

THE LEGISLATIVE ASSEMBLY OF MANITOBA  
10:00 o'clock, Friday, June 7, 1974

Opening Prayer by Mr. Speaker.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed, I should like to direct the attention of the honourable members to the gallery, where we have 105 students of Grade 6 standing of the J. H. Bruns School. These students are under the direction of Mrs. Desrosiers, Mrs. Innes and Miss Wicks. This school is located in the constituency of the Honourable Member for Riel. On behalf of all the honourable members, I welcome you here this morning.

Presenting Petitions; Reading and Receiving Petitions. The Honourable Member for Minnedosa.

READING AND RECEIVING PETITIONS

MR. CLERK: The petition of the Agricultural and Community District of Newdale, praying for the passing of an Act to amend an Act respecting the Agricultural and Community District of Newdale.

MR. SPEAKER: Presenting Reports by Standing and Special Committees. The Honourable Minister of Labour.

REPORTS BY STANDING AND SPECIAL COMMITTEES

HON. RUSSELL PAULLEY (Minister of Labour) (Transcona): Mr. Speaker, I beg to move, seconded by the Honourable Minister of Finance, and present the First Report of the Standing Committee on Industrial Relations.

MR. CLERK: Your Committee met for organization on Monday, June 3, 1974, and elected Mr. Johansson as Chairman. The Quorum for all meetings of the Committee was set Seven (7) members. Your Committee also met on Thursday, June 6, 1974.

Briefs with respect to the Bills referred to the Committee were presented as follows:  
Bill No. 33 - The Power Engineers Act.

C. R. McBain - Association of Professional Engineers  
F. A. Jost - Manitoba Hydro Professional Engineers Association  
Peter Sloggett - Assistant Executive Director, Victoria General Hospital  
Gerald Hayes - Manitoba Health Organization  
Art Coulter - Manitoba Federation of Labour  
George Smith - International Association of Operating Engineers, Local 827  
Carl Richert - Winnipeg and Manitoba Cold Storage  
Harry Gunnlaugson - Institute of Power Engineers  
Dennis Nelson - Oil, Chemical and Atomic Workers  
Bill Hayes.

Bill No. 44 - An Act to amend The Workmen's Compensation Act.  
Evan McCormick - Winnipeg Chamber of Commerce  
H. L. Cavanaugh - Canadian Manufacturers Association  
David Crumb - Injured Workers Association of Manitoba  
M. N. Chernick - Canadian Pacific Railway  
Grant H. Nerbas - Canadian National Railway and Air Canada  
Art Coulter - Manitoba Federation of Labour  
Ernie Keller - Winnipeg Builders Exchange

Your Committee has considered Bills:

No. 33 - The Power Engineers Act.

No. 44 - An Act to amend The Workmen's Compensation Act.

And has agreed to report the same with certain amendments.

MR. SPEAKER: It shall be entered. The Honourable Minister of Labour.

MR. PAULLEY: I move, seconded by the Honourable Minister of Finance, that the report of the committee be received.

MOTION presented and carried.

MR. SPEAKER: Ministerial Statements and Tabling of Reports; Notices of Motion; Introduction of Bills. The Honourable First Minister.

INTRODUCTION OF BILLS - BILL NO. 95

HON. EDWARD SCHREYER (Premier) (Rossmere) introduced Bill No. 95, an Act to amend The Legislative Assembly Act.

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MR. SPEAKER: Questions. The Honourable Leader of the Opposition.

MR. SIDNEY SPIVAK, Q.C. (Leader of the Official Opposition) (River Heights): Mr. Speaker, my question is to the First Minister. It relates to the Air Canada overhaul base, and I wonder if he can indicate whether the Government has maintained or monitored the departures from Manitoba in connection with the transfer in 1969, and is in a position to indicate the number of people who left Manitoba to go to Montreal to work when the overhaul base facility was transferred.

MR. SCHREYER: Well, Mr. Speaker, that is a question which in terms of the actual numbers obviously I couldn't give indication of that here and now. I can take it as notice and relay it on to the Minister of Industry and Commerce, who would have to take it as notice in any case. He could give the information next day.

MR. SPIVAK: Well, Mr. Speaker, I wonder if the First Minister as well, or the Minister of Industry and Commerce, would be prepared to determine at this time what likely transfer back will occur, so that the numbers who will have left will be . . .

MR. SPEAKER: The Honourable Minister of Industry and Commerce.

HON. LEONARD S. EVANS (Minister of Industry and Commerce) (Brandon East): Mr. Speaker, as the First Minister indicated, the matter is being taken as notice. I want to assure honourable members we are attempting to find out as much as we can. I've been attempting to get in touch with Mr. Pratte this morning by phone, but I expect a call from him in a couple of hours.

MR. SPEAKER: The Honourable Member for Portage la Prairie.

MR. GORDON E. JOHNSTON (Portage la Prairie): Mr. Speaker, I direct the question to the Honourable Minister of Tourism and Recreation. Does his department, are they giving consideration to the placing of an airstrip on Hecla Island?

MR. SPEAKER: The Honourable Minister of Tourism and Recreation.

HON. RENE E. TOUPIN (Minister of Tourism, Recreation and Cultural Affairs) (Springfield): Not to my knowledge, Mr. Speaker. I'll check, but I haven't heard of any airstrip being contemplated for Hecla Island or, you know, close proximity.

While I'm on my feet, Mr. Speaker, I'd like to reply to a question posed of me by the Member for Roblin in regards to more lots being made available in the Snow Lake area for trailers and other uses. I'd like to inform the honourable member that the new camping area is near completion near Snow Lake, being Wekūsko Falls--(Interjection)--I'm sorry, Wekūsko; thank you, Mr. Whip, the Honourable Member for Radisson. This site has become tremendously popular, as the Honourable Member for Roblin is quite aware. It was first opened several years ago and the new site will be actually double of the former camping capacity and it should be available for use by midsummer.

MR. G. JOHNSTON: Mr. Speaker, I have another question for the same Minister. Is the Minister prepared, in the short time left that we will be in session, to make a statement of policy with respect to the making available cabin or cottage sites in the provincial parks in the year or two to come?

MR. TOUPIN: Mr. Speaker, if I failed to mention the fact that there was construction taking place now and will take place during the summer, I should have during the remarks that I attempted to make on concurrence, on the concurrence motion of the Department of Tourism, Recreation and Cultural Affairs, but there is major construction taking place this summer and there will be a plan phased over a period of years that will be announced shortly.

MR. G. JOHNSTON: Is the Minister in a position to inform the House as to where these sites are, and also by what method will the public be able to bid or lease the sites?

MR. TOUPIN: Mr. Speaker, I'm not in a position this morning to give the sites, you know, where all the sites will be at this moment, but I will check and I will equally inform the honourable member of what procedures will be taken for the renting or leasing of same.

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

MR. GEORGE MINAKER (St. James): Mr. Speaker, my question is to the Honourable Minister of Mines and Natural Resources, and my question is, Mr. Speaker: due to the extreme

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(MR. MINAKER cont'd) . . . . condition of mosquito population in the City of Winnipeg and the problems it's causing to the citizens of Winnipeg, has the Minister reconsidered his decision not to allow fogging in the City of Winnipeg?

MR. SPEAKER: The Honourable Minister of Environment.

HON. SIDNEY GREEN, Q.C. (Minister of Mines, Resources and Environmental Management) (Inkster): Mr. Speaker, the honourable member knows full well that the decision not to allow certain types of fogging was made by the Clean Environment Commission, that the appeal was made by the City of Winnipeg on the environmental grounds that it has not been the position of the province to serve the position of the Clean Environment Commission.

The other point that the honourable member knows well is that the City of Winnipeg did not spray for mosquitoes for a good number of years; that it was only last year in the month of July that they made an application to spray for mosquitoes and, Mr. Speaker, the same people who made the application told citizens that the way they could stop the spraying is to go to the Clean Environment Commission; that I received calls from people who said that Bill Norrie told them to go to the Provincial Government because the Clean Environment Commission could stop this spraying. When the Clean Environment Commission did it, apparently Mr. Norrie objected. Now, Mr. Speaker, the evidence of the Clean Environment Commission, presented before the Clean Environment Commission, was to the effect that the suggested program would have very little effect on mosquitoes. So if the honourable member merely wants a program which will appear to deal with the thing and not deal with it, it would be apparently because there is somebody attempting to fool somebody. With regard to mosquitoes, I have grown up in the City of Winnipeg and I do not remember a year that I didn't have to smash my forehead with my hand because I was being bitten by mosquitoes. Mosquitoes are not a new problem in this area.

WITHDRAWAL - ORDER FOR RETURN

MR. SPEAKER: The Honourable Member for Roblin.

MR. J. WALLY McKENZIE (Roblin): Mr. Speaker, I wonder if I could have leave of the House to withdraw the Order for Return which is in my name regarding tickets for the Jets Hockey Games. The information has been released by the Honourable Minister in the department through the medium of this Signpost release which came on to my desk this week.

MR. SPEAKER: Is the request agreed to? Very well. The Honourable First Minister.

PROCEDURAL MESSAGE - BILL NO. 95

MR. SCHREYER: Mr. Speaker, I have a procedural message here but I would require leave.

MR. SPEAKER: Is it agreed? (Agreed) The Honourable First Minister.

MR. SCHREYER: A message from his Honour, Sir. His Honour, the Lieutenant-Governor, having been informed of the subject matter of Bill 95, recommends it to the House.

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MR. SPEAKER: The Honourable Minister of Health.

HON. SAUL A. MILLER (Minister of Health and Social Development) (Seven Oaks): Mr. Speaker, some time ago I was asked a number of questions by the Leader of the Liberal Party. It's a comparatively long answer, and this has to do with land purchases and employees of the Manitoba Housing and Renewal Corporation. Rather than read it out, perhaps I would table it and it could appear in Hansard.

MR. SPEAKER: Is it agreed that it appear in Hansard and be tabled. The Honourable Member for Portage.

MR. G. JOHNSTON: Is it understood that it will be printed in Hansard?

MR. SPEAKER: That's what I was asking.

MR. MILLER: That's what I was just requesting.

MR. SPEAKER: Is it agreed? (Agreed) Very well.

REPORT OF MR. MILLER: As a result of the reports re the above from the Attorney-General, Deputy Attorney-General, Director of Civil Litigation, Department of the Attorney-General, I am in a position to make the following statements:

The investigation has established that:

1. certain parcels of land were acquired by Mr. Mostoway, an employee of the Manitoba

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(REPORT OF MR. MILLER cont'd) . . . . Housing and Renewal Corporation, in the proposed Assiniboine Forest Park area.

2. all purchases of the lands in question were made after the proposal of the development of Assiniboine Forest Park became public.

3. these acquisitions, therefore, do not appear to have been made by reason of or pursuant to some special information derived by Mr. Mostoway as an employee of the Manitoba Housing and Renewal Corporation.

4. Terrastan Ltd., a corporation launched by Mr. Mostoway and Mr. Swiderski, the legal counsel for Manitoba Housing and Renewal Corporation, is not in existence anymore. Its charter was cancelled by the shareholders in December, 1973, approximately seven months after its incorporation.

5. There are no facts to implicate Mr. Swiderski or Mr. Dubois in any wrong-doing suggested in the Legislative Assembly.

6. No land deals of any kind were made by or on behalf of Terrastan Ltd. in the amount of \$60,000 or any amount. The investigation shows that the Company did not embark upon business ventures.

The questions raised in the Legislative Assembly on February 21, 1974 are as follows:

1. Whether or not Terrastan Ltd. exists?

2. Is the Minister or his Department familiar with and working in conjunction with the City of Winnipeg for the purpose of creating a public park to be known as Assiniboine Forest Park?

3. Would the Minister enquire to determine whether or not members of his staff or a member of that staff has acquired lots 11, 12, 13, 14, 15, lots 83, 84, 35 and 14 in Blocks 9, 18, 29 and 119 registered on Plan 1742, 1646 and 1876 in the Winnipeg Land Titles Office, whether that land is part of the Assiniboine Forest Park area which is being expropriated by the City of Winnipeg for a park and is owned by a member of his staff?

The result of the investigation provides the following answers to the said questions in the order in which they appear above:

1. Terrastan Ltd. does not exist. Its Charter was cancelled in or about December, 1973.

2. It can be assumed that everyone might be aware of the proposal for the development of the Assiniboine Forest Park. The Province is not working in conjunction with the City in this regard.

3. Mr. Mostoway did acquire the described land, some of which he still holds and some has been expropriated by the City of Winnipeg. The land acquired by him is within the area of the proposed Assiniboine Forest Park.

I am advised by the Department of the Attorney-General that as a result of the foregoing, that no criminal or other legal action is justified.

MR. SPEAKER: The Honourable Minister of Finance.

HON. SAUL CHERNIACK, Q.C. (Minister of Finance) (St. Johns): Mr. Speaker, yesterday the Honourable the Leader of the Opposition asked whether the Provincial Auditor has brought to my attention expense accounts that have been made by either Ministers, by members of the department, with respect to entertainment costs charged, owing and payable to the Centennial Concert Restaurant and bar facilities. May I say, firstly, that I hope that there have been entertainment costs charged up and paid at the Centennial Concert Restaurant by government people who may have preferred using a Centennial Concert facility to other establishments.

Secondly--(Interjection)--There you are. Mr. Speaker, I've made inquiries and I find that the only reference, the only reference that I find was information from the auditor to the effect that it would appear that certain members of management - and this is a letter addressed to the Centennial Corporation, the Centennial Centre Corporation - certain members of management have incurred considerable unwarranted entertainment expenses which were charged to operations without being approved by the Chairman or Vice Chairman of the Board. As a result of this statement, apparently there were two employees of management level at the Centennial Corporation referred to, that appeared excessive. They were reviewed by the Chairman or Vice Chairman of the Board. Administrative arrangements have been changed so that it is assured that entertainment expenses would not be undertaken unless they've been approved by the Chairman or Vice Chairman of the Board. The auditor informs me that he

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(MR. CHERNIACK cont'd) . . . . believes that there has been satisfactory correction made in relation to this criticism. I have not yet received absolute confirmation that any accounts charged have been paid. It is my impression they have been paid. If I learn later they have not been paid, I will so report to the House.

May I conclude by expressing some surprise that questions of this nature were not asked of the provincial auditor at the last meeting of Public Accounts last Monday, a week ago Monday, when it would have been possible to get more direct answers to more direct questions. However, the committee present did not seem to find it advisable or necessary so to do.

ORDERS OF THE DAY - ORDERS FOR RETURN

MR. SPEAKER: Orders of the Day. Address for Papers. The Honourable Member for St. James.

MR. MINAKER: Mr. Speaker, I beg to move, seconded by the Honourable Member from Rhineland, that an humble address be voted to His Honour the Lieutenant-Governor requesting copies of all correspondence between the Manitoba Government and the Manitoba Environmental Council.

MR. SPEAKER: The Honourable the Minister of Mines.

MR. GREEN: Mr. Speaker, there is no objection to tabling this information. I wonder if the honourable member wants every letter, every correspondence - that is between every department - between, let us say, the Director of Environmental Control and the Commission, or does he want the ministerial correspondence back and forth? Because if it's every piece of correspondence from whatever source, it is a difficult job. We'll do it if that's what he wants. If he wants the ministerial correspondence it is a lesser problem. I am willing to go through the work; I just want to make sure that that's what the honourable member desires.

MR. MINAKER: Mr. Speaker, it would be the correspondence between the council and the ministerial department.

MR. GREEN: Ministerial correspondence. Thank you very much, and if that is not satisfactory then we'll give you any other information you want.

MOTION carried.

MR. SPEAKER: The Honourable Member for Riel. The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I move on behalf of the Honourable Member for Riel, seconded by the Honourable Member from Fort Garry, that an humble address be voted to His Honour the Lieutenant-Governor requesting copies of all correspondence between the Provincial Government of Manitoba and the Federal Government with regard to off-shore mineral and petroleum rights.

MOTION presented.

MR. SPEAKER: Is it agreed? The Honourable House Leader.

MR. GREEN: Yes, Mr. Speaker, subject to the usual limitation in that we will have to get the authority of the Government of Canada for the release of this information. Some of it is of a nature which might be termed negotiation, but I don't really see that we have any objection to releasing it.

MOTION carried.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I move on behalf of the Member for Riel, seconded by the Honourable Member from Fort Garry, that an humble address be voted to His Honour the Lieutenant-Governor requesting copies of all correspondence between Pan Arctic Gas Company and the Provincial Government of Manitoba, and all correspondence between the Provincial Government of Manitoba and the Federal Government relating to Pan Arctic Gas Company.

MOTION presented.

MR. SPEAKER: The Honourable Minister of Industry and Commerce.

MR. EVANS: Yes, we will endeavour to provide the necessary correspondence subject to the approval of the Federal Government, which is normal.

MR. SPEAKER: Agreed?

MR. EVANS: I'm sorry - the Company involved and the Federal Government.

MOTION carried.

MR. SPEAKER: The other Order for Return has been withdrawn. The Honourable Member for Morris.

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MR. WARNER H. JORGENSEN (Morris): Mr. Speaker, I move, seconded by the Honourable Member for Brandon West, that an Order of the House do issue for a Return showing the following information:

(1) a breakdown of fees and expenses to Richardson & Co. for legal services for the period January 1, 1972 to date.

MR. SPEAKER: The Honourable House Leader. The Honourable First Minister.

MR. SCHREYER: Well, Mr. Speaker, there is a technical problem in connection with the last Address for Papers. I don't know how the Honourable the Leader of the Opposition would wish to handle it. There is an error in name. Pan Arctic Gas, Mr. Speaker, does not exist. There is no such company. It's either Pan Arctic Oil or Polar Gas, but not Pan Arctic Gas.

MR. SPEAKER: Can we have a definition of that?

MR. SPIVAK: Mr. Speaker, then in that case, I wonder if this can be held until the next session, and then with permission we would amend it to the name of the right company. Well, the problem is the Honourable Member for Riel is not here and I would prefer the matter be held on the Order Paper until this afternoon or . . .

MR. SPEAKER: Very well. This Address will be held. The other one is moved by the Honourable Member for Morris, seconded by the Honourable Member for Fort Garry, the Order for Return. Is it acceptable? The Honourable House Leader.

MR. GREEN: Yes, Mr. Speaker.

MR. SPEAKER: Thank you. So ordered. The Honourable House Leader.

MR. GREEN: Yes, Mr. Speaker, I wonder if you would now call Bill No. 64.

GOVERNMENT BILLS - BILL NO. 64

MR. SPEAKER: The proposed motion of the Honourable Minister of Finance and the amendment thereto. The Honourable Member for Fort Garry.

MR. L. R. (BUD) SHERMAN (Fort Garry): Thank you, Mr. Speaker. Mr. Speaker, I rise at this point to speak out on Bill 64 and add my voice in the strongest possible terms in opposition to this legislation. I suggest, Sir, that there is no justification for it; that the argumentation that has come in from wide corners across the credit union movement, the banking movement and the financial community generally in Manitoba, underscore the fact that there is no justification for this kind of government step. It is regarded by people in the financial community serving the interests of this province, and regarded by people in the Progressive Conservative caucus, Mr. Speaker, as an unwarranted intrusion into that field. It is being done, I suggest, in pursuit of doctrinaire approaches to government and, if followed through, if followed along with, it will amount to another step down the road to this government's objective, which is total government control of the affairs of Manitobans at all levels. It is a costly invasion that will hurt Manitoba taxpayers, hurt Manitoba industry, and hurt Manitoba enterprise, and I wish to add my voice in the most strenuous terms in opposition to the measure, Sir.

The Minister of Tourism and Recreation, speaking in the House the other day, said that he has spent a great portion of his life in the credit union movement and that he has not been in receipt of any requests from representatives in that movement to move against this bill; that he has not been in receipt of any pressure, any messages from the movement generally, speaking out against the intention of the legislation. Well that is passing strange, Mr. Speaker. I suggest that if he has not, then he's probably the only member of this House who has not, and certainly I can assure him of one thing; if he has not, he is the only person in relation to this side of the House, in any event, who has not received voluminous communications from the credit union movement on the subject. There is nobody in this caucus, and I would be very surprised if there are a significant number in the government caucus, who have not received communications, who have not received messages from not only representatives of the credit union movement, but from the financial community and the business community generally, speaking out against this bill. In any event, Sir, I can say in response to what the Minister of Tourism and Recreation had to say, that I've spent no time during my life in the credit union movement, but I have received a number of messages of anxiety and distress from the movement itself, asking me and my colleagues to stand up and speak out in the strongest possible terms against it.

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(MR. SHERMAN cont'd) . . . . I've received communications from the Netherlands Credit Union, from the Holy Cross Credit Union, from the St. Norbert Credit Union, and from the Co-operative Credit Society of Manitoba, to name just a few, and I know that colleagues in my caucus and others in the Opposition have received many more communications of that kind. So, I suggest that the Minister of Tourism, notwithstanding the extent of his life that he says he has spent in that movement, is out of touch with that movement today, Mr. Speaker, or else is not listening to his telephone messages or reading his mail.

Speaking of the subject of listening, I think I can suggest to you, Sir, that the government in total is not listening, is failing to listen to the voice of Manitobans in general on this subject, and if the government proceeds with this legislation, then whatever meetings have been held, whatever cursory talks and examinations of the subject have been held between the First Minister and the Minister of Finance and other ministers of this administration and representatives of the credit union movement, are meetings that were mere sham and mere window-dressing and mere camouflage. Because there's no point to that kind of meeting, no point to that kind of exercise if it's merely an exercise for show, if there's no meaning to it. And if the government proceeds in the course that it's bent on evidently at the moment, then I think whatever meetings have been held can be dismissed as pure sham and camouflage, because they will not have represented a meaningful communication or an effort on the part of the First Minister and his colleagues, and the Finance Minister in particular, to listen to what's being asked and what's being said.

There are, as I have said, Mr. Speaker, voluminous expressions of opposition pouring in. My colleague the Honourable Member for Rhineland has himself received, I believe, upwards of 120 letters, individual letters and communications from individual credit union representatives and people in the financial community on this subject. And it's known to all in this House, including the Finance Minister and the First Minister, Sir, that nearly 400 representatives from Manitoba credit unions, meeting on Wednesday night, unanimously passed a resolution opposing the setting up of these proposed treasury branches.

So I ask this government - which has claimed since the day it took office, and even before that, that it listens to people - what voices does it listen to? Who is it listening to? Is it listening to the Minister of Finance only? Is it listening to the theorists in the back rooms of the New Democratic Party only? Is it listening to the First Minister only? Those are valid voices to listen to but those aren't the only voices, and it has claimed since it sought a mandate from the people and won that mandate in 1969 and reinforced that mandate in 1973, that it is a party of the people, a government for the people, a government that listens to people. Well, how many voices have to be raised on a subject, Mr. Speaker, before it hears, or is the exercise of listening just another exercise in camouflage? How many voices have to be raised, how many messages have to be communicated before the government not only listens but hears?

Mr. Speaker, my colleague from Lakeside - I hope the Minister of Finance will have an opportunity to be present for a few moments notwithstanding the pressures of his department which may require his absence from the Chamber at some point during the morning, but I hope he'll bear with me for a couple of minutes because I want to direct a couple of remarks specifically to him - my colleague, the Honourable Member for Lakeside, yesterday called on the Minister of Finance to spell out the mechanics of this bill; to spell out the methods in which it would be applied; to spell out the ways in which it would work; and the Minister did not respond, did not even acknowledge that that was a valid question that deserved his attention and response, and he cannot hide behind the fact that he could procedurally have answered the Honourable Member for Lakeside at that time. It was a legitimate request and it was legitimate procedurally to pose it, and it would have been legitimate and it would have been highly admirable and worthy of the Minister of Finance if he had got up and made some response to it. He would not have been closing debate, as he well knows, because we're simply on the amendment at the present time and not the main motion. And I think, Mr. Speaker, that we have a right to ask the Minister of Finance whether he even knows what the mechanics of this bill are; whether, beyond the level of pure doctrinaire theory from the back rooms of the New Democratic Party, the Minister has thought this thing through. We have a right to ask that question because the Minister, presented with the opportunity, with the challenge by the Honourable Member for Lakeside, refused to respond, and one can only conclude or one can certainly be left wondering, validly, whether the Minister can answer the question; whether he

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(MR. SHERMAN cont'd) . . . . has thought this through; whether there is anything to be thought through; whether it is anything indeed, Sir, more than just another doctrinaire, socialist proposal. If the Minister has thought it through, then why doesn't he respond to my colleague? Why doesn't he respond to us, to the valid desire of Manitobans generally, and tell us how the bill is going to be applied and how the mechanics are going to work?

The conclusion, Sir, is that the Minister hasn't thought it through; that the bill has no mechanics that can work effectively, and we are left being kind to him by suggesting that that is the reason he didn't respond. There may be other reasons but it might be unkind to suggest any other. I think the kindest thing that we can say is that he didn't respond because he doesn't know; and if he does know, he's come to the conclusion in his own mind that the bill hasn't got mechanics that can be justified in this House in any event.

Mr. Speaker, I just want to add one or two more words to what I have said and I want to underscore a point I was attempting to make a moment or two ago about the kind of message of anxiety, concern and opposition that has been conveyed to this side of the House, and I'm sure to the government side of the House, over this legislation by representatives of the credit union movement itself. And I want to read into the record, Sir, one letter from an extensive file of letters that have come in to either my colleague from Rhineland or myself or another of my colleagues on this subject, to set down in concise terms for the record, to crystallize and capsulize for the record the whole argument, the whole thrust of those in the credit union movement who are so deeply affected and so deeply troubled by this proposed legislation.

This is a letter, Sir, and a current one, dated June 6th, from the President, Mr. Peter Wiebe of the Winkler Credit Union Limited in Winkler, Manitoba, and I think he speaks eloquently for all persons concerned with the health of the economy of Manitoba, whether in Winkler, whether in the North, or whether in Metropolitan Winnipeg or any other part of the province. He writes the Minister of Finance, the Honourable Saul Cherniack, as follows, Mr. Speaker, and I'm quoting directly from his letter:

"Dear Sir: As President of the Winkler Credit Union, I represent 6,800 members. The government Bill 64 to establish treasury branches will affect all Manitobans, but I am appealing to you today on behalf of our membership. My board of directors and I must tell you that we believe this to be a step backwards for Manitoba.

"We attended the general credit union meeting in Winnipeg last night. The paper presented by the Premier did not put forth any valid reason for treasury branches for Manitoba. We listened very carefully to your government's reasons to take this step but we fail to see how the financial services to the people of Manitoba can be served better by a further expansion of another near bank. We are of the opinion that the credit unions of Manitoba are fulfilling the financial needs of our members and most Manitobans. With the expanding growth and additional new services of credit unions, as well as the chartering of the Northland Bank, we believe the concerns of your government can be met more effectively by supporting and expanding the financial vehicles we now have at our disposal.

"Mr. Minister, we appeal to you to withdraw Bill 64 immediately. The members of the Winkler Credit Union and the citizens of Manitoba will salute you for good statesmanship if you stop us from taking this regressive step. Yours very truly."

That, Mr. Speaker, is the end of the letter. And that is a letter that as I say is representative, Sir, of dozens that have come in to our caucus. The Minister of Tourism is asking if he can have the letter. He certainly can, Mr. Speaker, but before I pass it on to him I wish to do two things. I wish to make one more reference to a remark in the letter and also I will have to clear it through my colleague, the Honourable Member for Rhineland, because he has been the recipient and has been the processor of most of the mail on this subject that has come in to our caucus.

Sir, I think that one of the most significant statements in the letter and one of the most significant statements in this whole debate is the statement near the close of the letter from Mr. Wiebe in which that gentleman said, as I read a moment ago, "We believe the concerns of your government can be met more effectively by supporting and expanding the financial vehicles we now have at our disposal." Sir, surely that is the point that we have been trying to impress upon this government to no avail for five years now, that there are institutions in this province, that there are people of effort and energy and enterprise in this province who are endeavouring to build up the strongest possible economy in the competitive situation in



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(MR. SHERMAN cont'd) . . . . which we live in North America today, and this government should be trying to support them to reinforce them and strengthen them instead of tearing them down by injecting new forms of state operated competition. The term "competition" is a misnomer when applied in that frame of reference anyway, Sir, because no government competes fairly or effectively with anybody in any enterprise when it enters the picture. There is always a pair of loaded dice loaded in the government's favour. It's not possible to have a fair state of competition existing . . .

A MEMBER: The odds are with the House.

MR. SHERMAN: The odds are with the House, my honourable colleague from Lakeside points out, and I think that very graphically describes the situation. It's not possible to have a fair and equal state of competition existing between a government enterprise and a private enterprise because the private enterpriser is always subsidizing his competition, and the government enterprise always has the opportunities - as were pointed out yesterday in debate by the Honourable Member for Portage la Prairie on another bill - of approaching the problems that it faces from various subtle directions. It can put pressure on in areas that the private operator cannot apply pressure. It can introduce hidden taxes, and it can do all kinds of things that a private operator cannot do to support and sustain its operation. The Honourable Member for Portage la Prairie pointed that out, Sir, in debate on another bill, but it applies equally to this bill. It applies to any bill, any piece of legislation, any measure, any proposal in which a government is trying to justify its right to operate and compete against the private sector and trying to say that that will be fair and even and equal competition. It may be competition, it may be --(Interjection)-- No, I will at the end, but I want to just finish my remarks, Mr. Speaker.

It may be competition, but it isn't fair and equal competition. We're willing to live with a certain amount of that kind of competition, but don't pass it off as being beneficial to the private sector generally. It's in no way beneficial. The most beneficial thing to the private sector that this government could do is recognize what Mr. Wiebe has pointed out in his letter, which I referred to a moment ago, the fact that the government could be most effective by supporting and expanding the financial vehicles we now have at our disposal. That is a course that this government could follow that would be lauded generally by all except the most doctrinaire of its own followers, and would have some beneficial results for the private sector and for the economy and for society generally because it would be an expression of reinforcement and an expression of faith and an expression of support for those elements in our society that are trying to build the economy up now and have been trying to build it up in the face of imbalanced, unfair intrusions into the sector of the economy generally by government. If the government really wants to help, let it promote a climate and an attitude of faith in and support for the energy and the initiative of private institutions in the financial and industrial and business fields who are seeking to develop their own enterprises, not only for the sake of the profit that it will return to their own shareholders but for the sake of maintaining Manitoba's healthy position competitively in the Canadian economic picture as a whole.

This is the course that we would like to see this government follow. I presume that as all other remarks in this debate mine will fall on similarly and equally deaf ears, but I could not let this opportunity go by at this stage on this bill without speaking out and asking the government to do what hundreds of voices in the province are doing, asking them to listen, asking them to withdraw this bill, asking them to support our institutions as they exist at the present time, not fight them. Thank you, Mr. Speaker.

#### INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed, I should like to direct the attention of the Honourable Members to the gallery where we have 60 students of Grade 4 standing of the Faraday School. They are under the direction of Mrs. Hawrycuk and Mrs. Wallace. This school is located in the constituency of the Honourable Member for Inkster, the Minister of Mines, Resources and Environmental Management. On behalf of all the Honourable Members, I welcome you here this morning.

BILL 64 Cont'd

MR. SPEAKER: Has the Honourable Member for Fort Garry completed his debate?

MR. SHERMAN: Yes, I've concluded my remarks, Mr. Speaker.

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

MR. TOUPIN: Would the honourable member now submit to a question?

MR. SPEAKER: The Honourable Minister.

MR. TOUPIN: Mr. Speaker, would the honourable member ask the governments of Alberta and Ontario to withdraw their present rights and privileges given . . .

MR. SPEAKER: Order please. Order please. The question is opening up further debate. I'm sorry. The Honourable Member for Brandon West.

MR. EDWARD MCGILL (Brandon West): Mr. Speaker, I would like to move, seconded by the Honourable Member for Roblin, that debate be adjourned.

MOTION presented and carried.

MR. GREEN: Would you call Bill No. 74, Mr. Speaker.

BILL NO. 74

MR. SPEAKER: On the proposed motion of the Honourable Minister of Industry and Commerce. The Honourable Member for St. James.

MR. MINAKER: Thank you, Mr. Speaker. As has been previously indicated with other colleagues, honourable colleagues on this bill, the Progressive Conservative Party is opposed to this bill that will in my opinion give the government powers to eliminate companies that presently exist in Manitoba and are adding to the economy of Manitoba - and for this reason where a monopoly could be given to the government, obviously we are opposed to such legislation. And why I say that is, that the bill before us in principle says that the export corporation has the power to buy and sell products that are manufactured in Manitoba and export them to other countries. Similarly, it gives the corporation the power to buy products in other countries and to bring them in as imports and sell them on the markets in Manitoba; or in addition, Mr. Speaker, it allows the corporation to accept and barter with other countries if they like, with products that they have bought from companies within Manitoba and are exporting these products, they can in turn accept bartered goods and dump them onto the market in Manitoba.

Now I suggest, Mr. Speaker, that one could visualize something occurring after this Act was passed, or if it is passed, where we could have a very sound company manufacturing and exporting throughout the world and someone in MDC decides that that would be a very good type of product to manufacture in Manitoba. So the MDC sets up a company to manufacture this product, then in turn utilizes the Manitoba Export Corporation to market this product in other areas. I suggest, Mr. Speaker, that what could happen is that the Export Corporation could go out - and it's being subsidized and financed by public funds - go out to other countries and undersell that particular manufacturer that already exists in Manitoba and eventually put him out of business and make the MDC company operating with little competition locally, and in fact we could end up using this corporation as a tool to eliminate companies that might be in competition with MDC. I would hope and I'm certain that this government would not allow that to happen, but the very fact is that the Act the way it is written would allow this particular corporation to do such.

Sir, I suggest that the other concern that we have is that the mining Act that has been at this time tabled for this legislative session accepted or had the principle in accepting for taxes kind, that is minerals or the product that the mine was producing. I suggest, Mr. Speaker, with this type of operation the Export Corporation could take on the role of selling this mineral that they accept in kind for taxes to another country and in actual fact become competitors to the mining people who they are taxing and taking that mineral off of. And then what happens, Mr. Speaker, if they do make a profit off that particular mineral they can, I would presume, evaluate it at anything they wanted to in the books; they could show it as a profit, make a profit and transfer it over and make it appear that the company, the export company was making a profit and they could in fact be dumping other products that are selling on the export market at a lower cost to eliminate a company that already produces and manufactures in Manitoba in competition to an MDC company. So I suggest, Mr. Speaker, that we have here an Act that if the government of the day wished to, could pretty well take over a major portion of our economy.

Further, Mr. Speaker, I would suggest that one of the bases of success of the City of

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(MR. MINAKER cont'd) . . . . Winnipeg, which is the capital of our province, has been the wholesale distribution industry that we have - and I know in my own constituency the major industries that we do have in the adjacent vicinity of the Winnipeg Airport are distributors and wholesalers, and a good number of them import their products from outside the province because we do not have the basic manufacturing facilities here to refine these products and to prepare them for the marketplace. So what we are suggesting here, Mr. Speaker - the government is - that this company will have the power to import products both from outside the Province of Manitoba in Canada and outside the country and to compete with our industries that basically have helped to build our capital city in the province as well as other cities and towns. I suggest, Mr. Speaker, that when that occurs that we are not doing anything good for the people of Manitoba because there are many people involved in the trading activities of our province. I know the report we received the other day - the Province of Manitoba, the Economy, with the Honourable Minister's photo in the preface of this book, the very Minister who is proposing this Act - and it states under the trade section that there are some 68,000 people employed in the trade activities in Manitoba.

I suggest that this Corporation Act if it is passed the way that it's proposed, that it in fact will become competition, and it really will not be competition as such because it has an endless tap to finances. In one section of the Act, the principle is there that they can loan moneys from the government, that this corporation will be competing with the wholesale distributors, retailers in Manitoba and I suggest, Mr. Speaker, that I cannot see how that will be of any benefit to the people of Manitoba. It will obviously give more control for the government; they will have a greater control of the economy and we all know, Mr. Speaker, that this is the main objective of many of the members of the government side, is to control that cash flow. Here's a chance of an Act where we can not only control the cash flow but we will start to control the industries in Manitoba - and not only that, the wholesale industries, the importers and the exporters. I suggest, Mr. Speaker, that this is the wrong approach, that with this legislation they will be able to - the Export Corporation and the MDC Corporation will be able to change the values in their books and then make them appear that they're making a profit, simply from the power that this Act will give the government and its department; that they will be able to take minerals as taxes from the mining companies; they will be able to go out on the market and sell these in competition with the mining companies that they are taxing the companies for; they will in turn be able to take this profit and put it into the books and make it look as though the Export Company is making a profit - and then on the other hand it can turn around and take an MDC company produced good, dump it on the market, on the export market and possibly lose money on it or break even and in turn possibly eliminate the competition that they have locally of other manufacturers who export products. We might say an example being the agricultural machinery production field. Mr. Speaker, when this power is in the Act and I suggest, Mr. Speaker, it's too powerful, it's too powerful an Act to put in the hands of a government, particularly a government which wants to control the economy of the country, and particularly a government who wants to control industry, and particularly a government who wants to control the people of Manitoba. I suggest, Mr. Speaker, that the government should review these principles and policies and amend the Act or withdraw the Act.

Mr. Speaker, the other portion is that we have no objections of a corporation that will provide services to our companies that are manufacturing and wish to export their product. We have no objection to that. We have no objection to a vehicle that will have trade fairs for the people in companies that are manufacturing products in Manitoba and I'm sure that these companies will take part in these trade fairs with the government if they lead the way and make the arrangements for them. I think this has happened in the past and it would continue to happen in the . . . I would suggest, Mr. Speaker, that this is the basic service that the people of Manitoba are looking for, the manufacturers that employ all our people, that they need assistance from the government from time to time to co-ordinate exhibitions of their products outside the province. They also need assistance from time to time and advice on tariff duty rates and methods of customs and so forth, but they surely don't need a company that can go in direct competition with them. And they're really not in competition, they're in control with this particular Act, because they won't even have this corporation operate under the Companies Act - because the principle here is that if there's anything in the Companies Act that conflicts with this particular legislation we're dealing with, then the Trading Corporation Act will prevail

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(MR. MINAKER cont'd) . . . . so that they won't even compete under normal guidelines as such, that they have a special Act for this particular company.

And one, Mr. Speaker, would ask the question why? Why should we all of a sudden exclude a government owned corporation from operating under the laws of the rest of the province? Why would they want this, Mr. Speaker? Is it because they want to do certain things that the other companies are not allowed to do? I suggest, Mr. Speaker, that if this is the intent of the Act that it will not do anything good for the province of Manitoba and its people. It will surely give the government and its departments more control, which they want, but it is surely not what the Progressive Conservative Party wants in the Province of Manitoba. We want to assist the industries that employ our people in making sure their goods are exported and getting a fair price, but we cannot accept a principle where a government owned corporation can buy a product, turn around and go out on the market and sell it at possibly a lower rate than normal just to get the business on the books - particularly if they can buy that product from an MDC corporation; and in particular if they have access to other sources of revenues through a tax, we'll say a mining tax, where they can accept minerals to sell on the export market to subsidize this corporation and indirectly subsidize the MDC corporations, and indirectly put companies out of business that are in competition with the MDC companies - then I suggest, Mr. Speaker, that the government has gone too far with asking for this power to handle this type of company. I suggest that if this is not the intent of the government, that they amend these sections of the Act that will give them these powers, because the power is there right now the way the Act reads, that they can do all of these things. Mr. Speaker, when that occurs, then I suggest that industries will no longer want to operate in Manitoba, in trying to compete, because they will not have fair competition. Then we will find that again, which is unfortunate, Mr. Speaker, that industries will again believe that the government of the day, the NDP government has one thing in mind - they want to take over everything, and for this reason why invest our money in a province where tomorrow we may not be able to operate it and control it ourselves.

I suggest, Mr. Speaker, that the government review the Act and amend it accordingly with the intent to assist the industries that are presently located in Manitoba, assist the people who work for these industries by assisting the industries in export sales - not by buying and reselling, but by assisting them in trade shows, assisting them in technical advice with regards to exporting in terms of tariffs and how they handle their goods etc., but not to go into direct competition with them, with the intent of eventually controlling this very important market, the export import market and the manufacturing field. Thank you.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: Well, Mr. Speaker, I beg to move, seconded by the Honourable Member for Swan River that the debate on this bill be adjourned. I have of course no objection should anybody else wish to speak on the bill.

MOTION presented and carried.

MR. SPEAKER: The Honourable Minister of Finance.

MR. CHERNIACK: Mr. Speaker, No. 77.

MR. SPEAKER: The proposed motion of the Honourable Minister of Finance. The Member for Charleswood.

MR. ARTHUR MOUG (Charleswood): Mr. Speaker, I would like the indulgence of the House to have this matter stand. It is in agreement with the Government House Leader.

MR. SPEAKER: The Honourable Minister of Finance.

MR. CHERNIACK: Mr. Speaker, I'm not aware of that. 82, Mr. Speaker.

MR. SPEAKER: 82 isn't being called.

MR. CHERNIACK: No, no, Mr. Speaker, we're not calling that today anyway. 90, Mr. Speaker.

BILL NO. 90

MR. SPEAKER: The proposed motion of the Attorney-General. The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Speaker, I believe when the clock ran out on me early this week. . .

MR. SPEAKER: The Honourable Member had used 10 minutes, he has 30 left.

MR. SHERMAN: I had used 10 minutes. Thank you, Mr. Speaker. I believe when the

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(MR. SHERMAN cont'd) . . . . clock ran out on me, at that time I was talking about one or two areas of the economy in which I think perhaps Manitobans do not get the protection under this bill, that the concept of Human Rights seems to imply for everybody - and I was mentioning that in the part of the bill having to do with the prohibition of discriminatory practices, which is certainly a laudible and desirable part of the bill, there seems to me that there might be some oversight in the area of protection afforded broadcasters and publishers. I certainly agree with the provisions of the bill to their very letter insofar as they insist that it shall be an offence to publish or broadcast, or permit the publication or broadcasting of any kind of material that is discriminatory in any way, in terms of race, creed, colour, nationality, religion, marital status, or ethnic origin. But I'm just wondering, Sir, whether the Attorney-General might not have a look at that section to see whether some protection might be built in for the publisher or broadcaster who unknowingly finds that material of that kind has been disseminated through his or her facilities.

I agree that the person in the publishing and broadcasting business with the responsibility of proprietorship must maintain a continual vigil over that kind of material and we would expect all persons in that walk of life to do so, but as I was saying yesterday, Mr. Speaker, I think that even the most rigid members of the front benches with the department responsibilities of a voluminous number to look after, would admit that one cannot always know all the things that are going on under one's so-called supervision, and somewhere down the line a broadcaster or a publisher could be compromised and put in a rather unfortunate position - particularly insofar as the provisions of this bill are concerned - by the fact that somebody took advantage of that broadcaster or publisher by slipping in some material that could be interpreted as discriminatory. The broadcaster or the publisher himself or herself would have we would hope the highest and the best of intentions in maintaining a practice totally opposed to dissemination of that kind of material, but inadvertently that broadcaster or publisher could be caught unknowingly, he could be caught by information that was disseminated through one or another of his facilities over which he didn't have direct control.

So I would like to urge the Minister and the government to just have a look at that part of the bill and see whether some kind of protection cannot be built in for the person who is trapped and caught unknowingly in such a situation. It seems to me that when we get to the committee stage on the bill that that oversight could be remedied fairly easily, Sir. All it would require would be the insertion of the word "knowingly" in the provisions of the legislation as they are presently written, and I would urge the Minister responsible to give consideration to that suggestion. Because as I said, a human rights bill really has as its rationale the commitment to protection of people, to protecting the rights of people without regard for race, creed, colour, etc., and implicit in that is an over-view that recognizes the rights of all people to be protected against inequities. I think that there is a possibility of an inequity, and an inequitous situation arising here in which persons who control facilities through which news and information material is disseminated can be caught in a trap not of their own making.

As for the other parts of the bill, Mr. Speaker, I have said and I repeat, that I have the utmost feeling of support for it and I am sure that my colleagues join me in extending unequivocal support to the principle. We recognize what it is intending to do, we recognize what it is saying, at least by implication; and there are many measures and provisions in it, particularly in the area of accommodation and employment that are overdue and indeed very necessary in society in Manitoba and deserving of this kind of formal recording.

The bill, however, does not really guarantee total protection and total freedom and recognition of all rights in my view, because I think in the area of religion in particular there is some discrimination practised in this province by the very fact that we have banished a recognition of the religious point of view from our school system - and I wonder whether that might not come into the area of human rights, and whether there might not be something in the legislation designed to enshrine people's rights to enjoy a mutual recognition of the existence of that point of view. What I'm saying, Mr. Speaker, is that I wonder whether the banishment of the religious interpretation of the origins of man and the universe and its replacement exclusively by the secular view in our schools and our school system doesn't represent a discriminatory practice of a kind. I think there would probably be little support for a return to formalized religious instruction in the schools, and I'm not asking for that at the present time; but I think that it is reasonable to suggest that there should be and deserves to be a recognition

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(MR. SHERMAN cont'd) . . . . that there are other views on the origins of man and the universe than the purely secular ones. Now we have taken a position in our school system where today we don't even recognize the existence of religious points of view; I think that those persons in society, and there are many who do believe in religious origins and religions interpretations, have a right to have that kind of freedom of thought and expression protected just as in the same way we're protecting the freedoms and the rights of persons on religious, racial, ethnic and colour grounds in the main sections of the bill. And I would ask the Attorney-General to give some consideration to that situation. I would suggest to him that to be fair and to be fully non-discriminatory that the different perspectives and theories, including the religious view of life, should not necessarily be taught but should at least be acknowledged and recognized. And on those grounds I can suggest, Sir, that I think there's a discriminatory practice being followed in our school system at the present time simply by the fact that we deliberately, overtly, intentionally fail to recognize the existence of that view.

Other than that, Sir, I have as I say a strong sense of, and feeling of support for the bill. I think that the arguments raised by some of my colleagues a little earlier in the week as to the obvious requirement for this government to follow the bill in practice and not just in letter were well taken - and I made reference yesterday to what two colleagues of mine had to say in debate with respect to, in particular to the two nurses at Selkirk on the question of their right to be in or out of a union. At that point we had some interesting diversionary arguments advanced by the Government House Leader as to just what rights may be infringed by strike movements. I suggest that there is an area of debate that could be most stimulating and provocative on that score if we could have some legislation introduced in that area where we could get at it directly, Sir. It's a little difficult to tackle it on this bill because it's not really contained in the principle of the bill itself. But I think that the Government House Leader made some assertions that were totally outlandish and totally without foundation and could be easily and quickly disproved in debate, when he suggested that the strike action does not prevent or prohibit anyone from going to work. It may well be that legally it doesn't, but it depends on what one's interpretation of the terms "prevention" and "prohibition" are. I think the Government House Leader would have to admit that prevention and prohibition simply means stopping somebody from doing something, and whether legally or not, certainly there have been strike activities and picketing activities that through harassment and intimidation and brute force have prevented and prohibited people from going to work. So that's an argument that I would not mind entering into and a battle that I would not mind joining the Government House Leader in, should the occasion arise, with legislation that is directly concerned with that principle.

I can't bend the debate at the moment to encompass that ground of argument, Mr. Speaker, and I'll leave it for the opportunity that may arise on some other bill, but I wanted to observe for the occasion that I found his suggestions in that area to be substantial misinterpretations, if not distortions, of what actually happens in the strike action in many instances, where the rights of other people to go to work are involved, and I don't think there's any question and I don't think the Government House Leader can prove to my satisfaction or anybody on this side of the House's satisfaction that the rights of many persons to go to work and to hold their jobs are infringed and impinged upon in many cases by strike action - not perhaps sanctioned by law, but resulting from the facts of life, from the realities of the situation.

So those rights are rights that I think have to be looked to when the government is considering human rights too, Mr. Speaker, and the arguments raised by my colleagues from Morris and LaVerendrye with respect to the two nurses at Selkirk are valid and legitimate ones, and are deserving of the attention of the Attorney-General and are not deserving of the cursory dismissal placed on them by the Government House Leader, who seemed to enjoy getting into philosophical, semantical arguments of interpretation with which nobody on this side of the House, and I suggest very few people in Manitoba generally, would agree. They were mere arguments of sophistry with no substance in reality. Because he knows as well as we do, as well as anyone, that many persons are prevented from going to work as a consequence of strike action.

But, Sir, having said that, I return to the original case I was intending and hoping to make on this bill, and that is that with the exceptions I've suggested, the bill is good and is desirable, and we support it, but I would ask the Minister to look to that area of protection for the disseminator of information who is unwittingly caught by somebody else's act to which he

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(MR. SHERMAN cont'd) . . . . was not a party, and to look to that area of religious teaching in the schools which has been banished so thoroughly by the secularists, and I ask him whether that is not discrimination of a kind that might be remedied.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed any further, I'd like to direct the attention of the honourable members to the gallery where we have 30 students of Grade 4 to Grade 8 standing of the Lenore School under the direction of Mrs. Graham. This school is located in the constituency of the Honourable Member for Virden. On behalf of the members of the Assembly, I welcome you here this morning.

BILL NO. 90 Cont'd

MR. SPEAKER: The Honourable Attorney-General shall be closing debate. The Honourable Attorney-General.

HON. HOWARD PAWLEY (Attorney-General) (Selkirk): Mr. Speaker, I've listened with interest to the discussion relating from this bill and I think it has been most useful. I do think that it also underlines a common thread throughout this Assembly that society, as represented by its representatives in this House, is wholly aware of the need for us being constantly on guard in respect to the treatment of one individual by another and particularly treatment towards minority groups.

There are a number of specific areas that I would like to relate to, and that is primarily to the concerns expressed by the Leader of the Opposition in connection with the method of appointment of commission members. The suggestion was that commission members should be appointed by the Legislature as a whole rather than by the government, and in fact the commission should be reportable to the Legislature in the same manner the Ombudsman is reportable to the Legislature rather than to government.

I would like to just mention to honourable members some of the reservations that we have in proceeding in this direction. One, of course, is the philosophic, general responsibility that I think any government responsible must assume, and that is the accountability of it at all times for its actions, its legislation, and that any deviation from this area of accountability should be done in only the most extreme and unusual circumstances, and such an exception certainly was made in the instance of the Ombudsman. It dealt, the Ombudsman, with matters that would be purely of an internal nature involving complaints in respect to the operations and the handling of matters by government employees or departments.

Insofar as the area of Human Rights Commission, it relates largely to activity outside of government, to the private employer, to the municipal employer and to other groups within the community, so that the responsibility there for the actions of government relates to not just its own servants, but to the provincial community at large. And therefore I think that the government itself must share a heavy responsibility to ensure that it not shift this responsibility off to the Legislature as a whole, but must assume deliberately and frankly the responsibility and accountability, the ultimate responsibility of the decisions that are made by the Commission, so that if those decisions made by the Commission are improper ones, are wrongly based, then, Mr. Chairman, I think it is only right and proper that the government be accountable and that in fact it be the government that receives the lessons of the electorate for any abuse of power or responsibility on the part of the Commission.

You know, when one considers this a little bit more closely, one would also consider the fact that in the event that the Legislature did in fact appoint the Commission, the government members would be a majority on any such committee. I believe in the instance of the Ombudsman it's a committee of seven, with four government members that are engaged in the selection process moving towards the appointment of the Ombudsman. Certainly in the same way, insofar as the Commission is concerned, government members would in any event maintain a majority on such a committee, and certainly that the decisions of the committee would be in line naturally with that majority point of view, even though, Mr. Speaker, government would have really, in a realistic sense, been able to shuffle responsibility off its shoulders onto the Assembly as a whole, and I don't think that would be a wise thing from the point of view of the community.

The question of politics extending the employment prohibited discrimination to political

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(MR. PAWLEY cont'd) . . . . belief was raised by the Leader of the Opposition. Certainly one should look at the definition and the reference to political belief as it relates to the bill, but I do think that this is one of the most important aspects of this bill that surely in this day and age in our northern western hemisphere that we recognize that, within the world as a whole there has been a steady erosion of often rights and privileges, and concepts that we have held to be important, that we hold to be worthy of high note, with the development of technology and science at a constantly accelerating rate, we find that too often political control can be exercised in a separate way. And thus we can examine developments throughout the world of the past few years, and one need only relate to three examples - and I won't go into detail, because at ten, twelve years ago I think we all were optimists. We all felt that the world was moving steadily towards more and more democratic government, that there would be less and less tyrannical dictatorship throughout the world. I think we were all optimists a decade ago that this was the process. But I sometimes question whether or not there are powerful forces brought about by technology and science that in fact may be propelling the world in an opposite direction, and in the last several years we have, for example, the instances of Czechoslovakia, Greece and Chile to refer to, where in each case there were countries moved which already held democratic framework or were moving towards democratic government, that in fact found themselves trampled under by the tyrannical heel. So that political belief is very important, that this be accepted as an element of extreme importance within any democratic society, and certainly one's employment ought not to be interfered with because of that belief.

The Leader of the Opposition raised the area of the SLA and said well what if an employer would be required to hire somebody that was a member, for instance, of the Symbionese Liberation Army? Well, Mr. Speaker, I just say this; that it is not thought that is alien to democratic society. One's political thought can be in any direction and is not criminal, but it is when thought is often expressed in criminal activity that it becomes something which is alien to our society, and by using the reference to Symbionese Liberation Army I would say here that an employer would be justified in refusing employment to one that is engaged in criminal activity, not because of a political thought, but because one is engaged in a criminal activity - murder, theft, holding up a bank, whatever it be. Because surely at times, Mr. Speaker, if we wish to be frank, I'm sure that Conservatives and Liberals and New Democrats all at times have thoughts which may not be in perfect accordance with the criminal laws of this country, and I'm sure there are times when honourable members wish they could burn down each other's constituency committee rooms or provincial offices --(Interjection)-- Somebody did it, as the Honourable Member for Morris states. That is part of the human frailty, that from time to time we all think, well, this is a slow process, maybe we should get rid of the other fellow's political apparatus or facility, speed things up. That in itself, that thought is something that is private to the individual. It's only when that thought is expressed into actual criminal activity does it become something which is of such a nature that we would want to take offence to within our society.

The honourable members also made reference - and I do think I have to comment here firmly - to some sort of suggestion that this government was presenting here a nice face-appearing bill, but in fact this government had eroded human rights in the Province of Manitoba since its election in 1969. I don't want to go outside of my own department in response to that, Mr. Speaker. I can do so, but if I restrict myself to the Department of the Attorney-General only, I can say that this government has extended human rights to thousands of Manitobans in ways that were never even considered in 1969, and I wish to express some examples of that. The most important example is the development of a legal aid system to the province of Manitoba so that every Manitoban, rich or poor, has equal opportunity, equal potential to receive the services of the best that the provincial community can provide him in legal services in order to defend himself before a court of law.

Mr. Speaker, if that is not an extension of human rights, what is? You know, I could mention historically, and I think I will, Mr. Speaker, something which I was reading only the other night, because sometimes I think we feel, well, the area of human rights is not proceeding very quickly. But Dickens referred to a character in one of his books, a mother and wife, in her early twenties, with two children of three and five years of age. Her husband was pressed into the British Navy and she was left with her two children. She had no resources and in desperation she stole a piece of fabric from a store within the community that she was living in.



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(MR. PAWLEY cont'd) . . . . She was caught in the store in the process of shoplifting, the fabric was replaced, and it was in the process it was found that she had sold her furniture and other goods in order to try to feed her children, that she had in fact done this only as a last resort. She was arrested. She was tried without legal counsel. It had come out during the course of the proceedings that the woman, because of the anxieties and the pressure and the poverty and the pressing into the Navy of her husband had, in fact, had reached the point of some mental incapacity. Anyway, the story ends up with the mother being carted away on the streets of the British town to be hung, with her two young children of three and five years of age.

This happened, Mr. Speaker, only 150 years ago in our British society, in our British community, so that human rights is something which, though of late adage as far as legislative framework is concerned, we're not that far away from the type of lack of concern, Mr. Speaker, that must have existed even 150 years ago, human person to human person, when things such as that, and one could go on and on with the examples of these sort of abuses which occurred, this lack of thinking that occurred within the judicial process only 150, 125, 100 years ago in British society.

I mention this, Mr. Speaker, simply to emphasize that I don't think that we ought to become pessimistic as to the process or the development of our society towards more human rights. I think we are making important steps forward. In the process of stepping forward we often seem to slide backwards, but I think that legislation, as important as it is, I think legislation, Mr. Speaker, only tends to emphasize the spirit, the concern of the community as a whole towards each other. I think that the area of enforcement, the area of implementation of the legislation, as important as it is, is far less important than the need to educate our fellow citizens to bring that message to our fellow citizens of the importance of each individual in dignity, and in worth, and his identity as an individual regardless of his colour, his religion, his politics, sex, anything else, it's the individual that is so important in the whole element of human rights. It was Mahatma Gandhi that said, Mr. Speaker, that any civilization is valued on the basis of its treatment of its minorities. And surely, Mr. Speaker, this is the direction that we are all proceeding to better treatment of our minorities, and this we are attempting in a small way here, Mr. Speaker, to enshrine this within our legislation.

QUESTION put, MOTION carried.

THIRD READINGS

MR. SPEAKER: The Honourable Minister of Finance.

MR. CHERNIACK: Mr. Speaker, I wonder if we can just canvass the House to see whether the bills on second reading that have not been called and the person holding the adjournment is not present, whether any members are inclined to speak on any of the bills that are before us.

Well failing that, Mr. Speaker, I think we can move to third readings starting with the top of Page 3.

BILL NOS. 23, 65, 67, 69, 76, 79, 80 and 20 were each read a third time and passed.

BILL NO. 72

MR. GREEN presented Bill No. 72, an Act to amend The Clean Environment Act, for third reading.

MOTION presented and carried.

MR. SPEAKER: The Honourable Minister of Public Works.

HON. RUSSELL J. DOERN (Minister of Public Works) (Elmwood): I wanted to make a brief comment on Bill 72.

MR. SPEAKER: Bill 72, it's passed, it's gone.

MR. DOERN: Well is it not possible to speak on it on third reading.

MR. SPEAKER: With -- by consent of the House because the Honourable Minister was late, it wasn't my fault.

MR. DOERN: It's a case of whether you called it or I got up first. I was attempting to get up to speak on it.

MR. SPEAKER: Agreed? Does the Honourable Minister have leave to speak? (Agreed) The Honourable Minister of Public Works.

## BILL 72

MR. DOERN: Well, Mr. Speaker, I realize that it is not common to speak on third readings but I feel that this bill is of major consequence, and it is certainly of major consequence to the people of my area, and for that reason I wish to make a few remarks on it.

I believe that the administration, the present administration has done a great deal to solve the problem of pollution in the Province of Manitoba through two means: (1) through the operations and activities of The Clean Environment Commission; and secondly, through this particular bill.

The Clean Environment Commission has obviously brought in new standards which I think are as modern and effective as any in existence in North America, and I think that the measures introduced by the Minister in this particular bill are unique and are really in fact trail blazing, because my understanding is that there is no other jurisdiction that has similar legislation, and I think that this should be noted and appreciated because of its future impact.

The point in the bill as I see it is simply this, that even if pollution standards are met, it is possible to relocate those industries because of the conflict with the surrounding environment. In other words, especially where there is a population, a dense population in the vicinity and an industry is in that area, even though they may have minimal standards of pollution, standards within the limitations set by The Clean Environment Commission, it may still be unsatisfactory to the residents of the area and through this type of legislation it enables the municipality to recommend to the Provincial Government that that industry nevertheless be relocated and then a cost-sharing program on a 50-50 basis then be enacted to relocate the industry.

There are obviously practical limitations to the bill, Mr. Speaker, because if, I suppose an extreme position were taken that all industries should be relocated out of residential areas, and obviously this would break the bank.

If the City of Winnipeg came forward with the notion that rail relocation was an environmental pollution problem that would fall within the jurisdiction of this bill, it would obviously have to meet with the approval of the Minister and the administration because if that were accepted then it would undoubtedly cost an incredible amount of money.

I want to give as an example the kind of problem that would be solved by this particular bill, and I refer to a foundry in the City of Winnipeg that is located in my own constituency which has had an adverse effect on the surrounding area, where residents have for some 50 to 60 years suffered because of the location of the foundry in the area. If one were to walk around the foundry in this part of Elmwood just off Watt Street and Union Avenue, one could see on some streets the appearance of a ghost town, closed houses, boarded-up homes, houses that have very little value on the real estate market because of the unpleasant fact that they are adjacent to a foundry that has been a chronic problem for decades; it has been in effect incompatible with the environment.

In spite of the fact that there were endless numbers of complaints about noise and pollution and the unsightly nature of that particular facility, and that there were outright violations of promises made and conditions of license granted to that particular foundry, they continue to operate. It was at that time a problem that was in the lap of the City of Winnipeg; it was under their authority to enforce problems of pollution, and nothing was done.

It was only two and a half years ago that The Clean Environment Commission was established and from that point on they undertook a very difficult task of monitoring pollution and making recommendations as licenses came up, and when the foundry, this particular foundry, came up for review then there were again a whole raft of complaints and criticisms, and then a very tough set of conditions was placed on the owners and operators of the foundry that unless they complied with those conditions they would be closed, and this included the installation of some new equipment which might run to several hundred thousand dollars.

Well, Mr. Speaker, my practical illustration ends there because that particular foundry because of these tough conditions, and many many other problems in relation to their own business went bankrupt, and it's certainly unlikely that any new purchasers of that property would attempt to operate again in that particular area with that obsolete equipment - period. However if the owners saw fit to carry on and were willing to raise the capital necessary to purchasing that kind of equipment, that dollar value, and assuming the technology as well as available to meet the standards of The Clean Environment Commission, there would still have been some pollution, there would still have been noise, there would still have been

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(MR. DOERN cont'd). . . vibrations, there would still have been an unsightly building and site. In fact it would have, although meeting all the requirements of The Clean Environment Commission, been incompatible with the neighbourhood because of the fact that it is completely surrounded by homes adjacent to a large junior high and high school - Elmwood - and beside a large community club - Chalmers. So under those conditions, even though they would meet the minimal standards of pollution control, I say they were still incompatible and still should have been either closed or relocated ideally. Now it's very severe to simply close somebody because there are ramifications there, and possibly obligations, but either case in the minimum meeting the pollution standards or in the ideal situation relocating.

This bill makes that kind of a decision possible and makes the possibility of some industries, Mr. Speaker - certainly we're not going to now go to the extreme and relocate all industries outside the City of Winnipeg, in the case of the City of Winnipeg. Obviously industrial parks are the answer, obviously meeting the pollution standards where they exist is the answer. But in some cases where there is an incompatibility in Winnipeg, or anywhere else, it makes good sense to have a policy whereby those industries can be relocated to the benefit of all.

So I think that this bill is one of the most important pieces of legislation passed in this session or by this or any other administration.

QUESTION put, MOTION carried.

BILL NO. 81

MR. SPEAKER: Bill No. 81. The Honourable Minister of Public Works.

MR. DOERN presented Bill No. 81, an Act to amend The Department of Public Works, for third reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister of Public Works.

MR. DOERN: Well, Mr. Speaker, I can't let this bill go by without a short comment. I think that it's already been made clear in committee that the purpose of this minor bill really is to allow us to manage our property. There is some question as to whether or not the mere control of parking and the regulation of our property can be done under existing legislation. And I said this has been challenged and is subject to challenge in the courts.

It was also recommended by the committee, Special Committee on Statutory Regulations and Orders, that in fact the regulations be legislated. That is was not proper, although it had been in effect for many years, to deal with these problems via regulations but this should in fact be legislated.

Well I wanted to of course refer to the comments of the Member for Morris who made one of his more humorous, rather than less humorous contributions on this particular bill. I enjoyed his speech, which is something I rarely do, Mr. Speaker, but then all of a sudden he was carried away by his own rhetoric, sailed out of the House onto the back steps, I believe, the Assiniboine side of the Legislature and then gave - or perhaps the front gate - gave this very, more serious explanation of what he saw as the fault of this bill. Now I don't know if he's like many of the fellows I went to university with who took a position in a debate, pro or con, or were assigned a position and eventually came to believe their own position simply because they were given that side, they defended that side, and they eventually convinced themselves, talked themselves into it, as my colleague the Member for Wellington said. So we had our laughs in here, and then the next minute the Member for Morris was really on to something and he went out there and he inveighed against this terrible bill the possibility of all these friendly Americans coming to Manitoba, having a look and get thrown in the pokey for two weeks, and then he had some suggestions how we could still wring a little out of them. Well that I thought was going a little too far because the member was obviously becoming more serious in this estimation of this modest proposal. He was followed of course by one Bruce Graham, commentator on CKY, who then made a very serious editorial on this dastardly piece of legislation that was coming forward.

Well, Mr. Speaker, I wanted to comment on that. As for Mr. Graham I think he is like certain other commentators who occasionally, you know, make comments on the goings on of the Legislature, and are unable to distinguish between insult and insight. I think that Graham is obviously one of these people who thinks that by speaking in a loud tough voice

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(MR. DOERN cont'd). . . that he's scoring points. --(Interjection)-- Well I remember the Bud Sherman show. Mr. Speaker, I was one of those who faithfully watched the Bud Sherman Show, or whatever it was called, and I think it was pretty good. I must admit I think it was good public affairs show and could still sell today. And I would prefer to read the column of my honourable friend than the column of Sterling Lyon, for example, who I think does not write relevant comments, but the Member for Fort Garry could, or is capable of doing that.

Mr. Speaker, just to clarify that one major point, the sad tale of the tourist who would be so poorly handled by the present Minister of Public Works and his department. The provisions in the bill are identical to those that were in effect in 1965. Now I don't know who the Minister was then. I know who the administration was, but it was put in at that time, and just to briefly explain our policy it goes as follows: If a tourist commits a minor traffic violation, he is not given a ticket. That is point one.

Point two. If a person commits a minor traffic violation they are given a \$2.00 ticket. We actually through this legislation make it possible to charge such a minimum fine in relation to a standard fine under the Summary Convictions Act, of \$5.00. So all we've really done in the bill is enacted the possible supreme penalty of two weeks and \$25.00, which I'll explain in a moment, enacted as before the \$5.00 standard fine and brought in legislation because we're so reasonable in our department to allow an even lesser fine of \$2.00, which was never possible under the harsher administration that preceded us. In the event of the extreme penalty, the two weeks and \$25.00, that is only considered when a person refuses to pay his ticket or respond to tickets issued, or wishes to challenge, and of course depending on the circumstances it's up to the judge to decide whether or not the maximum penalty is invoked. So ordinarily tourists get no tickets and ordinary citizens get tickets in the range of \$2.00 to \$5.00.

So I just wanted to clarify that. I wanted especially to mention that to my honourable friend the Member for Morris who was so concerned about the tourist trade, and I don't want him alarming the public unduly and I hope that this therefore clarifies the importance of the bill, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Morris.

MR. JORGENSON: Mr. Speaker, I don't want to unduly delay the passage of this significant piece of legislation and I can't blame the Minister for wanting to wring as much as he possibly can out of this first ever bill that he's introduced in this House, as he obviously wants to do. He took great pains to explain to the House the purpose of the bill when he introduced it; he took great pains to carefully respond to the statements that were made on this side of the House when he concluded debate; he was very careful to answer all of the important and pointed questions that were asked of him in Committee, and now he makes sure on the third occasion that is available to him to insure that there is no doubt in anybody's mind of the importance of this piece of legislation. And for that we cannot blame him.

I think however that he went a little bit beyond what was said in this Chamber when he attacked - what's his name? - Bruce Graham for his comments. I must take full responsibility for that --(Interjection)-- that's just about what I was going to say, that apparently he was misled by what the Minister says is my misinterpretation of the bill. I was simply reading it literally, and now that the Minister has so carefully explained all of its provisions I'm sure that there remains in the minds of nobody in this province any doubt as to what its purpose is and what its ramifications are. And for that we are going to be eternally grateful to the Minister.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Would you call concurrences, Mr. Speaker.

CONCURRENCE - MINES, RESOURCES AND ENVIRONMENTAL MANAGEMENT

MR. SPEAKER: Thank you. We are on Resolutions 83 to 89 separately, collectively. The Honourable Member for Riel was on his feet. He had taken up ten minutes so far. The Honourable Member for Riel.

MR. DONALD W. CRAIK (Riel): Mr. Speaker, when we finished off last day I was taking the opportunity of concurrences on these resolutions to make some comments about the

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(MR. CRAIK cont'd). . . Garrison project, which I think is one of the most critical things that is taking place in this field of Mines, Resources and Environmental Management.

Mr. Speaker, one of the points that I was attempting to make last day was that I think that there has probably been a lack of consideration of the potential for irrigation within the Province of Manitoba itself with these same waters that are going to be somewhat polluted by the American diversion, and we have so far not to any large extent taken into account this possibility. The diversion potential of the Assiniboine within Manitoba is one that may well be considered in future years.

So essentially what is happening is that the Garrison project is very much cutting off or restricting at least some of the options that would be open to future Manitobans if they so desired to create their own - not necessarily diversion but at least a usage of the water within Manitoba from the Assiniboine River. There is a very good possibility that some future generation may decide to take waters out of the Assiniboine and divert them along the escarpment area and into the very well adapted Winkler-Morden area for irrigation purposes and wetland farming that may well come to pass there in the future.

This type of water usage, as opposed to the usage of the water from the Pembina, offers a number of things that are advantageous. First of all the quantity of water is a lot greater and the economics of getting that quantity of water to the irrigation are very favourable, much more favourable than other optional schemes for irrigating in that area.

Well, Mr. Speaker, what happens generally then is that although this project is not being given serious consideration right at the present time, there is almost a certainty that at a future time, or even a future generation, that it very likely will be as wetland farming becomes increasingly important to suit the times. Well what happens is that if the American people in the Garrison project load up the Assiniboine even with marginal increases of chemicals, salts in particular, that this may well affect the abilities of the Assiniboine River to be used for irrigation purposes in Manitoba. And so far we've been primarily considering what the impact would be on the water supplies of certain towns such as Souris and others along the route that use the water for town municipal purposes and for industrial purposes. But the real large impact, Mr. Speaker, could very well be that it cuts off the options in Manitoba to do the same sort of thing with the Assiniboine River waters in Manitoba that the Americans want to use them for in the United States.

Now, Mr. Speaker, it also seems to me that there has been a lack probably of focus of the true situation we're in with regards to the Garrison project. We're being told, and certainly with a degree of justification, that we have a period of four or five years before the actual construction will take place that will directly impact Manitoba. But, Mr. Speaker, there's a very strong analogy between the Garrison project and the Nelson River project insofar as that the Nelson River project would not have been undertaken, Mr. Speaker, or probably would not have been undertaken unless, if they could not have diverted Churchill waters into the Nelson River in order to improve the economics. It would have an economically questionable venture to go into this without it. So when it came time to actually undertake the Churchill diversion then the cry was mounted that this was going to create environmental damage and therefore should not be proceeded with. But the architects of the project, the engineers of the project, the designers of it knew that from an over-all point of view that unless Churchill water was put into the Nelson the project was seriously to be questioned.

Mr. Speaker, we have almost the identical situation here where in actual fact the construction on the Garrison won't take place for several years that directly impacts Manitoba. The project as a whole will have a cost-benefit ratio that is so much worse than it is without that, that it is not likely that the project at the present time would be undertaken if they knew now that they could not divert the irrigation waters into Manitoba waters.

So, Mr. Speaker, there seems to be a lack of realization on the part of the public of Manitoba that this is the fact. Either you stop the project now, or you don't stop it at all, because four years hence you have the same situation that those who had a particular environmental concern on the Northern Manitoba waters project faced when it came time to start the construction of the Churchill River. It was impossible in the terms of over-all economics to give even any more serious consideration to the environmental impact because of the massive economic impact it had on the over-all project. So we have the same situation.

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(MR. CRAIK cont'd) So I think Manitobans should realize that this is what they're facing. You either buy the package, or you don't buy it at all. But to assume and go away with the feeling that you do have a period of grace of several years before the big decision is made to divert into Manitoba, is to not face the real facts of life. Either the Garrison project is stopped now or it's going to be virtually impossible, in spite of impact, to do anything about it in the four or five years that are ahead of us.

So, Mr. Speaker, that brings us up to the options. What options do we have as Manitobans to stop it now. Well, Mr. Speaker, we certainly at this time appear to not have enough environmental information to set up a strong case in opposition to the information that has been given to us by the United States. I'll give you an example, Mr. Speaker. One of the arguments that is being put up by some of the recognized bodies - I've forgotten which one it is in the United States now - has said that, think of the added water you'll get to put through your power sites, Mr. Speaker, and that this will be an economic advantage. Well, when you really figure it out, Mr. Speaker, it boils down to something like .018 percent impact. Mr. Speaker, but it has been stated by the Americans as being --(Interjection)-- No, I'm not suggesting, Mr. Speaker, the government has bought this, but this is the type of rationalization that Manitobans are being treated to. Well, Mr. Speaker, it's either - certainly if that's the sort of rationalization that's being presented by any responsible American body, they have to be charged with misleading Manitobans because the influence on the power improvements because of the amount of water that's diverted is nil, Mr. Speaker. It's not even a factor that would enter or be considered in any way, shape or form for any Manitobans to consider in judging the project.

We have in addition to that, Mr. Speaker, the very serious contradiction of information with regard to the biological aspect that is being forwarded to Manitobans. We have no information when the loadings come on the diversion. Well, Mr. Speaker, being a bit further south it can be expected that the loadings that are going to be put into the Assiniboine system, into the Souris and Assiniboine system, are going to come at a point in the early part of the year of the agricultural season, that if those waters are ever used at a later time by Manitobans for irrigation that peak may just hit at the same time that Manitobans want to use that water. So, Mr. Speaker, the information we get when it appears in an average form, an average form, has no significance at all because if the average comes from a lot of peaks and hollows, it's a question of whether the peak pollution period is also going to be at some future time the peak time of demand in Manitoba for those waters for irrigation purposes as well. So we have a whole series of questions that are technical questions and biological questions that we really do need a scientific task force to attack immediately.

Well, Mr. Speaker, that's only part of it. Once you've done that what position do Manitobans still have? Well we have the protection of the International Waters Agreement. That is the main reason and the main area of protection that appears to be giving some assistance to both the Canadian and provincial governments in fighting this, and clearly by the response of the Department of the Interior or the State Department of the United States, this clearly is offering some assistance to Manitobans in fighting this case. And clearly, the State Department feels that it is important that there be proof that Manitoba waters will not be impacted. But as the statements now come out from the United States from the Bureau of Reclamation and others who are looking at impact, it's clear that they appear to be making a case that the impact is minimal. So, Mr. Speaker, if the State Department buys that argument then we will not have any defence under the International Water Agreement, I suppose, either in terms of a political saw-off with the United States.

So, Mr. Speaker, again what other option do we have? Well it would appear to me what we may be narrowing down to is a class action in the American courts under their environmental laws, similar to the class action that was exercised by the group in British Columbia against the Trans Alaska Pipeline system in respect of the potential impact it would have on the west coast of British Columbia. Well, Mr. Speaker, despite the fact we know that people marched on the borders of Blaine, Washington, between B.C. and the United States, we still didn't get any action from it - and when the oil crisis hit a little later on, even the court action that was initiated from British Columbia, it turned out that when the oil prices hit it - and the action of the other environmental groups in the United

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(MR. CRAIK cont'd). . . States of course was overridden too by the mechanisms that were at the disposal of the American political system. But it was overridden, I think, primarily because it became an extremely national issue as to whether or not the Alaskan oils were moved to the southern states of the United States. But we don't have that situation here, so we may in fact have a very strong case of taking a case to the American courts under a class action system under the National Environment Protection Act or whatever it is that it would be done and it would appear that that may be our only last resort in the final analysis.

So this is why, Mr. Speaker, I asked the Minister at one stage of the game whether the government had in fact considered initiating in some way, or whether it was technically possible for the government to initiate on behalf of Manitoba a class action in the American courts to stop the Garrison project. And it would appear to me, having seen the results of what has happened elsewhere - the technical tools at our disposal, the political tools at our disposal and all the other ones - that perhaps if this is possible, it may be our one and only chance of stopping the Garrison project.

MR. GREEN: Mr. Speaker, I wonder if the honourable member will permit a question.

MR. SPEAKER: The Honourable Minister of Mines.

MR. GREEN: First of all, I want him to know I take his remarks as very constructive, but with regard to a court action and its effect on diplomacy - which is the avenue that it is now proceeding now - would he not think that if a court action was taken, that that effectively puts all your eggs in one basket - because if the court says no, then your diplomatic steps are highly prejudiced because the State Department says that you took it to court and you lost, and what are you doing here? Is that not the kind of danger that we would face with that kind of procedure at this stage when we are dealing on the diplomatic scene?

MR. SPEAKER: The Honourable Member for Riel.

MR. CRAIK: Mr. Speaker, I understand from the remarks that have been made that the diplomatic meetings start in July or something in the near future, which is perhaps a month away. Now if there is opportunity for some results coming out of those meetings in the next few months then perhaps I think the Minister has a good case. I would think that in either case, whether we have diplomatic settlement or a court action type of approach to it, we are going to require a good deal more base line information of an environmental nature that we will need to have generated by Canada and Manitoba itself and not depend on the information provided from the American researches that have gone on so far. So, Mr. Speaker, whichever way it goes, it would appear that the first most important crisis we face is to generate our own position based on our own collected information.

So, Mr. Speaker, I would endorse what the Minister has said here. It's a question of timing I suppose, and if there appears to be some results that might come out of the diplomatic action, certainly that would probably be the best route to go. However if those are going to extend for a long period of time, into a matter of a year or years, it might be necessary to initiate the court action, Mr. Speaker - and I'm sure that there may in fact be bodies in the United States let alone a Canadian class group that would initiate the action in the United States as well. --(Interjection)-- Well, Mr. Speaker, if they have done it, it will certainly assist our case. But I think it would be very influential and very important impact on the whole project if the court action ultimately - if all else failed, I would think the court action would have a very serious impact on the decision for a Canadian province to undertake a court action in the American courts under an American Federal Act. Not being a lawyer I can't tell you the details of it, but I would think that diplomatically and politically it would be a very strong instrument. And certainly in the last few years in the United States we've seen that the powers under the National Environment Protection Act of the United States are very great - and I hazard a guess that if it had not been for the energy crisis hitting the United States that the action of the interest groups with regards to the Trans Alaska Pipeline System, who did hold the project up for two years, may in fact have brought very significant changes to the method by which the oil was removed from Alaska and brought to the southern United States. And I repeat again, I think if that hadn't been overridden by the energy crisis in the United States it would have demonstrated the power that is under the NEPA Act of the United States - and I feel myself, again to repeat, that the class action against the Garrison project very well could be a very strong instrument

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(MR. CRAIK cont'd), . . . in seeing that this project is defeated, is stopped at this time.

Now, Mr. Speaker, I simply want to cap this off by saying that we either have to stop the Garrison project now or never at all, because even to suggest that we may stop it four or five years from now is like saying that we will change the Nelson project to the extent of not diverting the Churchill River, Mr. Speaker. We saw how impossible that was, even the government coming to power kept their options open in looking at this and realized full well that it would be desirable if they could get away from it, but they couldn't get away from it, Mr. Speaker, because of the technicalities involved. We have exactly a parallel in a sense on the Garrison project. I trust that in these dying days of this session, that if there's one message goes out from this, it should be that the people realize this project is still very much alive and unless it's stopped in the next twelve months or so it probably means that Manitoba is going to receive the run-off from this project from the United States.

Mr. Speaker, that's all I wanted to say with regards to the concurrence on these resolutions at this time.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed, I should like to direct the attention of the honourable members to the gallery where we have 16 students Grades 4, 5 and 6 standing of the Rose Isle School. These students are under the direction of Mrs. Norberg. This school is located in the constituency of the Honourable Member for Pembina. On behalf of the Honourable Members, I welcome you here this morning.

CONCURRENCE - Cont'd

MR. SPEAKER: Resolutions 83 to 89 - the Honourable Member for Ste. Rose.

MR. A. R. (Pete) ADAM (Ste. Rose): Thank you, Mr. Speaker. I haven't had an opportunity to speak on the Mines and Resources estimates, so the concurrence will give us an opportunity to make a few remarks. One of the concerns that I've had, and I brought it up some time ago - in fact I think it was about three weeks ago that I mentioned the problem of litter along the highways and empty beer bottles and cans that we find, particularly in the spring - after the snow starts to fall, people throw bottles out, these bottles are not picked up and they accumulate over the winter months particularly - and in the spring the Highways Department is obligated to hire crews, a couple of men or three men and maybe a thirteen, fourteen thousand dollar truck to go up and down highways to pick up, not only empty beer bottles but other containers, cans and coke cans and other pop bottles, non-returnable bottles that accumulate along our highways.

I know that the Minister I believe feels that it is not a very great problem, and I want to thank the Minister for giving me some information. He has provided me and his department has provided me with some statistics on this particular problem, and I know that there has been meetings held back in 1970 throughout the province I understand. That was before I was elected to this House. But I understand in 1970, there were a series of meetings held throughout the province to study the problems of litter. I want to thank the Minister for sending me statistics this morning on the problem of beer bottles isolated from other types of containers. We are told that there are 16.5 million dozens of beer sold in the Province of Manitoba according to industry figures; and cans is 269,804 dozens; and kegs, of course we don't find beer kegs along highways, but there's 120,139. The return rate seems to be quite satisfactory, and I'll agree with the Minister - that 95.8 percent of sales, 4.2 percent are not returned. This amounts to 695,000 dozens or 8,350,000 bottles that are not returned. Now at first glance this doesn't seem to be a very high percentage of non-returns - of course we're only talking of beer bottles. But if we are to take - and again I want to thank the department for the figures because these figures come from the Department of Mines and Environmental Management - if we take the figures that, for instance, the City of Chicago use - they estimate that it costs the City of Chicago 63 cents to pick up one can, and if we are to apply those figures to our own situation here - and I suppose this would probably be an exaggerated figure for Manitoba - but if we were to apply the costs that the City of Chicago estimates of picking up one can, of 63 cents per can, we'd come up with a figure of \$5,260,000 for picking up 8,350,000 bottles. Of course we know that some are maybe not picked up, and even if we were to cut this percentage in half - say the Chicago figure of 63 cents - if we



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(MR. ADAM cont'd). . . wereto cut this figure in half, we would still have a very very tidy sum indeed of perhaps \$2,600,000.

So I think - a year ago - I believe on March 8th - I want to ask the Minister a few questions - it was a year ago, March 15, 1973, that the Minister did make a speech on this particular problem, and I believe on Page 678 of Hansard he did mention that two steps were to be taken: (a) the litter was to be made the responsibility of the Mines and Resources; and there would be an area of Environmental Management, and this area was to hire a staff who would deal with co-operation of citizen's groups, school groups, service groups, etc. with a campaign which would prevent this problem of persons who recklessly dispose of litter of all kinds. These remarks were made on Page 698, March 15th. Now I presume the staff has been hired and we have initiated some programs. I would like to ask the Minister how many staff was hired under the Environmental Management for this particular program, and what are their job descriptions. What is their pay? And what tasks have they carried out to date? I would like to know also if we have any other further plans insofar as litter is concerned. Some of my colleagues are interjecting. I hope they get up and participate in the debate - I'm sure they will have a chance.

I would like to say a few words about the amount of water that we have been experiencing in the province this year. I believe that I did ask the Minister -- one of the things that have been of concern to me - the Member for Radisson, who keeps interjecting continually - one of the concerns that I've had for some time - I know that a lot of people consider the Portage Diversion a very very good thing for the Province of Manitoba, and while I agree that it did help Winnipeg and Portage this year, over-all it is not a desirable thing to interfere with the natural course of events. I believe that right after the crest that passed for the Red River and the Assiniboine I did question the Minister as to whether we could possibly close off the Portage Diversion because we would probably be flooding out other areas. I was informed that the Portage Diversion would be maintained, not any greater and not any lesser than had been to maintain the water levels on the Red River and Assiniboine. Subsequent to this I understand that one of the banks did break on the diversion and several thousand acres of land was flooded out. I believe the Minister mentioned that the Province would have to compensate 100 percent on these flood damages.

But some of the questions I'd like to ask is, I'm not sure how many cubic feet per second of water was diverted down the Portage Diversion. I would like to have the figures on a weekly basis because I'm not sure whether the Fairford River is the only drain for Lake Manitoba, Lake Waterhen, Lake Winnipegosis, Lake Dauphin, and it takes all the water around the Duck Mountain, up to Swan River, it all has to go out through the Fairford River down to Lake St. Martin, Pim Lake and up the Dauphin River to Lake Winnipeg. And I would like to know how many feet -- I'd like to have a conversion of how many feet of water was diverted into Lake Manitoba. I understand that there are some figures that are floating around that say six inches plus. I know that in the first year of the diversion there was four inches of water that was diverted. I know that there was an awful lot, as far as I'm concerned there was an awful lot of water that was diverted down the -- I'd like to know how many feet this put into Lake Manitoba, because I think if you combined the Waterhen River and the Portage Diversion you have a situation that I don't think that the Fairford River can take. It just can't absorb that much. Now I know that I did ask the Minister if the Mossey River Dam was open or not. I don't believe he has given me the answer. But however I did find out that it was fully open.

At the present time Lake Dauphin is over five feet, almost six feet above its high maximum level. In the last couple of weeks there are several farmers right in my vicinity that have had to sell all their livestock; there's no more pasture left. In my own situation I have 700 acres that is under water as high as six feet, and this is caused by a backup of Lake Dauphin. I know that, not likely - we probably would have been flooded out anyway even if the Portage Diversion would have been in operation, but perhaps not as great and perhaps not as long. We are informed now by water resources that it'll be at least August before we can see any solution. Of course Lake Manitoba is in a similar situation. There were people in here yesterday in the interlake country and they are faced with the same problem; Lake Manitoba is above the maximum normal. I know it's not the Minister's fault that all this water has come down this year, the excessive snow. I know a lot of people tend to blame the

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(MR. ADAM cont'd). . . government for everything, the high snow, the high moisture content last year.

So I just wanted to bring these things to the Minister's attention that the Portage Diversion I believe is causing us some problems. I understand that there's still 900 cubic feet, as of yesterday, still going down the Portage Diversion. The Red River is low now. The Assiniboine is low. I know the Minister's had a delegation in to close the Fairford Dam so that it wouldn't flood Lake St. Martin, or up in that area. But as I've mentioned the Fairford River drains these four lakes and right up from Swan River right down, and with the Portage Diversion going into Lake Manitoba you're taking a good part of the southern part of Saskatchewan, Province of Saskatchewan. You're also diverting a good percentage of the water into Lake Manitoba and the Fairford River just is unable to take it, not in a year like this.

I know the fellows are anxious but I can stay here all summer. I came here to --(Interjection)-- yeah. I can stay here all summer. I've got 700 acres under water, and I know I can't seed it and . . . --(Interjection)-- two years. I don't have a farm now. The Member . . .

MR. SPEAKER: Order please.

MR. ADAM: . . . for Winnipeg Centre says that he doesn't have a farm. But I don't have one at the present time either. It's all under water.

I believe a couple of years ago when the winter season of muskrats was opened, which was very unorthodox as far as I was concerned — I've been in the fur business for many many years and I happen to have a few muskrats on some of my land, and of course this year they're all drowned. Muskrats all drowned. They're all drowned this year.

I brought it to the Minister's attention not just because I wanted to do it. There was several trappers, people who trapped muskrats came to me and said, "For God's sakes close the muskrat season in the wintertime. We don't want it." It's just going to destroy all the muskrats because many of them, the houses are opened, a muskrat or two is trapped out of them, and the rest freeze, the house freezes, and then when the muskrat comes up to enter his home he finds it frozen and as a result he drowns.

A MEMBER: What happens when he sees his shadow?

MR. ADAM: So anyway the season was not closed, but I just want to say that as a result of this we have neighbors who want to trap on some of our lands and since it's open we can't police it. We just can't stand out there and tell people to stay off. So we at least allow our own friends to go in and trap if they so desire. --(Interjection)-- I see the time for adjournment is up so I will continue it later.

A MEMBER: No.

MR. SPEAKER: The hour being 12:30, the House is now adjourned and stands adjourned until 2:30 this afternoon.