



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

31-32 Elizabeth II

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Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

Members, Constituencies and Political Affiliation

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, 25 April, 1983.

Time — 2:00 p.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. J. Walding: Presenting Petitions . . . Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees . . .

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

RETURN TO ADDRESS FOR PAPERS NO. 1.

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Thank you, Mr. Speaker, I beg leave to file Return to Address for Papers No. 1, dated December 15, 1982, on the motion of the Member for La Verendrye.

RETURN TO ORDER NO. 10

HON. R. PENNER: Mr. Speaker, I beg leave to file Return to Order of the House No. 10, dated December 15, 1982, on the motion again of the Honourable Member for La Verendrye.

Finally, Mr. Speaker, Return to the Order of the House No. 10, dated June 9, 1982, on the motion of the Member for Tuxedo.

MR. SPEAKER: Notices of motion.

INTRODUCTION OF BILLS

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER, on behalf of the Honourable Member for Gimli, introduced Bill No. 61, An Act to amend The Insurance Act; and Bill No. 62, The Provincial Court Act; Loi sur la cour provinciale (Recommended by Her Honour the Lieutenant-Governor); and Bill No. 63, An Act to Amend An Act respecting the Operation of Section 23 of The Manitoba Act in Regard to Statutes; Loi modifiant la loi sur l'application de l'article 23 de l'acte du Manitoba aux textes législatifs (Recommended by Her Honour The Lieutenant-Governor).

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we reach Oral Questions, may I direct the attention of honourable members to the gallery where we have 50 students of Grade 11 standing from the Fort Richmond Collegiate under the direction of Mr. Huber. The school is from the constituency of the Honourable Member for St. Norbert.

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

ORAL QUESTIONS

Intervention against PWA

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Mr. Speaker, my question is to the First Minister. I wonder if the First Minister could tell the House why the Province of Manitoba, with Air Canada and CP Air, filed an intervention against PWA's application to service Calgary, Brandon and Toronto.

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, I would like to take that question as notice.

MR. F. JOHNSTON: Mr. Speaker, I wonder if the First Minister would take as notice also that the intervention was filed on the basis that the airline would have to have six flights a week out of Brandon. That is very unusual for an airline to give that requirement, or be asked for that requirement while asking for a permanent licence to service an area.

HON. H. PAWLEY: Mr. Speaker, contrary to what the Member for Sturgeon Creek has asked and the presumption, I gather, we are supporting the application not objecting to the application by PWA to operate from Calgary and out of Brandon and Toronto.

MR. F. JOHNSTON: Mr. Speaker, it has been reported in the Brandon Sun on Saturday that Manitoba Transportation Minister Sam Uskiw has said he wants the application to be approved providing the six flights per week requirement is retained. Does the Minister not realize, and the First Minister not realize, that could be detrimental to the approval of that application?

HON. H. PAWLEY: Mr. Speaker, I think that in itself indicates that the Government of Manitoba is standing firm. They support the application on the basis that there be a proper level of service so that the Honourable Member for Sturgeon Creek was quite inaccurate in the way that he framed his original question.

MR. F. JOHNSTON: Mr. Speaker, I would like to just take a moment. In Estimates the other night, on this same subject, and the question is that - I would just preface briefly, Sir. Mr. Ashton asked the Minister regarding the cutbacks of airline service to Thompson. When he answered that statement, he reported that airlines were cutting back everywhere and he was sure that airlines would give the service if it was possible, and the Minister stated, "I don't think we are in a position to insist on service if it's so obvious that they can't sustain losses."

I wonder if the First Minister would get some communication between him and the Minister as to what position they have on the PWA application to service Brandon.

HON. H. PAWLEY: Mr. Speaker, let the record be very clear, and the honourable member must indeed

be bending to grasp at straws. We have filed an intervention, an intervention supporting, not objecting to the service by PWA, and also on the basis that there be six flights a week. What more can you ask?

MR. F. JOHNSTON: Mr. Speaker, does the First Minister not realize that his intervention demanding a number of flights per week, which is unusual to request of any airline, that this could be harmful to the Brandon service that they have at the present time?

HON. H. PAWLEY: Mr. Speaker, it is not unusual at all to request a certain level of service in response to support in regard to an intervention; not unusual at all.

MR. F. JOHNSTON: Mr. Speaker, my question is would the First Minister please check with the Canadian Transport System, please check with the lawyers who made our application in assisting to get that service into Brandon, please request of them their opinion as to whether it's unusual to make the request that they are making?

HON. H. PAWLEY: Mr. Speaker, I don't know whether the honourable member now counts two and two, and adds two and two to be five, rather than four, because that's just about as asinine as his remarks are pertaining to the suggestion that we're not supporting the application by PWA in Brandon.

MR. F. JOHNSTON: Mr. Speaker, I'm only asking the Premier to assure this House that he will support the application, without agreeing with CP Air and Air Canada, by the way, for a Brandon service, in a way that will not harm the application whatsoever, so that Brandon can continue to have the service? The Premier is fudging and dodging on this subject and he ought to talk to the Mayor of Brandon if he doesn't want to talk to us.

MR. SPEAKER: Order please. The Honourable Government House Leader on a point of order.

HON. R. PENNER: Yes, the honourable member is indulging again in making a speech during question period. It is not a preamble to a supplementary as you have ruled. It's improper and out of order.

MR. SPEAKER: Does the Honourable Member for Sturgeon Creek wish to rephrase his question?

MR. F. JOHNSTON: Mr. Speaker, I could be accused, Sir, on a point of order - at the end of my question, I said something to the First Minister. But I did ask him if he would please support the application of PWA without agreeing with Air Canada and CP Air, so we can be assured of having that service in Brandon.

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, clearly it is our preference that the flights be six times a week, at least that the continuation of the PWA flights continue as they have been from Calgary, to Brandon, to Toronto.

I don't know what the fuss is about, Mr. Speaker, unless there is a federal by-election going on in Brandon-Souris.

MR. F. JOHNSTON: Then I would only ask, Mr. Speaker, if the First Minister would communicate with the Minister of Transportation as to his belief about services when airlines have received licences, and the belief that the airline should be tied down to six flights which is a very unusual request, will the First Minister communicate with the Minister of Transportation?

HON. H. PAWLEY: Mr. Speaker, let us be very very clear because the member probably hasn't had opportunity to carefully peruse the facts involving the case: No. 1, the Government of Manitoba is not opposed to the application by PWA; the Government of Manitoba is supporting the application by PWA. It is doing so by way of an intervention, Mr. Speaker. We've also indicated, Mr. Speaker, that we would prefer if the service could be six times a week. I believe that indeed would be the preference of the people of the City of Brandon and district. If it not be six times a week, we're not saying that it be six times a week or nothing at all; our preference is six times a week. So get your facts straight.

MR. F. JOHNSTON: Mr. Speaker, then I would ask . . .

HON. S. LYON: You blew Alcan, you blew potash, you blew the Grid, now you're blowing PWA.

MR. SPEAKER: Order please.

MR. F. JOHNSTON: Mr. Speaker, then I would ask the First Minister if he would communicate with the Mayor of Brandon, who has shown very great concern regarding the province's intervention which agrees with CPR and Air Canada, would he communicate with the Mayor of Brandon on the subject so that he can be brought up-to-date as to what is happening regarding this application?

HON. H. PAWLEY: Mr. Speaker, I don't think the Mayor of Brandon requires any enlightenment, I'm sure, on this question. If that is required, which I would doubt very much, we would certainly gladly do so. I think the only member requiring any enlightenment on this issue is the Member for Sturgeon Creek.

HON. S. LYON: The Mayor of Brandon and the Brandon Sun, too, I suppose.

SOME HONOURABLE MEMBERS: Oh, oh!

CL-215 Water Bombers

MR. F. JOHNSTON: Mr. Speaker, I have another question for the First Minister on another subject, Sir. Mr. Speaker, It was announced today that the Government of Canada will purchase up to 20 CL-215 Water Bombers from Canadair, I wonder if the First Minister could inform this House if Manitoba, who was building the part of the wing assembly and part of the tail assembly for the CL-215 Water Bomber at CAE,

a contract which was brought here by the previous government working with CAE, if CAE will now be back in business doing that work in Manitoba?

HON. H. PAWLEY: Mr. Speaker, I would take that question as notice.

Custom harvesting - U.S. Border regulations

MR. SPEAKER: The Honourable Member for Emerson.

MR. A. DRIEDGER: Thank you, Mr. Speaker, my question is to the First Minister. I raised the question on Thursday in this House regarding the custom harvesters that are going to the States and in view of the short time element that is involved and substantial investment that many of these operators have, can the First Minister indicate what action his government has taken as of today regarding the plight that the custom harvesters find themselves in?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, I'll take that question as notice on behalf of the Minister of Agriculture.

MR. A. DRIEDGER: Mr. Speaker, to the First Minister, it's difficult to get information with some of the members that are attending the hearings, I suppose, but the time element is very short. Within two weeks these custom operators normally move down there and that is why I raised the question again and I ask, has this government been in touch with the U.S. Government in terms of trying to resolve this problem?

HON. H. PAWLEY: Mr. Speaker, I indicated that I would take that question as notice on behalf of the Minister of Agriculture.

MR. A. DRIEDGER: Mr. Speaker, to the First Minister then on Thursday I raised the question whether the relationships between Manitoba and United States recently could have had any bearing on it and the Minister, at that time, indicated the question didn't deserve an answer. But in view of the position that Premier Devine is taking in Saskatchewan regarding the relationships between Manitoba and the United States could the First Minister now indicate whether the relationship has had a bearing on the ban that has been established?

HON. H. PAWLEY: Mr. Speaker, I thought I had understood that Ontario farmers, Alberta farmers, Saskatchewan farmers, are working on the same limitations and restrictions as, indeed, is the case in Manitoba. That question is based upon, I fear, Mr. Speaker, some politicking in the Saskatchewan Legislature.

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. R. BANMAN: Thank you, Mr. Speaker, to the First Minister, along the same line of questioning, since this

issue has to be resolved within the next week or two so that these people that have hired individuals, have purchased equipment and are getting equipment ready to go to the States, and since the Minister of Agriculture and his backup Minister have not been in the Legislature because they've been at the Crow, I wonder if the First Minister could inform the house whether or not someone from the Department of Agriculture, or someone within his group, could today inform this side of the House, either later on outside the House or somewhere, what the government is doing with regard to this issue. Time is of the essence and these people have to know. There's one particular person in my area that has 20 people that are waiting to know if their jobs are going to be there. So it's an issue that has to be dealt with immediately, and I would like the First Minister to act on this as soon as the question period is over and let us know what the government is intending to do, and what they have done to this time.

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, the honourable member ought to be aware that we are quite prepared to work with the Federal Government as closely as we can to ensure resolution of this issue. The Minister of Agriculture will be prepared to deal with this upon his return from the Crow hearings which I believe will be tomorrow.

Development north of Portage Avenue

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

MR. G. MERCIER: My question, Mr. Speaker, is to the Minister of Urban Affairs. Could he inform this House whether the proposed development north of Portage Avenue is a \$100 million development or a \$400 million development?

MR. CHAIRMAN: The Honourable Minister of Cultural Affairs.

HON. E. KOSTYRA: Mr. Speaker, as I indicated last week, there are discussions ongoing on proposed redevelopment activity in the City of Winnipeg, and since there has not been any confirmation of any development it would be difficult to answer the question as to what level of commitment would be required for such a development.

MR. G. MERCIER: Mr. Speaker, in a news report today the Minister is quoted as indicating that he believes the Federal, City and Provincial Governments should share equally in the cost. Could he advise this House what the City's financial commitment would be under the proposal approved by the Federal and Provincial Governments?

HON. E. KOSTYRA: Mr. Speaker, no, I cannot inform the member as to what the City's commitment would be to the proposal. As I indicated there has not been any decisions reached with respect a further proposal for redevelopment in the downtown area of Winnipeg.

Until such time as there is, no firm decisions will be made. I can't answer a question as to what each level of government would be putting, specifically, into it.

What I can indicate is the province is prepared to be an equal partner with the Federal Government, with the City Government, with respect to further developments to revitalize the downtown area of Winnipeg, and that commitment stands, Mr. Speaker.

MR. G. MERCIER: Mr. Speaker, it's very nice that commitment stands but no one seems to know what that commitment is to, what is going to be accomplished. Mr. Speaker, could the Minister indicate the extent of the deadline that he and the Federal Minister imposed upon the City for making a decision as to whether or not they would accept the Federal Government and Provincial Government proposal?

HON. E. KOSTYRA: Mr. Speaker, the province did not put any deadline on the City of Winnipeg with respect to reaching a conclusion on the discussions that have been ongoing with respect to the further redevelopment proposal for the downtown area.

MR. G. MERCIER: Mr. Speaker, is the province's share of the development proposal to come from the Jobs Fund? If so, is there not any commitment on behalf of the Provincial Government to make that allocation within a very short period of time in view of our unemployment problem, Mr. Speaker?

HON. E. KOSTYRA: Mr. Speaker, the province is concerned with respect to the high levels of unemployment that exist in the Province of Manitoba and the City of Winnipeg. We would like to get through the vehicles that are available to the province in co-operation with the Federal Government with funds that may be available as a result of the most recent Budget and with the City of Winnipeg to get developments moving that will provide for job creation in the City of Winnipeg. So the sooner that we are able to make decisions with respect to rational and reasonable proposals will be the better, so that we can get on with the job of creating employment in the City of Winnipeg.

MR. G. MERCIER: Mr. Speaker, could the Urban Affairs Minister indicate what specific projects the Provincial Government is committed to?

HON. E. KOSTYRA: Thank you, Mr. Speaker. The province is not committed to any specific projects. The province is in discussions with the City of Winnipeg and the Federal Government with respect to possibility for further development in the downtown area. We have not made any decisions on specific projects. There are ongoing discussions taking place and until such time as they are concluded there are no decisions reached on any specific projects.

Job Creation Projects re unemployed

MR. G. MERCIER: Mr. Speaker, one question to the Minister of Labour. Can the Minister of Labour indicate whether she has approved the Job Creation Program which has been apparently approved by the Advisory

Committee now, the Federal-Provincial Advisory Committee from the City of Winnipeg, that involves paying grass cutters \$400 a week and various other jobs that have been referred to in that program which I believe she indicated she was not going to approve of outside this House, but now that the program has been approved by the committee, what is the Minister's position on it?

MR. SPEAKER: The Honourable Minister of Labour.

HON. M.B. DOLIN: Thank you, Mr. Speaker. We've been in discussion with the City of Winnipeg and the various people involved in this particular set of projects that has been designed by the City of Winnipeg and sent to the NEED Advisory Board. We are concerned about building in some training aspects into some of the projects that they have identified as wishing to come under the NEED Program. My understanding is that the Advisory Board has forwarded that for Ministerial approval. It has not come to my desk yet. I assume it's in the works somewhere.

Protest of Governor Olson to Saskatchewan Legislature

MR. SPEAKER: The Honourable Member for Lakeside.

MR. H. ENNS: Mr. Speaker, I direct this question to the First Minister. I ask the First Minister whether he would clearly indicate to this House and to the people of Manitoba that he disassociates himself and his government from the protest that is being made by the Manitoba co-chairman of the United Canadian American Anti-Diversion Lobby - that is, on the Garrison - protesting the visit of Governor Olson to the Saskatchewan Legislature? It would be my hope that it is this Premier's attitude and indeed that of this government that we would at all times welcome dialogue and discussion with neighbouring jurisdictions about with whom we have mutual problems.

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Of course, we would be delighted to have Governor Olson visit Manitoba at some early point.

MR. H. ENNS: Mr. Speaker, I assume that would have been the answer. I simply ask the First Minister, as a supplementary question, that I can then interpret that answer to be a matter of disassociation from the co-chairman of the Manitoba Anti-Garrison Diversion that is lodging protest about a similar visit by the Governor to our neighbouring province?

HON. H. PAWLEY: Mr. Speaker, I don't happen to share the particular views of the individual referred to, but that doesn't mean that individuals aren't free to offer their opinion. I don't think it requires formal disassociation. I want to, of course, indicate in this House that I don't particularly share that opinion, but Mr. McKinney has every right to express that opinion.

MR. H. ENNS: Mr. Speaker, just so that there is no confusion in anybody's mind. I take it a visit from

Governor Olson would be welcome by this government and the people of Manitoba.

Daylight Saving Time

MR. SPEAKER: The Honourable Member for Emerson.

MR. A. DRIEDGER: Thank you, Mr. Speaker. My question is to the First Minister. I realize that the scheduling of the Crow meetings for the Minister of Transportation has made it very hectic for him at the same time as his Estimates are on, and I realize that he is relatively running behind time a little bit as government generally is at this stage of the game, I wonder if the First Minister would indicate to the Minister of Government Services to possibly move the clock so that we could all be on the Daylight Saving Time.

A MEMBER: Every year.

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, I think it would be an excellent idea because otherwise I would be fearful that honourable members might not get up in time to get in here at a reasonable time. I should also point out, it's conservative time not our time.

MR. SPEAKER: Orders of the Day.
The Honourable Member for Tuxedo.

MR. G. FILMON: Mr. Speaker, are we still in question period?

MR. SPEAKER: I think the honourable member is just sneaking under the wire.

Universities two-tiered tuition

MR. G. FILMON: I was hoping, Mr. Speaker, that by leaving the time as it is, it was that we would have question period for another hour today. I am sure the members opposite would enjoy that.

Mr. Speaker, in the absence of the Minister of Education, I would like to ask the First Minister if his government has agreed to the new two-tier method of calculating university tuition at Manitoba's universities that will see some art students now paying an annual increase this year of something in the range of between 11 and 18 percent for tuition; and some science students at the University of Winnipeg, in particular, as a result of this two-tier method, this year paying an increase in tuition of anything ranging from 18 to 29 percent according to the President of the University of Winnipeg's Students Union?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, as the Honourable Member for Tuxedo, no doubt, realizes the Minister is in Estimates. She is now preparing for Estimates which will resume in just a few moments time and that would be the appropriate time for the discussion.

MR. G. FILMON: As a matter of fact, Mr. Speaker, we are not on that item and are not likely to get to that

item. We are unlikely to get to that item until next week. The difficulty is, as I understand it, that there is a meeting of the University's Board of Regents this evening at which this decision will be made. So my question is to the Premier, in view of the government's stated intention that university tuition fees ought not to increase by more than 9.5 percent this year, whether or not he, or his Minister of Education, plans to intervene with the universities to prevent this rather large increase in tuition from taking place?

HON. H. PAWLEY: Mr. Speaker, again, it would be more appropriate to deal with that matter during the Estimate review.

MR. G. FILMON: If the Minister is then saying that they're not prepared to intervene, they're not prepared to take action, Mr. Speaker, will the First Minister now admit that the government's highly publicized tuition fee freeze last year was nothing more than a sham, and that this government, as a result of its method of funding, is now allowing universities to have an increase of some 29 percent, in some courses, in order to make up for last year's no increase?

HON. H. PAWLEY: Mr. Speaker, the tuition rate freeze last year was not a sham, as suggested by the Member for Tuxedo. Any calculation will indicate that the tuition rate increase, insofar as the '82-'83 year, was zero.

MR. G. FILMON: That's fine, Mr. Speaker, if that's the case, and I agree that it was zero last year, but this year it's ranging anywhere up to 29 percent. That makes the tuition fee increase a sham. Does he agree with the President of the University of Winnipeg Students Association who says, "It's all because of government action."

HON. H. PAWLEY: Mr. Speaker, again, so that there can be appropriate opportunity to fully discuss this matter, it should be dealt with during the Estimate review.

Provincial deficit

MR. SPEAKER: The Honourable Member for Roblin-Russell.

MR. W. MCKENZIE: Mr. Speaker, to the benefit of the young students that are up in the gallery this afternoon, can I ask the First Minister what is the deficit of this province, the debt two years ago, and what's the official debt today?

Gas leakage - service stations

MR. SPEAKER: The Honourable Member for Lakeside.

MR. H. ENNS: Mr. Speaker, I direct a question to the Honourable Minister of the Environment. Mr. Speaker, the requirement for service dealers to daily dip their tanks to make sure, of course, that there's no leakage and, of course, for their own records, is one that perhaps makes a considerable amount of sense in the larger

city or urban operations, but I wonder if the Minister would consider some exemption for the small country dealer to perhaps do that on a weekly basis; the gas station dealer. My question is, I've received a number of complaints from some of the smaller dealers in the country that find this an imposition that's just not called for, in terms of the amount of trade or business that they do in the product.

MR. SPEAKER: The Honourable Minister of Northern Affairs.

HON. J. COWAN: Yes, Mr. Speaker. Well, in fact, the regulation does provide for exemptions to be granted on the basis of circumstances which can be proven to warrant such exemptions. We have, in fact, to date made some of those exemptions and I would certainly be prepared to have staff review any requests that come forward, from any operator within the province, from the perspective of making this a workable regulation.

Basically, what we want is one that works for the benefit of the people of this province and one that, by doing so, protects the environmental integrity of the province, and we're prepared to look at any request to accomplish that. Of course, we must be assured that, in fact, that exemption will not preclude the effective operation of this regulation, but we're willing to look at any such request.

MR. H. ENNS: Mr. Speaker, this regulation was brought in in 1976 by the then New Democratic Party Government; it was abated during the four years of the Conservative administration. I have information that it is now being vigorously pursued and a number of my smaller dealers are receiving visits and summons and being fined upwards to \$50 for not doing this. I would simply ask the Minister of the Environment whether or not he would be prepared to do as he indicated, to take the situation under review, and see whether or not some reasonable grounds could be found to accomplish what his department goals are with this regulation but, at the same time, not to unnecessarily harass small gasoline dealers in rural Manitoba.

HON. J. COWAN: As I indicated earlier, Mr. Speaker, what we have done, and the member is absolutely correct if he suggests that we are pursuing the protection of the environment in this province through this program, we have done that, we will continue to do that. We will do so in a way as to allow for flexibility where circumstances warrant that flexibility, where it can be proven that flexibility is in the best interests of the individuals who are going to be most affected by any such decisions; we, in fact, will undertake reviews on a site specific case, as requested, and we will report back as to the determination, on our part, as to whether or not the environmental integrity can be protected by an exemption, and with an exemption, and with a program that has been jointly developed which will provide for that protection.

But it must also be said that there have been incidents in this province of gasoline leakage from such tanks which have given cause for concern and have given

cause for this regulation to be implemented and, finally, for this regulation to be pursued. We will continue to do that, but we will do so in light of, not only the facts that the Member for Lakeside has brought forward, but in light of the other requests we have received, in as flexible a manner as possible, but with the bottom line being that we want to protect the environmental quality of this province, and we will continue to do so.

Universities two-tiered tuition

MR. SPEAKER: The Honourable Member for Tuxedo.

MR. G. FILMON: Mr. Speaker, in view of the return of the Minister of Education, I wonder if I could replace the questions that I put before the First Minister.

Does the Minister agree with the new two-tier method of calculation of tuition fees at the Manitoba Universities which will see some students at the University of Winnipeg in Arts programs, paying as high as an 18 percent increase in their tuition this year over last year; and others, in Science programs, paying as much as a 29-percent increase this year over last year, according to information provided by the President of the University of Winnipeg Student's Association?

MR. SPEAKER: The Honourable Minister of Education.

HON. M. HEMPHILL: Mr. Speaker, I'm pleased to have an opportunity to make a comment on a matter that is as important to the students, I think, at the universities. I share the concern that they are now demonstrating about the combinations of fees that they are faced with, through both tuition fees and what is called supplementary or incidental fees.

I had hoped that the principle and the spirit behind maintaining the level of increase for the tuition fees, at 9.5, would have been followed through with any other fees that were charged, and I was disappointed that that was not the case, Mr. Speaker. This has been an area that we have all identified as being an area of major concern for some time, including the universities themselves, the presidents of the universities, the Universities Grants Commission, the students and myself.

I have taken two steps to deal with a matter that we all agree is a matter of concern to everybody. I have instructed that the Student Aid Department this year will be accepting the incidental fee cost that can be identified and for which they have bills as legitimate fee costs for their courses. So that those that are entitled to get bursaries, that gives them the money to offset the cost of tuition fees, will also get the same treatment for incidental fees. I have written a letter to the universities and to the Universities Grants Commission asking that they all sit down together and study this matter in order to take away the disparity and the differences and what is perceived to be some inequity and hardship on some students in particular courses and make recommendations to me for the coming year.

MR. G. FILMON: Thank you, Mr. Speaker, I'm sure that we all share the Minister's concern for all of these events that she's laid out before us, but I wonder then if she has indicated that the additional money will come

out of Student Aid, how is that going to be possible when there is less money available for Student Aid in the province this year than there was last year.

HON. M. HEMPHILL: Mr. Speaker, I think that recognizing the admonitions of the members opposite on numerous occasions about the length of time that is taken giving answer to questions, I think the Member for Tuxedo will agree with me that it is very difficult and almost impossible for me to go into detailed financial Estimates discussion giving an answer to question period. Since my Estimates are up before the House and since I, perhaps - if not expect - hope that we will be on the line that is the Student Aid line before too long. I think that I will be in a better position to give him information about why we're able to maintain the program and cover this additional cost this year.

I will say one thing, though, is that these costs have been picked up before where they have been identifiable, you know, that if people knew enough to submit something that said we were charged these fees the Student Aid would cover it. However, I don't think that's generally understood and I do not believe that they always received receipts for some of those incidental fee costs, so what we're doing is putting it into the formal process. We're telling everybody they're entitled, and we're instructing that they must receive receipts so they can submit them to the Student Aid and have the money offset.

MR. G. FILMON: Mr. Speaker, in summary then, is the Minister telling us that although last year freezing tuition rates was presumably a priority of her administration, this year she is prepared to accept the fact that some students should pay as much as a 29-percent increase in tuition rates?

HON. M. HEMPHILL: What I was saying with my previous answer, Mr. Speaker, is that if there is a student, any student in the Province of Manitoba, who is faced with a 29-percent increase in one category for incidental fees, not tuition fees, and that student is a student in need, that student is one of those students who is entitled to support from the Provincial Government so they can continue their studies. That will be completely covered and offset by the Student Aid Program.

MR. G. FILMON: Mr. Speaker, I just would like to indicate that I was not referring to a 29-percent increase in incidental fees. I'm referring to information provided by the present University of Winnipeg Student's Association in a news release today in which he says the per credit increases for certain courses in arts and science at the U of W is 29 percent, and that's the combination of the tuition fees and the incidental fees that will result in a net increase of 29 percent.

Attorney-General - defamation settlement

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

MR. G. MERCIER: Mr. Speaker, my question is to the Attorney-General and it is this: Would he deny reports, Mr. Speaker, that the provincial taxpayer is going to

be required to pay the cost of a settlement of an action against the Attorney-General in the amount of \$3,500 plus legal costs which developed and emanated from erroneous statements made by the Attorney-General about a citizen in our community?

HON. R. PENNER: Yes, I'd be happy to deny that. The facts of the matter are these, and I would like to set the matter straight because it is clear that the record has not been clearly represented in press reports - in fact, I would say misrepresented. Inadvertently, I'm sure, but nevertheless misrepresented. The facts of the matter are these: that the person whose name I will not mention but his name can be made known in this House if the members opposite wish. As a result of an action that was taken against him by provincial authorities, not myself, and a subsequent press interview, contacted my office and threatened an action for defamation on the basis of the press reports.

On September 3, 1982, a letter was sent to the solicitor for that person rejecting out of hand any claim for defamation, pointing out that the person's name had never been mentioned in the press and denying that, indeed, anything was said that could amount in law to defamation. Subsequently, the person persisted through counsel and said that the person had a cause of action with respect to abuse of process; namely, that in addition to defamation to which that person persisted, namely, that as a result of that person's original arrest and the way in which that person had been treated by law enforcement authorities and the Justice of the Peace, it was alleged that was an abuse of process and that an action would be commenced with respect to abuse of process and defamation.

Counsel was retained and subsequently the matter referred, somewhere in the process that takes place, to counsel and to, as required by The Financial Administration Act, the Deputy Attorney-General. The Deputy Attorney-General in his opinion, which is required under The Financial Administration Act, pointed out that there were negotiations in which it appears that this person is prepared to sue not only for defamation but for abuse of process and recommended that a settlement in an amount of \$6,000 and a letter of apology, which would be based on the defamation, be entered into.

In fact, that was not the settlement that was made. The settlement that was made was for \$5,000 and there was no letter of apology. There was no cause of action filed in court; it was a settlement strongly recommended by counsel who advised that there is the possibility of some liability on the part of the province and in any even event to pursue that to the end might count for legal fees in the amount of \$20,000.00. So it was recommended that a total settlement of \$5,000, \$3,500 for cause of action, and \$1,500 for costs would be appropriate. Finally, there was a release from that person of all causes of action against the province and against the Attorney-General. There never was a settlement made with respect to an action for defamation or with respect to defamation.

MR. G. MERCIER: Mr. Speaker, last Friday the First Minister indicated that payment was made only after receipt of legal opinion from Counsel to the effect that

the claim was one that was legitimate and one that was made by the Attorney-General, in the course of his duties as Attorney-General, and not in a personal capacity. In view of that answer, why was it necessary to obtain an opinion that this emanated as a result of the Attorney-General's official duties, rather than in his personal capacity?

HON. R. PENNER: Naturally, in the course of the time that elapsed, in pursuing what was the best course of action, one of the things that we sought counsel on, as to whether or not, if there was liability for defamation, it was a personal liability or a provincial liability. Indeed, in looking at that question, one looked at precedents. The best opinion was that if there was liability for defamation, which was never admitted, but denied categorically, because, as I pointed out, there was never publication of that person's name; if there was liability then it was a liability incurred in the course of duty and not, as is sometimes the case, where a Minister speaking to a political meeting makes some statement which that Minister ought not to have made, and then clearly that becomes the personal or the party liability, but this was not the case, if there was defamation, which was always denied.

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

ORDERS OF THE DAY

MR. SPEAKER: The Honourable Government House Leader.

HON. R. PENNER: Yes, Mr. Speaker.

HON. S. LYON: Any more illusory statement of claim around?

HON. R. PENNER: There never was a statement of claim.

HON. S. LYON: That's what I said, illusory.

A MEMBER: Are you sure, Rolly?

HON. R. PENNER: Yes.

MR. SPEAKER: Order please.

HON. R. PENNER: Those statements from his seat by a person, the former Attorney-General, who doesn't even know the constitutional responsibilities of an Attorney-General judging by his remarks on Friday.

A MEMBER: A simple letter of apology would have saved the taxpayers \$5,000.00.

MR. SPEAKER: Order please, order please. Order please.

The Honourable Government House Leader.

HON. R. PENNER: They ask for an answer; they get an answer; they don't like it; they're sorely disappointed. Tough apples, as they say.

MR. SPEAKER: The Honourable Government House Leader please indicate the next item of business.

HON. R. PENNER: Mr. Speaker . . .

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

MR. H. GRAHAM: Mr. Speaker, on a point of order. You had distinctly called the business of the day, and if that is the business of the day that the Attorney-General raises, then I suggest it is entirely out of order.

MR. SPEAKER: Order please, order please. Order please.

When the Honourable Government House Leader rises to move Orders of the Day, I would hope it would not be necessary for him to reply to other members of the House.

The Honourable Government House Leader.

HON. R. PENNER: I would rather it was not necessary either, Mr. Speaker.

HON. S. LYON: Is that a new rule, Mr. Speaker.

HON. R. PENNER: Mr. Speaker, there was an agreement between the Deputy House Leader and the Opposition House Leader on Friday that we would proceed with legislation this afternoon, due to the absence of several members of the House. I'm advised by the Opposition House Leader that they're not ready to speak on any bills, and accordingly he recommends that we proceed as far as we can from this side of the House. I will be calling second readings.

I'd just like to point out that Bill No. 18 has stood adjourned in the name of the Member for Fort Garry since December 17, '82. We have been chastized on this side of the House for calling that Session in December. I would urge that debate be moved along with all due speed if it can - I'm going to be calling that bill from time-to-time during the course of the week - that we move on with the bill which is of importance to the Legislative Assembly.

Mr. Speaker, with respect to second readings, would you please call Bills 35 and 46.

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

MR. B. RANSOM: Yes, Mr. Speaker, the Government House Leader leaves the impression that I had agreed on Friday to speak on second reading of bills. That was not the case, Mr. Speaker. In view of the fact, that the agricultural committee was meeting, and the Minister of Agriculture is not here, and the Minister of Transportation was not here to do his Estimates, my suggestion was to the Deputy House Leader on the government side that, if they wished to speak on bills, they should proceed to do so; that we would not be ready to speak on bills today, having spoken on them Friday and on Thursday.

SOME HONOURABLE MEMBERS: Oh, oh!

MR. SPEAKER: Order please.

HON. R. PENNER: I have a note, received a few minutes ago from the Opposition House Leader; we are not ready on any bills today as I informed AI on Friday.

A MEMBER: That's right.

HON. R. PENNER: No, you informed AI on Friday that you would be ready on bills; you're now saying you're not ready on bills as you informed AI on Friday.

HON. S. LYON: Stop being a fool.

HON. R. PENNER: I never started this, you did Sterling.

MR. SPEAKER: Order please, order please. I thank both member for clarifying that point to the House. Does the Honourable Member for Rhineland have a point of order?

MR. A. BROWN: On that same point of order, Mr. Speaker, I am ready to speak on Bill No. 3, but I insist that the Minister of Agriculture be here when I speak on that bill and he hasn't been in the House for two weeks.

MR. SPEAKER: Order please. I believe the honourable member did not have a point of order.

Bill No. 35, introductions to second readings.
The Honourable Attorney-General.

HON. R. PENNER: Yes, Mr. Speaker, I should advise that we will be going into one committee on Estimates; namely, Education, after the introduction of these second readings.

SECOND READING - GOVERNMENT BILLS

BILL 35 - THE TRUSTEE ACT

HON. R. PENNER presented Bill No. 35, An Act to Amend the Trustee Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable the Attorney-General.

HON. R. PENNER: Thank you, Mr. Speaker. Mr. Speaker, this bill, An Act to Amend the Trustee Act is designed to effect certain changes in the law relating to trusts in Manitoba. I should say it flows substantially from recommendations made by the Law Reform Commission; it is not the same as those recommendations, but it flows from them.

The bill deals with an old rule of law derived from an English case decided in the first part of the last century, Saunders vs. Vautier, whereby the beneficiaries of a trust fund, if of full age and mental capacity, can collectively and at any moment depose the trustee and distribute the property between themselves, even contrary to the directions of the creator of the trust; so that if someone in a will, which creates a trust for infants, says that the infants are not to receive the trust until age 25. Under this old rule the infants, if all of age, could move before the court to receive the money at age 18, which is the age of majority in the Province of Manitoba.

This bill now prescribes that no trust shall be terminated or varied before its prescribed period without the prior approval of the court. Such consent will only be granted if the court is satisfied that the proposed arrangement is for the benefit of all parties concerned and is of a justifiable character so that it will still be open to dispose of the trust property to the beneficiaries upon the beneficiaries attaining the age of majority. But a court will have to make that order and be sure that the objects of the trust are really being fulfilled and that the trust property is not being dissipated in circumstances never intended by the original grantor under the trust deed, usually a will.

Secondly, the bill repeals the prescribed of permitted investments for trustees. At the present time, Mr. Speaker, unless the creator of a trust provides to the contrary, a trustee may only invest in those securities set out in The Trustee Act. Let me just interject here, Sir, in any trust of any significance in terms of an estate of size it's almost always the case these days that the will, in fact, will specifically designate the particular forms of investment that the trustee in the will may use and that then takes it out of the provisions of The Trustee Act. What has happened is that in those cases where that kind of sophisticated legal advice has not been available and the will, let us say, is silent as to the forms of investment, then the trustee or trustees are constrained by provisions in The Trustee Act which are now badly out of date. What has happened is there has been severe losses to trust estates in the last few years where it would have been better to roll out of one investment and into another given the disastrous fluctuation of interest rates, but the trust has been locked.

Now, what is being proposed and I'll read on in the notes: "That with the great fluctuations experienced in the stock market and the present economic climate, it has been found that this fixed list often operates against the best interest of the beneficiaries. In order therefore to achieve greater flexibility while still protecting the beneficiaries, the bill provides that the trustee shall, in making investments of trust funds, exercise the judgment and care of a person of prudence, discretion and intelligence would exercise in administering the property of others."

It will still be open to the creator of the trust to limit the trustees discretion in any way that the creator of the trust wishes. That can still be done, but in those cases where the creator of the trust either limits or expands the authority of a trustee where that doesn't happen and the trustee is locked into The Trustee Act there will be greater flexibility. It's called the "prudent man rule" and is now common in trust legislation.

Thirdly, Mr. Speaker, and in light of the bill to repeal the rule against perpetuities, which I'll be introducing shortly, the powers of the court to vary the terms of a trust are expanded and clarified so as to preclude unreasonable restrictions on future dispositions of property. As I shall point out in a few minutes, you need the companion piece in The Trustee Act and in the legislation with respect to perpetuities and accumulations.

There are old rules which still pertain which could have the effect of imposing unreasonable restrictions on future dispositions of property. So, Mr. Speaker, I recommend this bill to the House.

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

MOTION presented and carried.

MR. SPEAKER: Bill No. 46, the Honourable Attorney-General.

BILL NO. 46 - THE PERPETUITIES AND ACCUMULATIONS ACT

HON. R. PENNER presented Bill No. 46, The Perpetuities and Accumulations Act; Loi sur les dispositions à titre perpétuel et la capitalisation, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Mr. Speaker, I should also like to point out that this bill comes forward substantially on the recommendation of the Law Reform Commission of Manitoba. While doing so, I would like pay tribute to the Law Reform Commission of Manitoba which has operated under both this government and the previous government since 1970, I believe, and has the best record in the Commonwealth with respect to its recommendations forming a basis for or in some cases being directly enacted into legislation. Indeed, it is the envy of Law Reform Commissions elsewhere in Canada. The Federal Reform Commission has never seen one of its recommendations enacted and it is the envy of Law Reform Commissions elsewhere in the Commonwealth.

This bill is to effect the repeal of two very old rules relating to property which were received by Manitoba as the Law of England on July 15, 1870. Part of the bill repeals the rule against accumulations derived from The Accumulations Act of Great Britain which was passed in 1800, and that bill restricted the period for which income from property might be accumulated. That Act, that is the old British Act, allowed four possible periods of time from which to choose a valid accumulation period but the most common period, I'm sure well-known to every member of this House, has been 21 years from the death of the testator. This rule could prevent a person from setting up a quite reasonable discretionary trust.

For example, the parent of a mentally-handicapped child might want to establish a trust for the duration of that child's lifetime which could well exceed 21 years from the parent's death. But that old law restricts accumulation to 21 years and that would then really be defeating the intent of the trust.

Also the rule, Sir, was established to prevent individuals from accumulating vast sums of money, but nowadays The Income Tax Act of Canada would serve this purpose. — (Interjection) — Oh, yes, indeed, but you've noticed the care with which I choose my words on this occasion. Since any large accumulations would yield a tax haul to the Crown of immense proportions, so that the income tax law of the Federal Government and the province operates in such a way that indeed anyone who is prudently managing accumulations would not accumulate them over such a lengthy period of time in any event.

Another part of the bill repeals the rules against perpetuities which date back even further than the rule against accumulations. These were products of the 17th century when conditions were quite dissimilar to those existing in 20th century Manitoba. One of the main purposes of these rules, that is, the rule against perpetuities, was to strike a balance between present owners wanting to regulate the future enjoyment of their properties after their deaths and the interest of future owners themselves would want to control what they inherited. Such protracted future control on property is now rare, again, largely because of modern tax laws.

Another part of the bill provides that where a person wishes to create future interests which therefore do tie up property, say the son of the son of the son; or the daughter of the son of the daughter down the line as to have an interest, these must be specifically created under a trust. This means that if the beneficiaries of the property under the trust find themselves restricted for an undue length of time from dealing with the property they may apply to the court. So, we're not removing controls. They may apply to the court under The Trustee Act - I mentioned that a few moments ago - for a variation of such restrictions.

Amendments to The Trustee Act will also made before this House to expand and clarify the courts' jurisdiction to vary the terms of a trust so there will be no need to retain the archaic and immensely complex provisions of the rule against perpetuities.

Mr. Speaker, in recommending this to the House, I want to point out again that these ancient rules were developed in much more stable times in terms of the nature of property and the way in which property was held over generations. We are in an era which has developed for good or for ill, a very complex commercial and fiscal property interest which cannot sensibly be dealt with under the ancient rules which were received into Manitoba as part of the receipt of English law in 1870. These have been very carefully thought out by this Law Reform Commission, by other law reforms commissions and I have no hesitation in recommending this bill to the House.

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

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

MOTION presented and carried.

MR. SPEAKER: The Honourable Government House Leader.

HON. H. PENNER: Yes, Mr. Speaker, there will only be one Committee of Supply as I indicated. Both Committees of Supply will be meeting this evening. That is the explanation. That will be the Committee of Supply in the House, the Minister of Education and her Estimates.

I move, seconded by the Member for Thompson, that Mr. Speaker do now leave the Chair and this House resolve itself into a Committee of Supply to be granted to Her Majesty.

MOTION presented and carried and the House resolved itself into a Committee to consider of the Supply to be granted to Her Majesty, with the Honourable Member for River East in the Chair for the Department of Education.

COMMITTEE OF SUPPLY - EDUCATION

MR. CHAIRMAN, P. EYLER: Committee, come to order. We are considering the Estimates of the Department of Education, Item 1.(c) Statutory Boards and Commissions.

The Member for Tuxedo.

MR. G. FILMON: I wonder if the Minister could indicate what is covered by this item, which boards and commissions that is.

MR. CHAIRMAN: Madam Minister.

HON. M. HEMPHILL: Mr. Chairman, I have a number of boards that are covered under Statutory Boards and Commissions. The Advisory Board, the Board of Reference, the Certificate Review Committee, the Collective Agreement Board, the Evaluations Committee, the Languages of Instruction Advisory Committee. There are a number of other boards connected to the Department of Education who are not in this line, not part of the 30,000, but who could be discussed either here or when the other item comes up. That would be the Public Schools Finance Board, the Teachers Retirement Allowance Board, and Board of Teacher Ed and Certification.

MR. CHAIRMAN: Item 1.(c) - the Member for Tuxedo.

MR. G. FILMON: Mr. Chairman, I wonder if the Minister could indicate how many times the Board of Reference sat this past year and on what items?

HON. M. HEMPHILL: Mr. Chairman, I believe they sat nine times last year. I might mention and I think I commented on this last year too, that the Board of Reference is one of the boards where the work is increasing. That is because I guess there is a growing interest in boundaries or in having boundaries, wards, numbers of representation of school trustees considered. I think they had 23 hearings last year.

Just to give you an idea of the increases in the numbers of hearings. In 1979 they had 15; in 1980, 23; in 1981, 33 and then they drop a little, went to 23 in 1982. So, it's an area where there continues to be a fair amount of interest.

MR. G. FILMON: Mr. Chairman, I had asked on the items on which they had sat. What were the appeals that went to them?

HON. M. HEMPHILL: I think that would be fairly lengthy information. The subjects are numerous and complex. They sometimes involve adding a parcel to a school division, taking another parcel away. I think that would require - I don't know if when you're in Estimates if you call it the same - an Order for Return with the specific cases. Some of them have been, the requests

have been to conform to The Public Schools Act which says, as soon as you have a difference of 25 percent of your population in boundaries for representation, that the board must review - it's like a pupil-teacher ratio, it's a trustee-people population ratio. In a number of cases, boards, as the recent one I think in Seven Oaks was related to that where they were requesting a change in the numbers of trustees and the geographical boundaries for the representation of those trustees. But the cases are as varied. There will be 23 individual cases.

I could provide that information for the Member for Tuxedo if he would like that kind of detail, but we do not have it with us today.

MR. G. FILMON: I was concerned with a couple of them that I believe were before the Board of Reference and that's why I was wanting the Minister perhaps to list them for me and I would ask about specifics. One of them was the Seven Oaks School Division which is a re-allocation of trustees for different areas. From what I read about it that was hotly contested or appealed. I have had some contacts by people from the area and I am wondering what the present status is and if there is a disagreement is there an appeal to the Minister and beyond that what happens?

HON. M. HEMPHILL: Mr. Chairman, this is one of the bodies that has been set up, I believe to both allow major questions to be raised and to have them dealt with, with an objective outside body and, I guess, objective outside body is people who are not in the Department of Education, or not the Minister of Education, so the public has recourse to important decisions, like representation, and that there is an objective unbiased group of people who will sit on, and make those very difficult decisions, because they are getting very complicated and they are getting much tougher.

When I get a request, if 10 resident electors or more - 10 is not very many - request a hearing by the Board of Reference - they are entitled to a hearing by the Board of Reference - I think even if that were not required in the Act, I would always want to ensure that every opportunity to make points and to have things reviewed was allowed. There is no appeal to the Board of Reference decision to me; it is only to the courts. It says under 'Appeals', "While the board has autonomous authority to decide any issue referred to it, awards may be appealed within 21 days of issuance through a Judge of a County Court, Sections 251-257 apply. Hearings before such a court become de novo, Subsection 254, a Judge may dispose of an appeal as outlined in Section 252."

The one that the Member for Tuxedo asked has gone before the courts, I believe, they are using the appeal procedure and it is in the court process. So once having put this into action it then has a life of its own; it goes to the Board of Reference, there is an appeal process that they can decide to use. Some do and some don't, but their judgment and decision has no appeal on my desk.

MR. G. FILMON: Then I wonder if the Minister can indicate what is the status of the situation in Seven

Oaks, then. A recommendation was made by the Board of Reference that has encountered a great deal of disagreement in the school division area and, therefore, the only option for those who disagree with the recommendations of the Board of Reference is to the courts. The Minister has nodded so I'll just accept that all as being true.

We'll swing to another item that I believe has to do with the Board of Reference, and that is, an appeal that went to the courts from the people in Elkhorn who wanted to have their boundaries changed and my understanding is that the courts overturned the decision of the Board of Reference. Is that a current case?

HON. M. HEMPHILL: Mr. Chairman, it's my understanding that the board upheld the Court of Reference decision.

MR. G. FILMON: Is it possible for the Minister - I realize there are 23 of them - to just indicate what was the title of the matter before the Board of Reference in those 23 instances? I'm sure I won't ask for questions on all of them, but there may be; if I'm given just the sort of the title of the hearing, I may have a question on one or two of them.

HON. M. HEMPHILL: Mr. Chairman, yes, I'd be quite happy to do that. What I'll suggest that we do is provide each one, the number, the headline what it was, in other words, what the issue was and perhaps just a couple of sentences saying how it came about, and then if he wants further information on any of them we can follow up with that.

MR. G. FILMON: Am I assuming that isn't available now and we're going to have to do it later?

HON. M. HEMPHILL: That's correct.

MR. G. FILMON: Okay. May I then ask where we would ask questions about and deal with matters pertaining to the Public Schools Finance Board, under which item?

HON. M. HEMPHILL: It's comes under 16.(3)(a). It is not in this \$30,000 allocation, but I have no qualms or concerns about dealing with it now, recognizing that there may be the odd question that may be asked for which we wouldn't have detailed information and would be happy to provide it, subsequently, when we get to 16.(3)(a), but if he wants to start discussions on that issue now, that's fine.

MR. G. FILMON: Do you mean 3.(a)? I'm sorry, I'm confused with 16. 3.(a), is that what you mean? Sixteen is your department number or . . . Item 3.(a) on Page 52?

HON. M. HEMPHILL: Yes, but I don't mind going into it now.

MR. G. FILMON: I know there are a number of members on our side who have specific questions about issues dealt with by the Public Schools Finance Board this year and maybe it might be easier to just leave it all until we get to 3.(a). That's probably going to be the

item that takes the most discussion and we might have a bit of latitude there if we go over something we should have covered here, but as long as it's to do with the Public Schools Finance Board, okay.

HON. M. HEMPHILL: I would agree that if some of the questions are related to, not just the role and functioning and activities of the Public Schools Finance Board which is fairly general, but specific questions about approval for construction of schools, I think I would prefer that come at the later date.

MR. G. FILMON: The Minister referred to the Advisory Board. Is this the Ministerial Advisory Board; who is it made of; what are their terms of reference?

HON. M. HEMPHILL: The Advisory Board presently - I just haven't got the number - I think there's about 28 members on the Advisory Board - they are representatives of MASS, MASS is the Superintendents Association; 4 representatives from MTS, the teachers; 4 representatives from MAST, the Trustees Association; University of Manitoba, University of Winnipeg and Brandon each have representatives; and there are 8 citizen members; and the Department of Education has 4 representatives. Their terms are all up, as a matter of fact, in 1983, the appointments. I think they were for three-year terms.

This is a group that, themselves, is looking at the terms of reference of that body. Right now it's fairly broad, in other words, they are to act in an advisory capacity to the Minister of Education, and there isn't a lot of specific delineation of what areas. They've identified a couple of areas; religious exercises in schools, is one, and the second one is patriotic observances. Now those two are identified in The Public Schools Act as two areas where the Advisory Board advises. However, the board has never seen that as definitive, in terms of eliminating other areas. They have always I think functioned as a group of people with wide representation who may advise the Minister from time to time either on matters that the Minister asks them to advise on, or on other items that they believe to be important at the time that they would like to comment on.

To give an example they recently took on the question of Computer education which is an area we've all identified as a major area of importance to us. They did review it from their point of view and passed on some suggestions and some advice about how we should handle the computer programming in the schools.

MR. CHAIRMAN: 1.(c)—pass; 1.(d)(1) Personnel Services, Salaries
The Member for Tuxedo.

MR. G. FILMON: I wonder if the Minister could indicate how many people are covered in that section and are there any changes in the numbers involved?

HON. M. HEMPHILL: Mr. Chairman, no there are no changes in personnel in this branch. They're the same, seven, the same number that we had last year.

MR. G. FILMON: I realize that we're going back a bit but has it remained at seven for a period of time, or was that increase last year? I'm trying to recall.

HON. M. HEMPHILL: Mr. Chairman, it's a decrease. It's one less from the previous year.

MR. CHAIRMAN: 1.(d)(1)—pass; 1.(d)(2)—pass; 1.(e)(1) Teacher Certification and Records, Salaries.

The Member for Tuxedo.

MR. G. FILMON: Mr. Chairman, for want of a better place to discuss it, I would like to cover the matter that I believe would be involved with Teacher Certification and Records. That is to do with the recent challenge to the compulsory retirement age by a teacher from the Winnipeg School Division. I'm wondering if the Minister is planning any action as a result of that with respect to compulsory age of retirement. I know that it's covered by Section 50 of The Public Schools Act. I'm wondering whether or not the department plans to appeal the decision?

HON. M. HEMPHILL: Mr. Chairman, it's a very important issue that the Member for Tuxedo raises. I can only say that we have not had any time to give it any consideration.

MR. G. FILMON: Does the Minister intend to change the act? Section 50 refers to the ability of school divisions to set compulsory retirement age provided it's no less than 65 years of age. It would seem that the recent court decision would render that to be superfluous. I'm just wondering whether a plan is afoot to change that, what the Minister's feeling are on that.

HON. M. HEMPHILL: Mr. Chairman, I can really only say at this point that we recognize that the decisions in the very recent court case that have just been announced in the last few days do raise a question and that it's going to have to be considered, but I have, since hearing what the results were, had no time or opportunity to give it any consideration at all. I'm not in a position to indicate one way or the other what impact or what effect I think the results of the court hearing will have.

MR. G. FILMON: What are the major functions and responsibilities of this section, the Teacher Certification and Records Branch?

HON. M. HEMPHILL: Mr. Speaker, they have several major functions. They review teacher certificates and that is for out-of-province teachers and out-of-country teachers. I think in the last year that if my memory serves me all right, I think they reviewed about 80 teacher certificates. They maintain permanent teacher records and they give out statements of professional qualifications for teachers and school clinicians, special education. They provide statistical data on teachers and clinicians for departmental use. They maintain student academic records. They collect and maintain high school records and provide consultative services to high school policies program requirements; student placement; mature student policy and special credits for languages.

I think that's the main activities of this branch.

MR. G. FILMON: Is this the proper section under which we can or should be discussing teacher supply for the

various specialized areas or the areas that are changing rather rapidly within our education system? I'm referring particularly to areas of language instruction and so on. Is this the appropriate section?

HON. M. HEMPHILL: I think that in general this is not an inappropriate place to have some of the discussions of teacher supply, apart from perhaps the French language education supply which would more appropriately come under the bureau. I think that's an important area for French language instruction that that is one of the areas of responsibility for the bureau so that anything in general in terms of the teachers supply could be covered under here; numbers of teachers hired.

MR. G. FILMON: Well, in that case can the Minister indicate any areas in which there is a demand for teachers; that is particular specialty areas that we are not able to meet at the moment and what is being done to fulfill those needs?

HON. M. HEMPHILL: Mr. Chairman, I believe that we're actually presently not noticing any major fields where there are deficiencies, although it's possible when we have two matters to concern ourselves with here. One is the training of new teachers in the areas where they're needed. Of course, is the upgrading and the development of the large numbers of teachers that are in the field who may have missed out on special training in a number of specialized areas and I would think that that would be a more major concern for us right now. Two of the areas that I can think about where we're certainly going to have to look at professional development programs for teachers in beefing up of their knowledge and capability would be Computer Education and special needs.

I think that we have to look at the programs that are going on at the universities that help teachers both recognize, understand and be able to deal with special needs children because we're moving more and more into the main stream and the children are being handled in the regular classroom with support staff and professional help coming to the school and the classroom and the regular teacher. So, they need a lot of help in that area and certainly a lot of teachers - there is going to be and is a major movement in activity in Computer Education in the schools and I think that teachers that are there that are going to be assigned those programs are going to need special courses and programs and we are in the process of developing those and the committee that reported on Computer Education has identified this as a major area that we have to move in.

There may be some shortages in rural areas or in remote areas that may not necessarily be related to shortages in the field or in the area but shortages in terms of being able to get people with certain skills and credentials, the highly-specialized people, particularly in special needs, in all of the small communities. That's a bit of a problem.

MR. G. FILMON: The overall question of instruction for special needs children, should we be discussing that here or can you tell me the appropriate place

because I know there's a number of questions that my colleague from Kirkfield Park would like to pose and I, as well?

HON. M. HEMPHILL: Yes, I think that those specific questions on that should come under Program Development when we're talking about curriculum and programs. There is a special needs branch and I think that would be the appropriate place.

MR. G. FILMON: Is that item 4.(b)?

HON. M. HEMPHILL: Yes.

MR. G. FILMON: Just with respect to the teacher availability, I suppose because of the specific examples that I'm thinking of do have to do with teachers of French language instruction in immersion programs, I would just indicate the topic area I'd like to pursue and, if you prefer, we'll leave it until we get into the BEF but it has to do with whether or not, (a) there are sufficient teachers available to be teaching in French language instruction and (b) if that is the case, how through the Faculty of Education at the universities and the overall public school system of the guidance, career counselling section, how that information is being transmitted to prospective teachers today?

HON. M. HEMPHILL: I appreciate that the Member for Tuxedo is indicating an area of concern and some specific information that he wants. We do have that, we will have all that information for him when we get to discussion on the bureau.

MR. G. FILMON: Is there any shortage of instructors who are competent to teach in the Heritage Language Programs?

HON. M. HEMPHILL: Mr. Chairman, I would say that this is an area where we are sort of beginning the development of these programs and there isn't any question that both curriculum and qualified teachers are two big areas where we have to realize, just as we did with the French Language Programs, when the bureau first started and they were starting from square one. They didn't have a lot of specially trained teachers and they didn't have curriculum. They were actually designing curriculum as they were putting it into the schools and trying very hard and, I think, they've done a good job and we'll talk about that when we get to the bureau, at keeping a little ahead of the curriculum development needs.

In this case I would say that we're going slowly in that we want to work carefully so that we're developing the curriculum and we do have teachers who can handle the program so that it's an area of need, it's a new area that we're moving on.

In the Ukrainian bilingual program which has been one of the most successful heritage language programs and one that has given us a lot of information about heritage language, it's clear there are a number of elements that are important and support from the community and, I think, qualifications of teachers are two very important areas.

MR. G. FILMON: Is this being communicated then to prospective enrollees into the Department of Education

that there is a need for people in this heritage language areas to try and encourage that sort of thing happening?

HON. M. HEMPHILL: Yes, I think, Mr. Chairman, we are always in very close discussions with the universities and jointly trying to identify the areas where both the needs are declining, or where they are now being met or seem to be being met and others where we haven't yet met the needs. I think, too, that the heritage language programs are under program development services in the program division and that perhaps more detailed information there, too, about the numbers of courses, the numbers of programs and the movements that are being made in that direction and give more detail there.

Certainly I agree with the point the Member for Tuxedo is making as I think we have to do a better job or as good a job as we can of helping the kids go into the right places so we're not over-training large numbers of kids for general positions that they cannot get and having other specialized areas go begging where we have to leave the province to look for them. I think that we want to supply them here and we want to direct the kids into the programs, at least give them enough information so that when they're making their choice they know where the high need areas are.

MR. DEPUTY CHAIRMAN, G. Lecuyer: The Member for Tuxedo.

MR. G. FILMON: Well, the reason I ask that, specifically, and I make the point that I don't believe that there is sufficient information being transmitted to high school students considering a career to tell them that the needs are in this area. I realize, as well, that you have the time gap in which, while the student is taking three to four years to obtain their degree, that need may evaporate, by virtue of circumstances in the marketplace.

I had communication from a particular education graduate of a year or so ago who claimed that she was not given any indication that there were specific areas of need. Again, I guess I'm getting into the area that will involve French language because it's the biggest generator of demand for people who have the specialization of being able to teach in a different language. In her case, she made repeated requests for some confirmation from the faculty of Education, from educational administrators along the way while she was practice teaching, and nobody seemed to be in a position to advise her to work on an area specialty, which would have involved particular languages for which she had some aptitude and could have easily adjusted her focus, and found herself out on the job market without having taken that specialized training and unable to find a job, and I believe probably, to this day, is still unable to find a job teaching in Manitoba.

I say that, whatever is being done, the Minister and her department should consider doing more to focus people in on taking training for areas of need.

HON. M. HEMPHILL: Certainly I agree that it's a critical area. We don't want to train students or to have them go into areas where we know or have information that they're going to have trouble getting jobs. I can only

say that without knowing what happened in this particular case and that we do have people who have a bad experience, or either they receive bad advice or they don't receive the correct advice, that's always a possibility. This is an area where there's been a tremendous attempt to improve the ability to help students make decisions that has probably mushroomed and grown, and there's been more effort made on this than many others; we have guidance counsellors.

We all carry responsibility; this isn't just going to be the universities that carry responsibility, but we have to start talking to our students - not at Grade 12 either, not just three months before they're going to leave high school, because they're starting to take courses when they leave junior high - that are going to have an influence on the options that are, or are not, open to them. That's the critical area where we have to start.

We've done a number of things. I think that guidance counsellors and career counsellors in schools are growing; there are more and more of them. They are going down; they used to be just at the top high school grades and now they're realizing that the critical time is much earlier and they're moving them down into the system. So a lot of schools are providing very good programs in the schools. Now most schools that I know of have programs where they bring people in; they bring the universities; they bring the colleges; they bring business and industry in, and they have sessions for all the kids in the school to talk about what is available, where there's a lot of movement and activity and what the requirements are to get into the different programs.

The Department of Education has taken a fairly major supporting role in what is becoming a very large career symposium that's put on every year and is now, I think, about a two-day program. I'm trying to remember the number of jobs and careers, but it was something like 160, it was an absolutely incredible number of careers and jobs that were on display with people there to answer any questions. There were just thousands and thousands of students that went through that two-day session. This was often followed both before and after with counselling at the school. I think that the universities and the faculties monitor needs, and that they have student advisors at the universities that are available to give students direction.

I'm not suggesting that we're doing a perfect job in this area; I am agreeing that it's an area that we have to do as well as we can because the effect and the consequences of not doing it is just too difficult for the students, like the one you identified. I think we've done a lot in this area and that it's one that we have to consider concentrating on and providing better information.

MR. G. FILMON: I thank the Minister for that assurance of interest and concern. I'm familiar with the career symposium and have participated in it, to some extent, during the last couple of years. I know that it has probably been one of the best efforts at bringing together as many sources of career information as possible under one roof and giving an opportunity for those who do not have, perhaps, the broad kind of counselling available to them in their own schools, to go out and at least spend the better part of one day

or two days getting a very, very broad awareness of the opportunities that are available out in the marketplace.

I think that the awareness of career opportunities is something that can be started at an earlier age. I'm a little concerned about the information as to demands being given to people, for instance, who are in Grade 7, because quite frankly the Minister, from the moves that she has made at the community college, can tell right now that careers that were in demand five years ago are no longer in demand today. So when that student in Grade 7 gets to Grade 12 they may find that the clerk typist programs are no longer relevant. So you don't want initiate decisions or motivate students becoming interested in a career because of a demand basis when it's so many years from the time that they may ultimately complete their training. I think that has its limitations and they should be recognized.

I think the overall just awareness of all the fields of endeavour that are out there, you know, we used to think of doctor, lawyer, teacher and so on. You go out there and you get into small engine repair technician and this kind of thing, so that kind of thing that gives them a broad awareness is fine, but when we get into really specific information about demands, I'm talking now in terms of the fact that somebody who is in the Faculty of Education, and going to be graduating in two years, should be able to find out whether or not it's in their interest to take courses in Spanish or Portuguese or Ukrainian with some certainty. I'm saying that, at least according to the information I've had from a couple of recent graduates, that isn't the case. Although that's in the university's bailiwick because the overall field of teacher's certification and teacher employment in this province, and matching demands to needs is very important to the department, that somewhere, somehow this kind of thing has to be made as good as possible.

HON. M. HEMPHILL: Just to the point that the Member for Tuxedo made. I quite agree with him. I wasn't suggesting for a minute that we begin to talk to kids in Grade 7 about supply and demand. I think that it is far too early for that, but that the counselling should start to take place early for the decisions that have to be, or are being made then, that actually do have an effect on their ability to go into careers, when often they would go through high school taking courses and programs and not realize until they got to Grade 12 that they were actually ruling themselves out of a number of options because they didn't look at that.

I think that he hit the nail on the head when he said what kind of information it is that they should be receiving at that age. Clearly at this time it's to broaden the understanding and the knowledge of students about the tremendous numbers of opportunities that are available in the many many job fields that didn't even exist when you and I were looking at jobs and looking at what careers to go into. They weren't even in existence. We do know from studies that have been done and work with kids in high school is that there is a lack of knowledge and awareness about some of the burgeoning fields in some of the new areas and the width and scope.

If he will bear with me while I just talk about women for a minute or two, or young girls, where we find when

you talk to young girls in high school that for some peculiar reason, although they see all around them in every family the effects of the instability of a family and the breakdown of the family, our young girls in large numbers still believe that they are going to grow up and get married and live happily ever after, that all of that other stuff is going to happen somebody else.

A MEMBER: Isn't that true?

HON. M. HEMPHILL: They also think that the careers that they are choosing, or the areas they're going into for learning, even when they are going into universities are not for careers. They are not for careers and they are not going to be in them a long time. They're doing it for a short period until they find this fellow, settle down and live happily ever after. Then they may want to work a bit, but they have not grasped the reality of our times; that is, large numbers of them will be working to put bread and food on the table to provide the basics for their family for 20, 30 or 40 years and many of them will be full-time supporters of those families, so that there is a lot of information that must be given to our young people and certainly courses and programs is not the only critical information that they need in this area.

MR. DEPUTY CHAIRMAN: The Member for Tuxedo.

MR. G. FILMON: Is this the area in which out-of-province teachers' qualifications are evaluated and decisions made as to whether or not they qualify to teach in Manitoba?

HON. M. HEMPHILL: Yes, Mr. Chairman, that is done by the Evaluations Committee under the Teachers Certification and Records Branch.

MR. G. FILMON: Are all those who qualified to teach in all other Canadian jurisdictions qualified to teach in Manitoba?

HON. M. HEMPHILL: No, they are not.

MR. G. FILMON: How will this be affected by the changes to the newly adopted Charter of Rights which says that there shall be portability of qualification in that if you're entitled to work in one province you're entitled to work in another province?

HON. M. HEMPHILL: Mr. Chairman, I think that issue is one that is not going to be resolved just by the Province of Manitoba, but that clearly it raises an issue that we, as Departments of Education across the country, are going to have to deal with. They have been dealing with this issue for some time and it's what is equal and what equals that and what equals this and what do we accept? It could be that they're going to be pushed a little bit harder to come to some agreements and some understandings on what is fair and reasonable and what is going to be offered across the country, so that people are not put in positions of being trained in Canada and having trouble getting jobs or qualifying for professional positions in another province.

MR. G. FILMON: Is the Minister's department initiating or pursuing or urging that her fellow Ministers of Education to deal with this problem because I foresee clouds on the horizon if we're not in the position to deal with it on a Canada-wide basis before too long. Up until the Charter of Rights, I think we had plenty of scope to say that we set our own rules and regulations and qualifications, but today I fear that we may be forced into accepting somebody else's standards.

MR. CHAIRMAN, P. EYLER: Madam Minister.

HON. M. HEMPHILL: Mr. Chairman, I am trying to think of the number of issues. This is in the top four or five issues, perhaps even the top three that the Council of Ministers is presently dealing with. It is a very high priority and we have had a number of meetings and have some inter-provincial committees that are set up in dealing with this as one of the major issues.

MR. G. FILMON: Where would be appropriate to speak about computers as instructional media? Would that be under Curriculum Development, Planning and Research?

HON. M. HEMPHILL: I think under the Program Development area, 4.(b).

MR. G. FILMON: 4.(b), okay. This whole area of Teacher Certification and Records will be very dramatically affected should the Minister accept the proposals which are before her from the Manitoba Teachers Society wherein, as I understand it, they would take over that responsibility for teacher certification, evaluation and determination of qualifications. How is the Minister going to deal with it then? (a) Is the Minister still planning to introduce legislation, such as the Teachers Professional Bill represents and; (b) is she concerned about that area of certification under a Teachers Professional Bill?

HON. M. HEMPHILL: Mr. Chairman, the Teachers Professional Bill is one of, I think, four or five items that have been identified by either all or one or other of the organizations in education where they want to see some legislative change. I have had some discussions early in the fall with the major organizations that are concerned about legislation and that would be the teachers, the trustees and the superintendent. I asked them to try a new procedure or a process for coming to some resolution for these major changes where they had perhaps, as organizations, positions that went from here to here. In other words, they each had very extreme positions which they said they could not move from. It then put me in the position of arbitrating between extreme positions of people who are all sharing the responsibility for education which I found a little difficult.

I asked them to sit down and see if they could find any common ground, or if they could find some areas of resolution and agreement which would help me then make my decisions, because I would know where the common ground was and where the differences of position were. That process took a little while; they all agreed to it. They did identify some areas of agreement;

not as many as I had hoped, which leaves the ball game, in many cases, I guess, in my court, of arbitrating between these extreme positions. That process was just completed not too long ago and those items are now receiving consideration. I'm in the process of giving consideration to them and making decisions on whether or not, and to what degree, there will be legislative change. Those final decisions have not been made.

I also recognize the point the Member for Tuxedo made when he suggests that the Professional Bill affects the role and function and the work of the Teacher Certification branch; that, to date, certification has been in the purview of the Department of Education and the Minister of Education and all I can say is that we will be looking at that issue very carefully and very fully. I would not want to make a move on one side that influenced a major function without looking at the major function itself. In other words, I do think that we have to give consideration to the whole question of teacher certification and evaluation and that we will be looking at that very carefully in making this decision.

MR. G. FILMON: Is the Minister saying that a decision has not been reached on whether or not to introduce a Teachers Professional Bill, because I think I was given some indication - not by you, by the Teachers Society - that there was an agreement on the part of the Minister to introduce a Teachers Professional Bill.

HON. M. HEMPHILL: No, Mr. Chairman, I do not think that is so. I have had a number of meetings with them, and with the trustees, where their legislative issues were put on the table, and an agreement where an understanding was taken, that these items would be considered. In other words, we were not just shuffling them off and saying, "Well we don't know."

I might suggest that out of these four or five issues many of them were on the plate of the government for the entire period of the members opposite. These are not new issues, the dispute tenure; these have been longstanding areas where they have wanted legislative change. I did make one commitment, and that is, that we would give them full consideration and give them a definite decision on whether or not we would be introducing legislative change, but I would be surprised if there was communication coming from the Teachers Society that suggested, to this day, that I had already agreed to introduce the Teachers Professional Bill. I did agree to present all the issues for consideration.

MR. G. FILMON: To whom did the Minister agree to present all the issues for consideration?

HON. M. HEMPHILL: Legislative change is a Cabinet and a Caucus decision. As the Member for Tuxedo knows, no individual makes decisions on their own about whether or not to have legislative change. At least I do not think they do, although sometimes we wish we had the luxury of making those decisions. So it will be a decision that is vetted and made as all other legislative changes are.

MR. G. FILMON: Since the Minister has agreed to present it to her caucus and Cabinet colleagues, that may be what the indication had been. There was some

commitment to do more than just consider it and so, I suppose, that was the commitment that we were given to understand.

How many provinces currently have legislation such as the Teachers Professional Bill?

HON. M. HEMPHILL: None, to my knowledge. It remains in all other provinces to be a matter of the Department of Education and a branch like the Teacher Certification Branch.

MR. G. FILMON: If the Teachers Certification and Record Branch turns down a person who believes that they are qualified to teach in Manitoba, what is the appeal process?

HON. M. HEMPHILL: There is an appeal process and there is a committee that is struck that has representatives, I believe, from the trustees, the teachers and the Department of Education who each name their own representatives to that Appeal Committee. I can't remember if I made mention of this in last year's Estimates when we were talking in this area, but I did make some changes to the procedures for reviewing appeals, and I did that because, when I had my first request on my desk, that is a difficult decision to make, to decide to send an appeal on to the committee for review because you then have put into the process the fact that the question of a teacher continuing to be certified is going to be examined, and if it's going to be examined, one wants to make sure that the hearing is a fair hearing, where the people, everybody involved, including the teacher, have full opportunity to present their case.

It was my understanding that previously you could have a situation where a teacher was called to a hearing and did not know what they were being called for, or what the charge was, or where it was coming from. So we did, through agreement with the organizations and the people involved, agree to look at the procedures so that notice went out and people had a full opportunity and they could come with counsel or with help to both answer and give whatever information they felt thought would qualify them. I think there were three hearings in the previous year.

MR. CHAIRMAN: 1.(e)(1)—pass; 1.(e)(2) Other Expenditures—pass; 1.(f)(1) Management Information Services: Salaries.

The Member for Tuxedo.

MR. G. FILMON: Last year, in discussing this item, the Minister indicated that there was some new computerization taking place. I wonder if she can tell us what is happening on that.

HON. M. HEMPHILL: Mr. Chairman, I'm not exactly sure what the point was in the referral to what I had commented on last year. I think what I was perhaps suggesting is that the Department of Education was improving their capacity to provide information by improving our computer processing service, and that we have now got the capacity. We are providing information to colleges and college student records; public schools finance boards; library acquisition

teacher and student records; test scoring; film booking. We maintain existing computer software; develop, implement and document new administrative computer-base systems; evaluate computer hardware and software; manage equipment contracts; co-ordinating word process studies and we provide ongoing reporting and analysis of computer based information with respect to enrolment levels, program participation, student demographics and characteristics and ad hoc requests.

MR. G. FILMON: Was this the area in which the computer equipment was being shared or used by students at Red River Community College?

HON. M. HEMPHILL: Yes. This is the area where the equipment is shared by students and administration.

MR. G. FILMON: Do the students use it in off hours or how does that arrangement work?

HON. M. HEMPHILL: It's my understanding that students use it during the day and in the evening and administration uses it at night.

MR. G. FILMON: Does the Minister take a different perspective from her colleague, the Minister of Government Services, who doesn't want his staff having to work odd hours, overnight and that sort of thing?

HON. M. HEMPHILL: Well, Mr. Chairman, I have been advised that we don't seem to be having any problem with staff. We run from 7:30 in the morning until 12:30 at night. We are not aware of any problems related to the assignment of individual staff members to doing their work at specific times of the day or night.

MR. G. FILMON: Well, the Minister of Government Services has stated rather strongly and, in fact, has changed all of the shifts and hours of cleaning this building as an example, so that his staff would not have to work other than normal hours. He felt that it very definitely contributed toward poor morale to have some of the staff working overnight.

HON. M. HEMPHILL: Mr. Chairman, I know the point the member is making, he's trying to relate or tie in, I'm not sure that there is a relationship. I can only answer for the staff that we employ in our programs and I have been advised that the program is working well. We are doing what I think we must do in areas like computer programming that are so terribly terribly expensive and where they can work 24 hours a day. I think we have to move more and more into sharing the hardware and the networks that are being set up by whomever can share and benefit from them and if that means running the systems for 24 hours and saving a lot of money in doing so, then I do believe we should be doing it. It's my understanding that in our area we are not having any negative problems or complaints from staff with the shift work or the time that they are assigned to do their work.

MR. G. FILMON: With respect to Management Information Services, is this just for the departmental

administration? As the Minister went through it there were certain things that were provided for the universities and colleges, I think she said enrolment information, statistics and that sort of thing. Is this though sort of the basic administration of the department, or who is the prime recipient of this information?

HON. M. HEMPHILL: Mr. Chairman, the Management Information Services Branch provides information for both the entire department and colleges.

MR. G. FILMON: The salary component appears to have gone up something in the order of 20 percent. Can the Minister give us a breakdown on that?

HON. M. HEMPHILL: Yes, Mr. Chairman, I might use this opportunity where the Member for Tuxedo has raised a point about a fairly large salary increase. I believe it's 20.7 and he's asking why.

I would like to make a general comment about the salaries portion in the various categories because wherever there is larger than a normal increase than the regular increase that they received through their negotiated contract, we have a number of factors that are affecting the size of the increase. I would like to list what they are so that I can indicate to the Member for Tuxedo that these factors sometimes are hitting in both this and in other departments.

The first factor is that the general salary increase shortfall from '82-83 was between 5 and 9.9 percent. That means that we never received the full salary increase in the previous year and some of it had to be picked up in this year. The salary increase for '83-84 is 9.5 throughout the department and there is no larger increase given than that.

We did have to pick up the 27th pay period this year which was an unusual situation for us and that added a 4.2 percent increase and the merit increments as well might have gone as high as 5 percent, so that the possible range of salary subappropriation increases could actually go in various departments and range from 23 to 27 percent. So what I'm saying is that in all cases there isn't a case I think where it's caused by extraordinary increases in staff or salaries, but would relate in one way or another to each of those factors. In some cases it might be the increment that's higher. In other cases depending on the numbers of staff, it might be the 27th pay period impact, but it's a combination of those factors that is causing the increase in this branch.

MR. G. FILMON: So in this particular branch there's no increase in staff complement?

HON. M. HEMPHILL: Two less, Mr. Chairman.

MR. G. FILMON: Two less. I'm glad the Minister made that explanation because I think that's an area that most Manitobans are not aware of, particularly with respect to the merit increases, that many staff members get merit increases whether or not they get any increase in their civil service contract, which of course they all do each year, but over and above that there is the merit increase which does come in fairly significantly.

I know from the review of the Estimates of Consumer and Corporate Affairs, the average merit increase was 3 percent this year, so perhaps the Minister knows what it was in Education. I would think it would be somewhat similar.

HON. M. HEMPHILL: Mr. Chairman, I am not aware and I don't have the figure of what the average was for education but I would make the point that this is not a new program. I mean, the merit increases have been built in and been part of the Civil Service contracts for years and years and years including the four years that the previous government were in so it's part of something that has been a longstanding part of the agreement and the contract for these people.

MR. G. FILMON: Mr. Chairman, in no way am I suggesting that this is something new. What I am suggesting is that when people talk in terms of what the Civil Service settlement was, that they do not include the fact that many civil servants are entitled to a merit increase over and above that, whereas when we speak in terms of an annual settlement in most private sector situations, even unionized areas, there is rarely an added element such as the merit increases that come in. So civil servants, whether it be in this department or any other department, are entitled to a two-tiered increase, one being the actual annual settlement negotiated, the second being a merit increase. I just want to make that point that it is more apparent, perhaps, this year as we go through and we see the 27th pay period come in and we see other things come in whereas people are under the impression that the renegotiated MGEA settlement only results in 10 percent increase, we're finding that virtually across the board departmental estimates are coming in with salary components of 20 percent and more. It didn't matter at what point in the Minister's Estimates we got into this discussion, we got into it now, we've clarified the issue and that's all I wanted to do.

HON. M. HEMPHILL: Yes, I recognize the point that the Member for Tuxedo is making. I would just mention that the 27th pay period is a unique factor this year and is one that is hitting us all and I guess hitting depends on which side of the line that you're on. If you're an employee it's a wonderful happening, I suppose, and if you're the employer like many are, having to accommodate it, then it has caused us some problems. I'd also, just out of curiosity, be interested to see how the previous government communicated their salary increases as they were negotiated year-to-year and I would be pleasantly surprised, I guess, if I found that their communication indicated the percentage of increase plus merit.

MR. G. FILMON: Generally they were much smaller, I think, and therefore they didn't seem to evoke as much critical attention, one might say.

MR. CHAIRMAN: 1.(f)(1) - the Member for Kirkfield Park.

MRS. G. HAMMOND: Just while we're discussing Communications, I'm looking through the Department

of Education Annual Report and wonder if I'm missing something. Is there an index that indicates where you find everything in this book?

HON. M. HEMPHILL: I just suggest to the Member for Kirkfield Park that we're not on Communications right now. I think that could appropriately come up under the Communications Branch. We're, I think, finishing up Management Information Services.

MR. CHAIRMAN: 1.(f)(1) - the Member for Kirkfield Park.

MRS. G. HAMMOND: Well, I understand that we're not on Communications but I'm wondering if the Minister could possibly tell me, is there an index in the Department of Education Annual Report at all?

HON. M. HEMPHILL: I can't remember myself, and I don't have it in front of me.

MR. CHAIRMAN: 1.(f)(1)—pass; 1.(f)(2)—pass; 1.(g)(1) Communications: Salaries. The Member for Tuxedo.

MR. G. FILMON: Mr. Chairman, I'm a little curious as to the Communications Branch, as I understand it to be. The Minister can correct me if I'm wrong but I don't recall any particular publicity being given to the establishment of a new branch in her department with respect to communications, nor was I familiar with what this entailed prior to examining the Estimates, nor can I find any similar item in last year's Estimates, so perhaps the Minister can undertake some discussion on this item.

HON. M. HEMPHILL: Mr. Chairman, I believe that this was announced September 3rd with other information about the organization of the department and may have been missed in terms of looking at all of the information. The Member for Tuxedo is correct when he says this did not exist in this form in the previous year.

MR. G. FILMON: Well, Mr. Chairman, the Minister has indicated that it may have been missed and yes it was missed by me in her September 3rd announcement. In fact, it may have been buried with a great deal of other information so that it wasn't as obvious as I might have liked it to be. This whole area, I'm curious firstly, as to how if it didn't appear in last year's Estimates, how there was a figure of \$392,600 in last year's Estimates for it?

HON. M. HEMPHILL: Mr. Chairman, I think that there was some work being done - they weren't in this particular place the numbers of people and the money - but there were some in field services and in, I think, Management Information. There was work being done last year; there were some individuals and what we have done is consolidate and bring them together under a special branch.

MR. G. FILMON: I wonder if the Minister could indicate who was doing it before and how many of them there were?

HON. M. HEMPHILL: Mr. Chairman, just to make sure that we provide the exact information on that question

I can suggest to the Member for Tuxedo that I don't want to guess at where they were. I would like to tell him that we'll make that information available to him tomorrow, I think, without any difficulty.

MR. G. FILMON: Would it be possible for the Minister to bring that information for tonight? We'd like to discuss it tonight in full detail. I'm specifically interested in knowing . . . the Minister has indicated that some of the funds were in the item called field services, now that's the area of the department that was declared redundant, 17 people chopped from that area of the Minister's department. I'm curious to know whether any of the people who were performing this service were transferred into this communication section as part of the reorganization.

HON. M. HEMPHILL: I think that I accept the request from the Member for Tuxedo that we do try to have this information available tonight and I think we'll be able to give him the numbers and the people in full detail if he'll leave it until then or allow us that time.

MR. G. FILMON: Can the Minister indicate how many people are in that department and what their positions are?

HON. M. HEMPHILL: Mr. Chairman, there are presently - we have just hired the Director, Wayne Boyce, who was previously in Information Services. I mentioned that the other night. He was hired through an internal competition. I think we have two administrative secretaries, two information writers and two vacant positions. There are seven staff man years, seven SYs.

MR. G. FILMON: We want to be careful as to the gender of our references. What is the nature of the two vacant positions? What will they be? Will they be clerks, writers, what will they be?

HON. M. HEMPHILL: I am not sure that final decision has been determined. I think the Member for Tuxedo will understand that when you are setting up a new area or consolidating and looking at the role, mandate and function of a department and there are going to be some changes related to the work that it does, and you have just hired the Director; that you do not totally predetermine all of the staff needs or the kinds of people that are going to be required for the job that you then say needs to be done. I would say that the decision on the kind of communication animal because there are many kinds of people who have a wide variety of skills and expertise will be decided with the Director in concert with discussions with staff and the Director.

MR. G. FILMON: Mr. Chairman, I hate to take issue with the Minister, but I feel very strongly in that I am surprised that this government would set up a branch of a department, a brand new "animal" and decide that they would have six positions in that branch, seven including the Director. That branch that did not exist previously to perform a function which presumably did not have this kind of profile or responsibility previously, that I believe is another effort to improve this government's apple-polishing image and propaganda

distribution. It goes completely contrary to the opinions that were expressed and the criticism laid against our government by this Minister's colleagues when they were in opposition, who in response to setting up communications officers for most of the departments in the government - and in those cases it was one officer with perhaps a clerical or support staff member - those people were heavily criticized. In fact, the now Premier went on record as saying that they would be removed from those positions and that the government would be purged of all of its information officers and that it was not wise to decentralize, that we had Information Services, that it was apolitical and was just an information service. There were speeches read and stated in this House for hours on end saying that was the wrong way to go. Now this government has chosen to go that route and further to that has set up in one department only, seven people to perform that propaganda function.

I say that should have been done with a great deal more forethought not just setting up the position.

MR. CHAIRMAN: Order please. The hour is 4:30, time for Private Members' Hour. The committee will reconvene at 8:00 p.m. tonight.

Committee rise.

IN SESSION

PRIVATE MEMBERS' HOUR

MR. SPEAKER: Order please. The time being 4:30, Private Members' Hour. The first item on the agenda for Monday's Private Members' Hour is Proposed Resolutions, Resolution No. 4, the proposed resolution on the Honourable Member for Thompson, standing in the name of the Honourable Minister of Cultural Affairs who has 10 minutes remaining.

PROPOSED RESOLUTIONS

RES. NO. 4 - PORT OF CHURCHILL

HON. E. KOSTYRA: Thank you, Mr. Speaker.

When I was last speaking on this Resolution, I was discussing another aspect of the Port of Churchill, that being the tremendous potential that exists in that part of the province, in that community with respect to further development of a tourist industry. I was indicating the great natural beauties, the great natural resources that exist in the Churchill area and also the tremendous heritage, historic resources that exist in that area.

We talk about the neglects of the Port of Churchill by the Federal Government, particularly as it relates to the movement of grain through that Port. There is another aspect of Churchill that has been terribly neglected. In fact, there has been a number of aspects to the Port of Churchill that have been neglected terribly by the Federal Government. I don't think I have to review for members the attitude of the Federal Government with respect to national defence and the move away from Churchill of all aspects of the defence department and the armed forces, that at one time were the mainstay of the economy of the Port of Churchill. Nor do I have to remind members of the shift in Federal Government Policy with respect to research

facilities, where there were a number of research facilities in the Town of Churchill and because of Federal Government inaction, have since left.

The other area though that I do want to talk about with respect to the Town of Churchill and Federal Government neglect, is in the historic resources area. The Town of Churchill has, just across the mouth of the river, the famous historic sites relating to the early fur trade in Manitoba, indeed, in Canada. We have the former Fort, which is still sitting in fairly excellent shape just across the way, but I can tell you, from my personal visits of the area, that the Federal Government has neglected that important aspect of the Community of Churchill. They have put in very little effort, absolutely no money, to rehabilitate and revitalize that Fort, and I can tell you from the number of visitors that do go to see the Fort in its state, that they wonder as to why there has been that kind of neglect.

There are a number of other very important historic sites in the Churchill area that have not been developed at all by Parks Canada and by the Federal Government. They seem to want to spend their money elsewhere, not on that important historic site. Just recently the Federal Government, through Parks Canada, has requested of the Government of Manitoba further designation, further transfer of Crown lands from the Province of Manitoba to the Federal Government so they could designate a further area in Churchill as a National Historic Site.

The response of the province to that is that, while we are gratified to see that the Federal Government has some further interests in the area, by virtue of the request for further designation, we've attached some conditions to that. One, we want to ensure that there is access to the area for local residents but, more importantly, Mr. Speaker, we want a commitment, a firm commitment from the Federal Government that when they get this further transfer of land from the Province of Manitoba that they're going to, finally, and for once, take their full responsibility in that area and fully develop the historic resources of that area, not simply just have a further transfer of land into their control which will just sit there and not be developed, and not be put into a position that it can be shared by the many people that visit the Churchill area.

So we talk about federal neglect in the area of this part of the province, and particularly the Community of Churchill. I also want members to be aware of that further area of inactivity, of neglect, of non-response from the Federal Government, and this is one area that I've been pursuing as Minister of Historic Resources for the Province of Manitoba, and one which my colleague, the Minister of Natural Resources, is also pursuing with the Federal Government, indicating to them that we are prepared to look at a further transfer of land for an historic site at Churchill, but it will be only on the condition that the Federal Government commences development of that site, and of the sites they already have under their control designated as a national historic site in the Churchill area, because that is a very important aspect of Churchill that has to be developed further. I think that the Federal Government has to accept its responsibility and provide the funds so that that site can be fully developed and enjoyed by all, and one that would also help in the overall economy of Churchill and will make Churchill that much more attractive for visitors and tourists.

Mr. Speaker, the main focus of this resolution is on the neglect of the Port by the Federal Government with respect to the grain trade, and it was just, I think, two Saturdays ago that all of us who happened to receive the Free Press on Saturdays, or the Winnipeg Sun on Sundays, had this insert inside the paper that was apparently to inform us as to the Federal Government's activities regarding the Crow rate. I would just like to review some aspects of this because I read it with interest; I thought, well I'm going to really get a better understanding of what the Federal Government is trying to do with respect to the Crow and with respect to the movement of grain in Canada. The heading says, Mr. Speaker, "What's In It For You? New Rate Structure Benefits All Canadians. Communities Throughout Canada Will Benefit," so I thought, well this is very appropriate to one of the resolutions that's before the Manitoba Legislature, that there must be something in here that's going to benefit the Port of Churchill. It says that this new rate structure's going to benefit all Canadians; it's going to benefit communities throughout Canada, so I surmised, Mr. Speaker, there was going to be something in here with respect to the Port of Churchill.

Well, to my surprise, when I opened it, they show in here the rail system across Canada and they show it going to the various ports on the east coast and the St. Lawrence, the ports at the Lakehead, through the prairies to the ports on the west coast. Mr. Speaker, it doesn't go to Churchill on this map; not at all. This is a clear indication of the kind of neglect and contempt that the Federal Government has for Churchill, that they have no plans, no plans at all for Churchill with respect to the movement of grain in Canada, and it's right here in black, blue, red and white, Mr. Speaker.

They go on further, talking about the benefits of the Crow and how the CN Rail and CP Rail are going to expand and improve their prairie facilities. CN is going to lay new track, Mr. Speaker; new track to where? There's certainly going to be suggested activities along the southern part, but nothing at all to the Port of Churchill. The Federal Government has just said, forget it, we're not going to improve the rails to Churchill; and without that improvement, Mr. Speaker, there is not going to be any Port of Churchill, there is not going to be any community left in Churchill.

What's going to happen, unless the Federal Government owns up to its responsibility, and the railway, we're going to have a situation, we're going to have a ghost town left at Churchill. It's going to look the same as Port Nelson that exists in Northern Manitoba, it's a ghost town; there's a concrete pier there, there's the old rail line sitting there but there's nothing else, and that was another blunder of the Federal Government, but one that I hope and I pray that will not happen to Churchill. So I urge all members to support this resolution and get the Federal Government to accept its full responsibility for Churchill.

MR. SPEAKER: The Honourable Member for Niakwa.

MR. A. KOVNATS: Thank you very much, Mr. Speaker. I'm going to speak this afternoon on why we should support the development of the Port of Churchill, and the Town of Churchill, and the North as a whole.

I, as one member of this Legislature, have been to Churchill. I have lived in the North and I will try to encompass some of my remarks on this development, and I hope that I have enough time in the 20 minutes allocated to me that I'll be able to cover some of the important things that I want to discuss at this time.

I'd like to commend the Honourable Member for Thompson for suggesting this resolution. It's a finely worded resolution; I have nothing that I can say against the resolution because I am going to be in complete support. I am going to speak this afternoon, not on a political basis, but on a basis on how I feel these things should be developed for the good of the North and not on any political bias. — (Interjection) — There won't be any political bias on this at all.

I hope that I can suggest some of the problems that are encountered in the North and I hope that I have some of the answers for some of these problems. The true assets of the North are the people of the North and they can always get money and I hope that we will be able to get money to carry out all the things that are required to develop this town and Port of Churchill.

Why should you spend \$15 million to \$20 million on a rail line for those cryo-anchors and another \$35 million to \$40 million on the Port just to ship grain over the route? This is what the opponents of the town and Port of Churchill are saying - Why spend this type of money? A total of \$60 million; they're saying it should not be spent. They say Churchill should operate as it is without spending any additional funds. I wish it were that simple, Mr. Speaker, the \$60 million is not designated for frills or laces or a sweet tooth; it's designated for the various modifications that are needed to ensure that we are able to continue handling grain in a safe and effective manner.

Summarized, the projects identified up in Churchill that will cost us \$60 million are:

A complete stabilization of the rail line over the discontinuous permafrost areas, so that we can receive and continue to receive grain cars after the boxcar has gone the way of the dinosaur;

To improve unsafe conditions around our grain shipping operations, e.g. we require larger tugs and deeper berth area, some dredging and a higher grain loading gallery.

Last, but the most important, to upgrade our interior dust control within the elevator in that area. The alternative to not spend the money is to ensure that the elevator will be closed in a very very short time.

Mr. Speaker, I hope this afternoon to speak on the Community of Churchill, some of the rail issues, the boxcar depletion, stabilization of the railroad bed and the hopper cars, the electrification of Churchill by Manitoba Hydro and some of the alternatives of generating electrical energy either through biomass or through hydrogen.

Tourism another important facet of the North, Arctic shipping and a military presence that we had at Churchill when we were going through the boom years when Churchill was really a thriving area - I really don't think I'm going to have time for all of these things, Mr. Speaker, but if you would just give me notice when I'm within a couple of minutes of the 20 minutes allocated and I'll try to wind it up.

Just a little introduction, I have enough information here to last probably about an hour. Inasmuch as I was

interested enough and I contacted the people up in Churchill to find out their feelings and their class associations, I neglected to speak to the Honourable Minister, but I did speak to some of the other people who lived up there, the three or four people up there, and I do know their feelings, Mr. Speaker.

Just as a short introduction I will go back to 1982 which marked the 53rd year since the first token shipment of grain left the Port of Churchill and the 51st year since the first full cargo of Western Canadian grain was loaded onto the S.S. Farnsworth in 1931. Since then over 600 million bushels of grain have been exported over this route. Most of those exports - in fact, almost all of them - have been made by the Canadian Wheat Board.

Weather and engineering records at the Port have been continuously maintained since development work commenced on the Port in 1927. The 1982 season opened for domestic traffic on the 24 July, with the Northern Transportation Company Limited tug, "Keewatin", sailing for Eskimo Point, N.W.T., considerably later than the previous year because of heavy pack ice along the coast during July. All important information that must be understood when you have to make a decision concerning Churchill.

The first overseas shipment was the arrival of the Indonesian vessel, the "Bandar Demta", arriving on August 3 and loading a cargo of 36,001.425 metric tonnes of barley. Loading of this ship was completed on the August 6 and sailed the same day.

Grain car unloading operations started on July 26 and continued until October 22 with a total of 10,435 cars being unloaded through the elevator system that season.

A total of 19 ships were loaded with cargoes of wheat, barley, screenings and mixed feed oats and pellets. An interesting fact, the registry of the ships were as follows: There were 13 Polish vessels, 1 Indonesian, 1 Finnish, 3 Dutch and 1 Czechoslave.

A further 19 vessels called at the Port in 1982 comprised of the Canadian Coast Guard, Northern Transportation Co. Ltd. tug and barge operation, seismic survey and small vessels of Canadian Registry.

All bulk petroleum was railed into the marine terminal and freighted by NTCL tug and barge operations - Northern Transportation Company Ltd. The largest cargo of the season was loaded on board with the M.V. and, oh boy, I am going to have trouble with this one, "Uniwersytet Warszawski", 44,000 metric tonnes of wheat. I have it for Hansard in case they want it. It is spelled correctly here I would believe. I know the girls in Hansard will be running all over the place - What did he say? How do you spell it? I have it here in case you want to know.

The season was completed on October 17 with the sailing of the M.V. "Finntimber" and the following day the tug W.N. "Twolan" was brought into winter berth.

The Community of Churchill is a town of 1,300 population situated at the mouth of the Churchill River on the western shores of Hudson Bay. It is a distinctive Northern settlement centre because it is a seaport for ocean-going ships and also by virtue of an industrial base which is not resource-based although it is resource-related.

Since the early 18th century, Churchill has been a trading centre initially for the fur trade and today for

the grain trade and for resupply operations to the Keewatin District. The grain port accounts for 22 full time jobs and 100 part-time jobs — (Interjection) — Somebody care to ask a question? There are 22 full-time jobs and 100 part-time jobs, while the resupply operation accounts for about 120 jobs. An awful lot of people would be out of work if the Town and the Port of Churchill were closed. Services, tourism, health, research and administration account for the remaining employment in Churchill. In addition to Churchill's role as a grain port and main distribution point for the northern resupply, Churchill operates as a secondary health referral centre for Keewatin patients and is well-equipped with a modern hospital and health centre.

I see my time is rapidly running out. I'm going to get to the rail issues. I can't talk much faster, but I'll try to get to the rail issues.

Churchill is the closest deep water seaport to 41 CN subdivisions and 11 CP subdivisions in Western Canada. — (Interjection) — The information comes right from the horse's mouth. At present only grain originating on CN lines and the Churchill catchment basin is shipped to Churchill. The 10 closest CN subdivisions often ship less than 40 percent of their carloads to Churchill. Churchill groups often point to these facts as indications that Churchill is not used to its fullest potential. They maintain that the distance-related savings to producers of shipping prairie grain through Churchill are not being fully realized.

At issue, is whether increased grain exports through Churchill should be accommodated by either an increased percentage of shipments from the CN divisions closest to Churchill and/or shipments of grain to Churchill from CP subdivisions in the Churchill catchment area.

Based on projections of CN's future boxcar fleet, it appears that there will be insufficient boxcars to carry Churchill's current traffic past 1986. They realize it now and they are planning for the future after 1986.

There are several options for continuing Churchill traffic beyond 1986, including the development or purchase of light hopper cars, the leasing of boxcars from other railroads and the use of partially laden hopper cars. Stabilization of the railroad beds could lead to the use of fully loaded hopper cars.

Now the important part, the stabilization of the railroad bed. The railroad bed from The Pas to Churchill passes over a region of discontinuous permafrost. Every spring thaw sinkholes develop which require rebuilding of sections of the rail line. There are 245 sinkhole locations on the 820 kilometer section between The Pas and Churchill. Research funded by the Federal Government Prairie Branchline Rehabilitation Program on the use of heat pipes to lower temperatures on the railroad subgrade and maintain it in a frozen state have shown encouraging preliminary results. The capital cost of stabilizing the rail beds using these cryo anchors has been estimated by the CN at \$15 million. Even with this expenditure CN has indicated that it would be hesitant to allow the use of fully laden hopper cars on the Churchill line prior to extensive testing of train-track dynamics which may take several years. I'm going to have to pass very quickly over the light hopper cars, although that is part of the important aspect of the whole shipping of grain through this line to Churchill.

I'm going to very quickly come over to something that was developed through the electrification of the

Town of Churchill inasmuch as the Manitoba Hydro are quite involved. The Federal and Provincial Governments are currently involved in a preliminary analysis of connecting Churchill to the main provincial hydro-electric system. Churchill's current energy needs are served by oil. Basic electricity requirements are met by diesel generation while heating requirements are met by fuel oil. The nine diesel generators are owned and operated by Manitoba Hydro.

I'm not going to throw any flies in the ointment but I know that there are alternative things and I want something to happen up in Churchill so badly that I'm not going to suggest, but I'm going to mention that there are other forms of power that can be used to develop electrical energy in Churchill. We can use biomass which is developed somewhere around The Pas and could be shipped up to Churchill rather than coal or oil which can be generated into electricity. We can, in fact, use the hydrogen power that we have all discussed in this House - and the honourable member who brought in the resolution which I supported is sitting over there. We can use hydrogen power for developing electrical power in the Town of Churchill as an alternative but at this point, if the Manitoba Hydro are developing where they're going to put in their electrical line into Churchill, so be it. Let's carry on with it; let's not procrastinate and let these people suffer up in the Town of Churchill; let's do it now. I have much more on electrical power, but there's just no time, Mr. Speaker.

Tourism, I'm just going to mention tourism, about how Churchill offers a unique wildlife attraction such as the polar bears, the beluga whales, hunting and bird-watching; unique flora such as tundra vegetation; landform attractions such as eskers; raised beaches and wind-sculptured rocks; historical resources such as Fort Prince of Wales; cultural resources such as Churchill's Inuit Museum. Parks Canada operates a Visitor Centre in Churchill specializing in presentations of Northern Manitoba history. I'm trying to go as quickly as I can, Mr. Speaker, because I know that my time is running out. I had much more on tourism, it was such an important aspect that I'll just touch on one more important part and that is the military presence that we enjoyed when the Americans were up in Churchill and the Canadians when they had the rocket testing base up there and there was nothing nuclear at all. I can understand that and I would hope that we still have good enough relations with the United States that we can encourage them to, at least, consider a re-thinking on their part to send troops up to Churchill so that . . . that was part of the development of Churchill that was so successful with the amount of extra people up there and with a military presence of Americans and Canadians at that point, I think, with it all combined and with the assistance of the Federal Government in upgrading the rail lines - and it is their responsibility - and I think that they should accept that responsibility and upgrade the rail lines. I think that the Town of Churchill will develop to a point where it will be of great benefit to the North, all of the North not just one little aspect of it, and all of the different areas that feed into the North.

Mr. Speaker, thank you for your consideration. I will be supporting this resolution and I hope that the other people who have supported the resolution - and the ones who haven't spoken - will support the resolution

on the government side and on the opposition side because it is to the benefit of all of the people in the Province of Manitoba. Thank you, Mr. Speaker.

MR. SPEAKER: The honourable member's time has expired. The Honourable Minister of Community Services.

HON. L. EVANS: Thank you, Mr. Speaker, I have misplaced my glasses but I really don't need them to read anyway but I do use them from time-to-time to look at the members of the opposition.

I would like to join with other colleagues in the House and support this particular resolution which calls upon the Federal Government to do certain things to enhance it as a federal port, to enhance it as a major terminal, a major facility for — (Interjection) — I've got lots of assistance - it's just worse in these, thank you very much, anyway. I appreciate the generosity and consideration of my colleagues opposite. The truth of the matter is I really don't need glasses to read but, as I said, it is sometimes handy to look across the way.

Really, I guess the story of the support of Churchill in this Legislature goes way back, many a year, because I recall speeches being made on both sides in support of Churchill in whichever way, whether it was with regard to the Port facility itself, whether it was with regard to the rail line, whether it was with regard to Wheat Board policies, or whether it was in regard to some other Federal Government thrust that should be undertaken to enhance Churchill.

I can relate, Mr. Speaker, past experiences that I've had as Minister of Industry and Commerce, at which time I was responsible for transportation policy and at which time we fought the good fight on behalf of the Town of Churchill, on behalf of the Port of Churchill and, indeed, speaking for all Manitobans I think that we in our government and I know members opposite share this commitment to develop Churchill in whatever way we possibly can.

I'd like to relate to honourable members some of the things, some of the accomplishments that did occur a few years back with the initiative taken by the government of the day, the Schreyer administration of the day of which I had the honour and privilege to be a part of, and also the moves that were finally made, reluctantly perhaps, but were made by the Federal Government to enhance Churchill as a Port, as a major facility. One that comes to mind is the Arctic resupply, because some decades ago while Churchill did supply the out-ports in Hudson Bay, a decision had been made to move this to the Port of Montreal and Montreal became, believe it or not, the major shipping point of the outlying ports along Hudson Bay and related areas in the Northwest Territories. With the submissions made by myself and my staff and, indeed, with the support of the other prairie provinces we were able to persuade the Federal Government to bring forth what is referred to as the Arctic resupply operation to Churchill.

It's really essentially a tug and barge operation but that was put in place in the early '70s. I might recall, and I'm going to give credit where credit is due, and that is that we were successful in persuading the Honourable Jean Marchand at that time in making this particular decision because it had to be made by the

Federal Government. I might say that Mr. Marchand, who was Minister of Transport for some years, was very very sensitive, indeed, Mr. Speaker, to Western Canadian transportation needs, more supportive than many other Ministers of Transportation before or since him. There's been the odd exception. There are some exceptions, but I give credit to that particular Minister because he did see the merits of our argument and we did get the Arctic resupply operation established.

There were other things that we were able to do on our own and others that we did in co-operation with the Federal Government. The whole thrust in developing the town complex - admittedly we appreciate that it has been a very expensive complex - but nevertheless you'll have to appreciate the particular circumstance of the Town of Churchill and the need to have these various social services, these recreational services to them. They are not a southern town, they don't have the support of surrounding communities as we do in the south, and in Churchill it was absolutely necessary to have the kind of complex that we did develop, an integrated complex. I'm not saying it was built in the best way it should have, I'm not commenting on the nature of the structure and so on, but the idea and the thrust that was made by the Federal and Provincial Governments at that time to put under one roof, doctor facilities, dental services, educational services, recreation including bowling, skating, and so forth, it certainly has been an asset to that community in terms of providing the service.

The other thing, of course, that happened in terms of developing Churchill back in the '70s was a massive housing development. That town was virtually rebuilt under the Schreyer NDP Government and under the auspices of Manitoba Housing Renewal Corporation. —(Interjection) — Well, the Member for Sturgeon Creek is saying from his seat, it was mostly federal money. It was, indeed, largely capital supply under the public housing provisions of The National Housing Act, but so be it. That's fine because I'm quite proud of the fact that we were able to get capital supply at relatively reasonable rates of interest so that we could and did, Mr. Speaker, improve enormously the quality of living, the standard of living, by raising the quality of housing accommodation in the Town of Churchill. It was virtually rebuilt and that was a major social development by the New Democratic Party Government of that day.

Another matter that we were able to discuss and get some action out of the Federal Government was monies for some refurbishing of the Port itself. We were very anxious that the Port not become outdated by changing technology because, as we know, vessels are becoming larger, requiring deeper port facilities, and we were most anxious that the Port itself be enlarged and that the depth be lowered, that the water level be lowered, so we could take these larger vessels that were being developed. Some money went towards refurbishing of the facility but not nearly enough; but nevertheless there was a step in the right direction.

Let me mention another item of accomplishment that I think is perhaps intangible, but nevertheless important, and that is the Port of Churchill Development Board. When we were in government we established the Port of Churchill Development Board in co-operation with the Provinces of Alberta and Saskatchewan. As a matter of fact, I know the previous government under Sterling

Lyon, I think had the Member for Rock Lake as a member from the Manitoba Government, and I am sure he did a good job. But the point I am making, Mr. Speaker, is that we at least set up a board which had a small staff, which had the co-operation of all three prairie provinces, which was there on top of the situation ready to promote the better interests of that facility. Indeed, that board is continuing and continues to receive the support of all three prairie provinces.

Of course, we were very anxious that other things happened. If you want to have Churchill continue as a viable Port, you have to do other things. These are indeed referred to in the resolution, and that is we have to upgrade the Hudson Bay rail line. Again, technology is causing difficulties because we're having heavy hopper cars; we're having heavier equipment come on the scene; and the trackage, as I understand it, is simply not adequate to take this new equipment. Therefore, unless the Federal Government is prepared not only to put monies into upgrading the Port itself, unless it is prepared also to put monies into rail upgrading, the Port will be more hampered than ever before in the future.

I notice that even the Winnipeg Free Press in one of its editorials made note of this particular fact; the sad fact that railway equipment today is being developed in such a way that it simply needs a heavier trackage in order to be handled.

Another item that I would refer to, the effort that was made in the past and we must continue this, and that is to somehow or other provide lower insurance policy rates in order to encourage foreign vessels to come to Churchill to pick up the wheat and other grains. The problem that we have in Hudson Straits - it's not in the Hudson Bay itself - the problem is in Hudson Straits where you have a lot of ice flows; there is a lot of danger there. Many vessels, many shipping companies will simply not bring their vessels in this area, in the Hudson Bay area of Canada, because of the hazards and the fact that they have to pay a great amount of money for insurance.

One solution to that of course - not the total solution but it would certainly be a step in the right direction - is to bring into play better icebreaking services than is now existent. Again, this is a Federal Government responsibility. We have icebreakers that are utilized on the east coast and west coast, and so on, or certainly on the east coast. I don't see why, if we were serious about Churchill, where the Federal Government would not in its infinite wisdom bring forth icebreaking services to the point that insurance costs could be lower. I think this is something very effective that could happen to cause a greater throughput at that particular Port.

So I am suggesting, Mr. Speaker, that much has been done in the past. We have made efforts in the past. We've had some lip service paid by the Federal Government. We've had some money put in by the Federal Government, but as of late, the last few years, there has not been this same commitment that was talked about by the Federal Government in the '70s. I have with me, for example, just to give you one example of a commitment that seemed to be forthcoming in the '70s, a report entitled, "Transportation Policy - a Framework for Transport in Canada." This is dated June of 1975. It is very obvious by thumbing through various sections of the report that

the Federal Government recognized that it had to take leadership in development and certain aspects of transportation. Permit me to read just two paragraphs from Page 36. This is in the conclusion, Part 7 - Conclusions, and I am quoting from this report. I will be glad to table copies of this if the members wish.

"The achievement of this role of transportation requires a new set of policy principles that provide for active government leadership in the establishment of an integrated approach to the provision of transport services, including consideration of transport and non-transport alternatives."

The other part I will read, Mr. Speaker. "An emphasis on the developmental role of government in attending to the provision of extended services to serve northern areas; expanded services particularly with respect to rail, canal and port capacity in the south, and improved services through the introduction of new technology." As I said, there are other references made in this policy document, but it does indicate, at least at that time, that the Federal Government had some commitment to northern port development.

I want to say this, that we have been fortunate in Manitoba to receive the support of other governments. I can tell you from memory, but it's also documented, that not only the provinces of Alberta and Saskatchewan but also the Province of British Columbia supported Manitoba when we went to the Federal Government as a group of four western provinces asking for a major upgrading of Churchill. There was a trade off for that. We were prepared to support B.C. in upgrading of the Port of Prince Rupert, but on condition that they would support us for Churchill. We were quite prepared to support one another and indeed we did. So here were four western provinces, different parties, four provinces that went forward together to the Prime Minister of Canada, to the Minister of Transport, and set forth our wish as representing half of Canada, the western half of Canada, that this should happen.

I think in conclusion I would like to make this point. It is a point that I think is worth repeating time in and time out. That is, if we intend, if we are serious as Canadians to build Canada into an even greater nation than it is, we have to recognize that transportation plays this vital role. Sir John A. MacDonald - the Fathers of Confederation - realized that transportation was one of the fundamental factors that could be used to build a nation from sea to sea. When John A. MacDonald in his national economic policy, which was enunciated in 1879 or thereabouts, the policy, the national tariff, the National Immigration and Settlement Program, and the National Transportation Policy. When they made decisions to support the CPR and other railways to develop Canada, they did not look at it in narrow commercial terms to what extent was there going to be a return within a year or two years. They were building a nation. They had a national economic policy and the Government of the Day said, we're going to build a nation and we're going to use the railway to build a nation.

I say, Mr. Speaker, we're still in the process of building this great nation of ours. Our frontier is to the North and if we're serious about developing the North, we have to rely on rail transportation as we've indicated earlier. I say we can't take the short-term commercial approach; we have to perhaps take a leaf out of the

book of Sir John A. MacDonald and the other Fathers of Confederation, certainly the proponents of the national economic policy of the late 19th century, and say to ourselves, we're prepared to build a nation and we can't look at now, early commercial returns, that we've got to be prepared, as a government, as a nation, as a province, to do certain things that are going to allow development to take place.

Those items have been well documented, well spelled out by some of my colleagues, but I say it's quite obvious that the Wheat Board has to get busy and promote and utilize that Port. They may come back and say, well, we have to look after the interests of the farmers and we can't afford it; then maybe we should look at the Federal Government subsidy to the Wheat Board, if that's the case. If the railway of Canada, the C.N.R. that uses that line says it hasn't got the money to do it, well maybe as part of nation building, the Federal Government should consider a certain payment towards railway upgrading so that it can take the heavier hopper cars. What I'm suggesting, Mr. Speaker, is whether it's done directly by the Crown corporation, the C.N.R., or whether it's done under the initiative of the Federal Government subsidizing the railway, we have to get back to this fundamental principle of nation building.

We have many examples of where we've spent dollars around Canada with no immediate return and maybe never a return. But I'm convinced that if we have the commitment and the desire to develop that part of Canada, the northern part of Manitoba, the Hudson Bay area, that ultimately it will be found to be a well worth investment, an investment that will pay us in economic return, not today or next year, it may not be for a decade or two, but there are some very very sound reasons for making those investments.

I also submit, Mr. Speaker, following along the lines of my friend, the Member for Niakwa, that there are other areas that we should look at - obviously, the promotion of tourism - but also the military option that he proposed because I am convinced that the places for many of our military forces are in strategic points in northern Canada and I think Churchill is one of them. We've had the forces there before; I see no reason why that could not be repeated.

Mr. Speaker, I gather I am running out of time. But this is the time in our history when, unfortunately, we have a lot of unemployed resources, both people and factories. We have a lot of unemployed equipment. This is the time to use those unemployed resources, human resources, natural resources to develop Churchill, to develop northern Manitoba in whichever way it has to occur.

So therefore, Mr. Speaker, I too, join with other members of the House in supporting this resolution. Thank you.

MR. SPEAKER: The Honourable Member for Roblin-Russell.

MR. W. MCKENZIE: Very briefly, Mr. Speaker, before we give this resolution unanimous consent - I think it's very timely and important to have this resolution before us. I daresay I don't know of any resolution debated more in this House in the years I've been here than this type of resolution.

Former members from Churchill, Ingerbrigton, Beard, the list goes on and on. I think it's a fair chance, Mr. Speaker, to give this Premier and his government a chance to prove what they can do for Churchill. They have accused us over time of confrontation with Federal Government, that we weren't playing the rules right with the Federal Government; we weren't putting our hand out and shaking hands with the feds. Now here is their chance. The Member for Brandon East who just spoke and his First Minister - and I see the First Minister speaking with the Member for Churchill over there - here's your chance to see what you can do for Churchill, because you've got the unanimous consent of everybody on this side of the House, I am sure, Mr. Speaker. But I doubt very much if they're going to do anything because the examples of what this government's able to do or what they can do are two different things.

I only listened - was it last weekend? - about their confrontation on energy. We have the Federal Member for Dauphin blasting the Federal Government about their energy policies and we have this government here taxing the devil out of us for energy and that's the problem with this government; they're running on two different wave lengths. The feds are saying one thing down there and this government is doing another.

But very briefly and very quickly, I'd also like to pay tribute to the late Gordon Beard who I say, of any member, spoke reams and reams of material on the Port of Churchill, a very learned man. Another member that did a lot for Churchill was the Member for Rock Lake, Henry Einarsson, when the Member for Churchill was so busy over here dealing with labour matters. The NDP in those days completely forgot about the Port of Churchill and thank the Lord there was a member sitting over there from Rock Lake who used to raise it almost daily in the House and put a lot of good things.

But very briefly and very quickly before we vote, I'm in complete support; I've supported the Hudson Bay Route Association for 25 years. In fact, we in my jurisdiction are part and parcel of the U.S.A. and Canada Highway 83 Association, and I hope before I die, that road will be built and it will touch the salt water which it does in the Gulf of Mexico and will eventually touch the Port of Churchill before they inter me in the ground.

I support the resolution; let's vote on it and move it on and let us see what this government can do with it, Mr. Speaker.

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Yes, I just want to speak very briefly to the resolution. I deem it important to put two or three things on record. Of course, I support the resolution entirely and I commend speeches from all members of the House this afternoon.

What is at the foundation of this, among other things, is the question of skewed regional economic development in Canada and for good or for ill the important leverage that the Federal Government has in terms of the kind of huge product and huge investment that is necessary in order to develop a transportation facility of this kind to its maximum.

I want to place that on the record, because when the head of the Royal Commission on Economic

Development, Donald C. Macdonald, was here, and on an informal basis it is true, to ask what some of the concerns of the Government of Manitoba might be with respect to economic development, one of the things that we pointed out - in fact it was the most important thing - we said look, you seem to be persisting with respect to the statutory grain rate and that is going to have a devastating economic effect on the Prairies. Even if there is some spinoff benefits with respect to the production of rail cars, the way we see it, it does not look as if Manitoba will get its fair share. Yet one of the things that we feel to be central to the economic development of this province and indeed of economic important to the Prairies is the question of the development of the Port of Churchill. It is not just a question of the rail line, it is a question of facilities.

I just want to touch very briefly on that, because I have in the course of the last several months, as have other Ministers, looked in terms of the jurisdiction of my department at what we might be able to contribute to the increased use of the Port of Churchill. The thing that comes most obviously to mind is the vast amount of liquor, which is imported from many parts of Europe particularly, and all of which is coming in through the St. Lawrence; through Halifax-Montreal.

One of the main problems that was pointed out to me by the management of the Liquor Control Commission is that it can only work with containerization because of the the breakage problem, that it would be, in fact, advantageous in terms of freight rates and freight costs if we could import through Churchill all of that vast amount of liquor which is purchased from France; from Germany; from Italy; from Britain particularly. So one of the things that is really necessary to a balanced development of the Port of Churchill is the development of containerized facilities.

Now that alone represents a huge capital investment and yet the spinoff of an investment of that kind may be enormous, the ripple effect may be enormous for a province like Manitoba because, for example, there's no reason why, with the metal-fabricating facilities that we have in the Province of Manitoba, we could not ourselves produce some of the containers that are necessary for containerized shipment to add to the flow back and forth of containers bringing liquor in and sending other products out.

The question has already been mentioned in debate of the necessity of the building of a power line. — (Interjection) — Right, well with barrels we've been so busy scraping the bottom thereof that we haven't got room to put booze in them. It's this kind of multifaceted development that I want to expand on just for the next five or ten minutes. I agree that we would welcome the unanimous support for this bill that I sense is developing in the House.

Certainly the question of a power line to bring power from the relatively close generating facilities on the Nelson up to Churchill, one would think that this would be a first.

MR. SPEAKER: Order please. When this resolution is next before the House the Honourable Minister will have 16 minutes remaining.

The Chair will accept a motion to adjourn.

The Honourable Government House Leader.

HON. R. PENNER: Mr. Speaker, I have an announcement with respect to the business of this evening. The Clerk has received a call from the Member for Pembina and from the Minister of Transportation that there are 11 more delegations and they would want to continue, I expect that they'll go to midnight tonight. They recommend to the House that we go with the one committee, Education, this evening.

MR. SPEAKER: Order please. The Chair will accept a motion to adjourn.

The Honourable Government House Leader.

HON. R. PENNER: Thank you, Mr. Speaker. I move, seconded by the Minister of Community Services that this House do now stand adjourned.

MR. SPEAKER: It is moved by the Honourable Attorney-General and seconded by the Honourable Minister of Community Services that subject to the members reconvening in committee at 8 o'clock tonight, this House do now adjourn. Is that agreed? (Agreed)

The House is accordingly adjourned and will stand adjourned until 2:00 p.m. tomorrow afternoon (Tuesday).