow worse during their eight years in government? I will tell you why, Mr. Speaker, because a great deal of the effort expended by that government towards Native people was simple vote buying; it was simple make work; it would solve the problem today because election's tomorrow; it was giving money away with no strings attached; it was not encouraging a sense of responsibility; there was no follow-up to see where the money went, to see if individuals such as Mr. Courchene walked away with it or to see whether it really went down to the local level and was used. That's the problem and that is the criticism of that program made by this government. Members opposite choose to distort what we have said. We have never said that special care is not needed for the Native communities; we have never said that you don't have to spend extra taxpayers' money; we have never said that there is a problem and solutions must be found for the problem, but we have said that your solution was no solution; it was just another name for welfare and economic dependence; it was just more of what we have done for a hundred years.

Mr. Speaker, what they actually did was they hurt, they did severe damage to the Native communities that need that help because I happen to believe that there is, inside our society here in Manitoba, we have a constituency of goodwill amongst many many people. The vast majority of Manitobans realize something must be done; a way must be found to train, to educate and to give those people real opportunities whether it be on the reserve or in our urban centers so they can choose, if they want, to integrate into our society or they can at least attain a lifestyle comparable to the white lifestyle and keep their own culture and their own heritage; so at least they have a choice. There is a constituency of goodwill but every time that the Free Press prints a story, and it's not the Free Press's fault, but every time a story is printed or a broadcast is aired over the electronic media that shows the waste and the corruption and shows that the taxpayers money was being wasted and it was just make work; every time you get a story like that you erode that constituency of goodwill and then people who want to help say, let's do nothing because every time we give the money, every time the government sets aside money and allocates money to the problem, what do we get? We get waste and corruption and we don't get any results. Their eight years and the programs they initiated in large part hurt, and they hurt the cause of the Native people amongst the general population because there wasn't enough responsibility attached to the programs, there wasn't enough followup. This government hasn't cancelled any programs. Any program where it was possible to salvage they did. The programs that were cancelled were the ones that were obvious make-work, obvious welfare, obviously throwing money away.

Mr. Speaker, the kind of things that this government is doing that will show long term valuable effect and will get to the heart of the problem, are the kind of programs that are brought forward by the Minister of Education who sits in front

of me; several million dollars being spent on a new modern comprehensive high school at Norway House. That kind of program works and that will work. By the way that's a first time a large comprehensive school is being built in a northern community. There weren't any built during the last eight years because all the money was going towards paying minimum wage to people so they would do some make-work job and they would feel better momentarily, but there were no long-term solutions in it.

Mr. Speaker, I don't plan to support this amendment. I plan to speak and speak in detail and answer some of the criticisms when I close debate, but today I am only speaking to the amendment. I don't plan to support the amendment even though I agree with much of what was said by the Member for Rupertsland, and I have said this before, it is not just a federal responsibility; it's a responsibility first off of the Native people themselves, and particularly their leaders who often don't serve them well; it's a responsibility of this provincial government as it was the last provincial government; but the main responsibility constitutionally and financially lies with the Federal Government; they have to show the initiative. If they don't choose to want to solve the problem it becomes very difficult for this government, with its limited resources, to do very much about it. They will continue to do what they can, and if they don't I'll stand up in this House and criticize them. I've done that before and I'll certainly do it again because it's an important issue.

Mr. Speaker, what this amendment does, it dilutes the main thrust of my argument which is that the Federal Government is responsible and they must supply the funds and they must supply the money. That Federal Government has just recently shown that it's willing to take millions of taxpayers dollars to buy an oil company so we can have Petro-Canada signs all across the country, but they won't take the necessary funds or the energy to try and solve the problem of wasted resources. If the resource is oil, great, spend the money and spend the time. If the resource is wasted human beings then put it on the back burner and we'll solve it tomorrow or we'll solve it another day.

**MR. SPEAKER:** Order please. The honourable member will have seven minutes when this subject next comes up again.

### **BUSINESS OF THE HOUSE**

**MR. SPEAKER:** The Honourable Member for Gladstone.

**MR. JAMES R. FERGUSON:** Thank you, Mr. Speaker. I have a change on the committee, Mr. Blake for Mr. Steen, in Economic Development.

**MR. SPEAKER:** The hour being 5:30, the Honourable Acting Government House Leader.

**MR. JORGENSON:** Mr. Speaker, I move, seconded by the Minister of Natural Resources that the House do now adjourn and resume in Committee of Supply at 8 o'clock.

**MOTION presented and carried** and the House adjourned and stands adjourned until 2:00 o'clock tomorrow afternoon. (Tuesday)