



Third Session — Thirty-First Legislature
of the
Legislative Assembly of Manitoba

DEBATES
and
PROCEEDINGS

28 Elizabeth II

*Published under the
authority of
The Honourable Harry E. Graham
Speaker*



VOL. XXVII No. 47

2:30 P.M. Wednesday, April 25, 1979

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, April 25, 1979

Time: 2:30 p.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. Harry E. Graham (Birtle-Russell): Before we proceed, I should like to draw the honourable members' attention to the loge on my right, where we have the former Member for Emerson, Mr. Gabe Girard. Presenting Petitions . . . Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees . . .

COMMITTEE REPORT

MR. SPEAKE:: The Honourable Member for Radisson.

MR. ABE KOVNATS: Mr. Speaker, the Committee of Supply has adopted a certain Resolution, directs me to reportsame, and asks leave to sit again. I move, seconded by the Honourable Member for Virden, report of committee be received.

MOTION presented and carried.

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

MR. SPEAKER: The Honourable Minister of Finance. .

HON. DONALD W. CRAIK (Riel): Mr. Speaker, I wonder if I might just indicate that the Premier had wanted to be here and give a statement with regard to matters dealing with the flood. He will be a little bit late getting in, but I wonder if it would be in order for us, if we do go into Question Period before he gets here, to perhaps revert back for that purpose. He asked me to advise the House.

MR. SPEAKER: If that's agreeable with the House, I will deduct the time from the Question Period. Notices of Motion . . . Introduction of Bills. . .

ORAL QUESTIONS

MR. SPEAKER: The Honourable Member for Inkster.

MR. SIDNEY GREEN: Mr. Speaker, I regret the fact that the First Minister is not here, but I did have some questions to put to the Deputy Premier, relative to the flood. Perhaps some of them will be answered when the First Minister comes in, but I don't wish to hold them. I wonder, Mr. Speaker, if there is going to be a substantial manpower need relating to dikes, whether the government would consider — and I'm merely asking for a consideration — as to whether high school people in the city of Winnipeg could be mobilized, on a volunteer basis, to be permitted to leave the schools if their services are needed, to be utilized in those places where sandbagging is required to raise the dikes to levels which are now anticipated for flood. And I'm suggesting this if there is a manpower need, and only on a volunteer basis. It's my impression, Mr. Speaker, that young people of this kind, when sought for on a co-operative effort, will respond enthusiastically and will be a real example of how community co-operation can help in circumstances of this kind.

MR. SPEAKER: The Honourable Minister of Finance.

MR. CRAIK: Well, Mr. Speaker, I think the First Minister will be here in just a matter of a few minutes. He has been dealing directly, over many hours now, with many of these specific questions and I am sure that that one in particular probably has already come up.

I would indicate, in relation to it, I know that some of the schools are already doing it. One

of my own family is already out this morning from a class in St. Vital that's closed for that very purpose. I assume it's being done at the School Board level, but the First Minister may have more information and perhaps the Minister of Education may wish to become involved as well.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Well, Mr. Speaker, I am happy that there is some evidence that this type of thing can happen. I caution that if they were going to be many it would require careful mobilization and that you do not have people who are not needed or not being at the right places. But I do ask the government to consider this, if the need is there, because I am quite satisfied, Mr. Speaker, that the young people will respond.

I propose, Mr. Speaker, to withhold further questions on the flood because the First Minister will be giving us information and perhaps the questions would best flow from that information.

Mr. Speaker, while I am on my feet, I would like to correct a statement attributed to me in the Winnipeg Free Press, and it relates to an individual so I do want to correct it. It said that I quoted Fred Cleverley as saying that Flyer would lose \$3 million a year, even if producing buses at capacity.

Since a person is involved, Mr. Speaker, I want to say that I never said Fred Cleverley did this; I used the name of Ted Stupidly, which, Mr. Speaker, is a pseudonym that I use when I see a particularly idiotic story and I don't want to attribute it to the wrong person. So I did not say, Mr. Speaker, that Fred Cleverley said Flyer would lose \$3 million. If that has been said, it has been said by the Winnipeg Free Press, not by myself; I used the pseudonym Ted Stupidly and I couldn't say who it refers to because the articles that I am talking about were not titled by the name of the author. So I want to make that point, Mr. Speaker.

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

MR. A.R. (Pete) ADAM: Yes, thank you, Mr. Speaker. I have a question related to the flood. The First Minister isn't here but I think perhaps the Minister of Agriculture would be able to answer this question. The assistance for stored grain traditionally has not been covered for flood damage although at my insistence the last administration did bring in assistance for stored grain, and I would ask the Minister of Agriculture if that policy is going to continue, that is to assist farmers who have had stored grain damaged by excessive spring run-off or by flooding.

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. JAMES DOWNEY (Arthur): Mr. Speaker, in the question from the member as far as the continuation of policy, what I am doing is having the information brought forward from the 1950 floods, from other floods and what has in fact taken place in the past and looking at it. We don't know the numbers of either livestock or grains. I notice that the federal government are making some comment on the possibility of their involvement and I think until we could see what the federal government were doing, what has happened in the past, and what the amounts are, that we have to take everything into account. As the Minister of Finance has indicated the First Minister will be making a statement very shortly. I might indicate the Department of Agriculture have been emphasizing or have been trying to coordinate working with the farmers to move all grain where possible and livestock, that it is imperative that they do this and our department have been working with the farm people to help facilitate movement of grains and livestock.

MR. ADAM: Supplementary, Mr. Speaker, to the same Minister, then. There was a policy also brought in by the previous administration during the last flood to cover assistance or compensation for livestock lost. I happen to know of some who have received assistance for several animals drowned, which drowned because of the fast rising waters of the Turtle River. I would also ask the Minister if he would check into this. It wasn't done previous to the last flood as far as I know because in particular the grain was covered by field crops under the Manitoba Crop Insurance but we were providing assistance; the tradition was that we were providing assistance for hay or feed, livestock feed that was in a stack. So I ask the question again of the Minister and that's why I'm bringing the question up, that to me there was no difference between hay in a stack and grain in a bin. It was the same thing as far as I could see. I couldn't see a difference there. Standing crop is covered by the crop insurance.

MR. SPEAKER: Orders of the day. The Honourable Member for Brandon East.

MR. LEONARD S. EVANS: Thank you, Mr. Speaker. I notice in today's newspaper reports that the Minister of Finance has announced a borrowing of certain sums of money, \$50,000,000 U.S. it's indicated, from the country of Japan from four Japanese banks. Can the Honourable Minister of Finance advise the House whether this was the very best interest rate available to the government of Manitoba? Was this the very lowest rate of interest available or what was the basis for this particular loan at this time from Japan?

MR. CRAIK: Well, Mr. Speaker, the loan at 9- $\frac{5}{8}$ was the lowest rate for a 10-year bond issue that was available.

MR. EVANS: Mr. Speaker, would the Minister indicate whether this is now the policy of the government of Manitoba and that is to go out when capital borrowing is required and to search for the lowest rate of interest in whatever market in whatever country that lowest rate of interest is available to the government in Manitoba?

MR. CRAIK: Mr. Speaker, the intentions of the government are to give preference to Canadian and American currencies for borrowing purposes for a number of reasons which have been stated earlier in the House. So although the indicated interest rates of some other currencies would be substantially lower with the uncertainties with regard to the fluctuations of the currency values at the present time.

The preference of the government is to remain principally in the Canadian and the American markets.

MR. SPEAKER: The Honourable Member for Brandon East with a final supplementary.

MR. EVANS: Thank you, Mr. Speaker. Even though the principal is to remain essentially in the Canadian and American markets, nevertheless I gather from the minister's remarks that the government does seek out the lowest possible rate of interest. Therefore, I would ask him, why was it that the government of Manitoba took out a loan of, I think, \$75,000,000 from the Alberta Heritage Fund at a time, I believe it was last year, at a time when it knew that that rate of interest available from the Alberta Heritage Fund was much higher than rates of interest available in other markets that were outside of Canada, knowing full well that the rate of interest was higher from the Alberta Fund than rates of interest available outside of Canada? What would be the rationale of borrowing when you knew full well that there was additional cost involved?

MR. CRAIK: Mr. Speaker, the Alberta rate was the best possible rate that we could borrow at in Canadian currency at the time at 9 $\frac{3}{4}$ and was marginally better — I should say substantially better. Even though small margins in those conditions can amount to large numbers of dollars, the Alberta Heritage Fund rate fortunately as it has turned out, has been an exceedingly good bond issue to have made and I only wish that we could again repeat that today, Mr. Speaker, because I noticed this week that the Province of Ontario borrowed \$300,000,000 Canadian at a rate of 10.10 which would indicate that if Manitoba were borrowing we'd probably be borrowing at 10.02 or 10.03 somewhere in that range, which will show you the spread and advantage we had if you compare what we'd have to pay now to what we paid for the Alberta issue.

But to deal then, Mr. Speaker, directly with the other part of the question; why borrow Canadian at all, whether it's Alberta Heritage or whether it's other Canadian sources when you can borrow elsewhere at a lower rate? That is nearly always the case. The Canadian rate is nearly always the case, not always but nearly always the case that it will be higher and of course you can see that the Bank of Canada has adopted that posture; that they deem it to be in the interests of the Canadian economy to have it that way and as a result nearly anytime you go Canadian, you're almost bound to pay more.

We're hoping that somewhat later on in 1979 that the Canadian interest rate will moderate substantially, and there are some indicators that by the second half of 1979 that we can expect a substantial reduction in the Canadian rate. But again, that's predicated on certain things happening in the United States.

MR. SPEAKER: The Honourable Member for Brandon East with a fourth question.

MR. EVANS: Yes, Mr. Speaker. I wonder if I heard the minister correctly when he said that the loan taken from the Alberta fund, I believe it was last year, was the lowest rate available, I believe he said the lowest rate available in Canadian funds, but is he saying that with that proviso, in Canadian funds? Is he really saying to us that this was the very best rate available, the cheapest

loan available to the Province of Manitoba at that time? I'd like to get that clarification. Was that the very best rate, the cheapest rate providing the lowest interest burden to Manitobans at that time?

MR. SPEAKER: Order please. I suggest to the honourable member that if he's dealing with something that happened over a year ago, it might properly be better dealt with in either the Estimates or the examination of public accounts. The Honourable Member for Brandon East.

MR. EVANS: Mr. Speaker, first of all, we've covered the Estimates of the department, and secondly it related to a current issue that's before us and that is the announcement today or yesterday, by the Government of Manitoba, to borrow sums of money, and I'm attempting to get a clarification of the policy position of the government with regard to borrowing what is going to be hundreds of millions of dollars. So I ask for clarification, Mr. Speaker, re the policy involved in borrowing from Alberta. Is the minister telling us that this was the lowest rate that was available to the Province of Manitoba at that time that the government borrowed from the Alberta Heritage Fund?

MR. SPEAKER: The Honourable Minister of Finance.

MR. CRAIK: Well, Mr. Speaker, I think I answered, I said it was the lowest Canadian rate. It almost certainly would not be at the lowest interest rate that one could borrow, but that of course excludes the real cost of the repayment that will be borne in the final analysis, and I need only indicate to the member that we have an issue coming due in Swiss francs within a matter of months that amounted to \$100 million Canadian when it was borrowed but with the shifts in the currencies it's going to cost us \$130 million to pay back. So when you factor in that \$30 million and calculate an equivalent interest rate then any Canadian rate that one might pay at the current time, or at any time over the last few years would look very low in comparison to the equivalent interest rate that will be paid on that Swiss franc loan that is coming due within a matter of months, unless there's a substantial change in the currencies.

MR. SPEAKER: The Honourable Member for Brandon East with a fifth question.

MR. EVANS: Mr. Speaker, I appreciate the minister's comments and his indication that there is a problem because of the changing value of the Canadian dollar vis-a-vis these various currencies, but I ask him whether it is a different policy to borrow at a higher rate of interest knowing full well that that is a higher rate of interest, compared with the policy of borrowing abroad at the best interest rate you can get, knowing however, that there's a possibility of a change in the exchange rate, which may subsequently make it a rather poor deal in retrospect — if there is a difference in policy here, which I'm trying to ascertain from the minister. And so the question is, would the minister not agree that when the Government of Manitoba borrowed from the Alberta Heritage Fund, it was borrowing knowing full well that that was a higher rate of interest burden being assumed by the government, compared to borrowing elsewhere outside of Canada, which admittedly of course, would involve some change risk, but that's always there.

MR. SPEAKER: Order please. I suggest the honourable member may be debating an issue rather than asking questions, and probably could withhold his comments till the Budget debate. The Honourable Minister responsible for Telephones.

HON. EDWARD MCGILL (Brandon West): On Monday ' April the 16th, the Member for Brandon East asked a series of questions relating to the extension of Cablevision Service in Western Manitoba and referring to a newspaper article he wanted me to assure him that delays in the extension to additional communities would not be the result of the inability of MTS, the common carrier, to supply the necessary hardware. I explained to the member at that time that it was my understanding that the delays which were occurring were related to the need to achieve some agreement among the Association of Cablevision Operators . with respect to rate equalization.

I can tell the member today, Mr. Speaker, that my advice is that essentially the delays are occurring not because of any lack of hardware available but because, up to this point, the cable operators involved have not concluded a contract with the common carrier for the provision of these services. More particularly, Mr. Speaker, the immediate problem relates to a request from WestMan media for MTS to quote upon a different basis for the delivery of the service rather than on a per customer basis as was previously given. They have now asked for a quotation on a per channel basis for the delivery of service. Mr. Speaker, Manitoba Telephone System is responding and has responded to the request for quotations on a different basis, that which is now requested, and

I presume that this will enable WestMan Media to complete a contract for the service.

I can tell the member, Mr. Speaker, that it is anticipated that within three or four weeks of a contract having been signed that the common carrier would be in a position to begin to put in place the necessary hardware for the service.

MR. SPEAKER: The Honourable Member for Brandon East.

MR. EVANS: Thank you, Mr. Speaker. I thank the Honourable Minister for that information. By way of clarification I would like to ask the Minister whether he is telling us that an agreement between the MTS and the cable carriers is imminent. He did refer to a new method of charging, but does he believe that an arrangement is very close to being agreed to and confirmed by contract or in writing in some way?

MR. MCGILL: Well, Mr. Speaker, I'm not able to tell the member how close precisely the Association is within its own Association to coming to some common agreement on rate equalization, but I suspect that this is really where the delay is occurring in the conclusion of a contract between the cable operator and MTS. I would point out that, for instance, to extend the service to Swan River would mean that a customer without rate equalization in Swan River would have to pay approximately \$25.00 as compared to the rates in Winnipeg of \$5.00 or \$5.25, depending on which side of the Red River the customer resides. So, Mr. Speaker, undoubtedly the delay in the cable operator being able to conclude a contract is related to the satisfactory solution of the rate equalization.

MR. SPEAKER: The Honourable Member for Brandon East.

MR. EVANS: Thank you. Well, a supplementary then, Mr. Speaker. Can the Minister advise whether there is some delay being caused by concern by the cable operators with the actual charges or rates that MTS wishes to levy for the carrying of the television signals? Mr. Speaker, can the Minister not advise the House whether it is not the case that the cable operators have asked the Manitoba Telephone System for a breakdown of the costs underlying the charges that they wish to levy the cable operators so that they can be satisfied with the nature and basis of the charges that MTS wishes to charge them in this event?

MR. MCGILL: Well, Mr. Speaker, I refer again to my original explanations that the cable operator in the WestMan community has, indeed, asked MTS for a quotation on a different basis, that is on a per channel basis rather than a per customer. So I assume that they are questioning the rates which MTS has offered to them, in order to achieve that contract.

MR. SPEAKER: The Honourable Member for Transcona.

MR. WILSON PARASIUUK: Mr. Speaker, my question is directed to the Minister of Health and Social Development. In the light of a statement by Dr. Richard Polaniak, a spokesperson for the Health Sciences Centre anesthesiologists to the effect that May 1st is still the deadline for all 16 anesthesiologists at the Health Sciences Centre opting out of Medicare, can the Minister indicate what the position of the government is with respect to that, and whether indeed the concept of freedom of choice for doctor care will be maintained by this government at that hospital?

MR. SPEAKER: The Honourable Minister of Health.

HON. L.R. (Bud) SHERMAN (Fort Garry): Mr. Speaker, the anesthesiologists at the Health Sciences Centre haven't opted out yet. I believe they are 19 in number. They have indicated, as I reported to the honourable member yesterday, over the past several weeks a general dissatisfaction with the system under which they operate, and certainly a strong inclination to opt out. And the deadline they gave was May 1st — the member is quite correct — but discussions are still going on between the Health Services Commission and representatives of those 19 anesthesiologists, and I can only reiterate what I said yesterday, Mr. Speaker, I am very hopeful that they will not opt out.

In any event, even if they do, they have given no indication that they intend to engage in extra billing.

MR. PARASIUUK: Yes, then I have a supplementary to the Minister. Will they in fact ask patients to pay in advance if they are brought in for an emergency operation, pay in advance before they will be anesthetized, if they opt out of Medicare?

MR. SHERMAN: Mr. Speaker, I have no way of knowing what their intentions are at this juncture, but I can assure my honourable friend that that would be entirely unacceptable, from the government's point of view.

MR. PARASIUK: A supplementary to the Minister, and I appreciate his answer with respect to the unacceptability of that type of stance by the anesthetists. In the event that all anesthetists do opt out of Medicare within the Health Sciences Centre, will the government instruct the Manitoba Health Services Commission to urge the Board of the Health Sciences Centre to recruit anesthetists from Manitoba or elsewhere, who are prepared to remain within Medicare, so that the freedom of choice of doctor care within Medicare will be maintained by this government at that hospital?

MR. SHERMAN: Mr. Speaker, I wish my honourable friend would ask me that question on May 1st. If I were to give a direct answer to him now in the negative, it would not reflect my particular view on the issue; if I were to give him a direct answer in the positive, I think it could be construed as a veiled threat on the part of the government. I want to assure him that every effort will be made, and I commit the government to that, and the maintenance of the freedom of choice and accessibility to which he refers, but I would ask him to withhold that particular question until May 1st. The whole situation, at the moment, is still hypothetical.

MR. PARASIUK: Mr. Speaker, I have a further question to the Minister. Since the anesthetists gave notice to opt out on February 1st, and it is getting very close to the actual opting out date, namely about five days from now, can the Minister confirm that the government has developed contingency plans to deal with this very serious matter which is coming to a head in five days? That's all I'm asking of him.

MR. SHERMAN: Yes, Mr. Speaker, it's my understanding that such plans are in place but discussions are still going on with the anesthetists.

MR. SPEAKER: The Honourable Member for Churchill.

MR. JAY COWAN: Yes, thank you, Mr. Speaker. My question is to the Minister of Health. Can the Minister confirm that the laboratory the Minister of Labour referred to yesterday as providing consistently erratic results for lead in blood tests, is the laboratory at the Health Sciences Centre, and can he further confirm that this laboratory is responsible for doing the lead in blood testing for samples of children suffering from lead poisoning due to gasoline sniffing in some northern communities?

MR. SHERMAN: No, I can't confirm that, Mr. Speaker. I will take the question as notice.

MR. COWAN: Mr. Speaker, a question to the Minister of Labour. As, I believe, the Chairperson of the Cabinet Committee to investigate the lead poisoning prices in the province, is the Minister of Labour prepared to table all proficiency testing results from both the Health Sciences Centre laboratory and the laboratory used by the Workplace Safety and Health Division in regard to lead in blood testing?

MR. SPEAKER: The Honourable Minister of Labour.

HON. KEN MacMASTER (Thompson): I would think the Member for Churchill would be advised to ask for that as a Return For Papers, Mr. Speaker.

MR. COWAN: Yes, thank you, Mr. Speaker. I will certainly do that, although I have a number of other returns which have not been answered yet.

I would ask the Minister of Labour if he had opportunity to listen to the report on "As It Happens" last night where a Dr. Needleman in the United States confirmed that lead poisoning among children is the most serious public health problem facing the people of the United States, and can he further confirm that lead poisoning among children in the Province of Manitoba is facing those same sort of crisis proportions?

MR. MacMASTER: Mr. Speaker, I don't think the word "crisis" is an appropriate word to deal with the particular problem here in Manitoba, and I didn't see the program that the Member for Churchill is talking about.

MR. SPEAKER: The Honourable Member for Lac du Bonnet.

MR. SAMUEL USKIW: Yes, Mr. Speaker. The Minister of Tourism yesterday tabled the latest brochure that is being distributed throughout Manitoba. In connection with that, I would like to ask her why it was felt that the old St. Peter's Church on the Red, which is a historic site, would not be included in the brochure?

MR. SPEAKER: The Honourable Minister of Tourism.

HON. NORMA L. PRICE (Assiniboia): Mr. Speaker, I think he should have started out by telling me what a great publication he thinks it is. However, it's only 24 small pages and while we're sorry that some places have been missed out, and it has been brought to my attention, I guess it's pretty hard to get every one in.

MR. USKIW: Mr. Speaker, I wonder if the Minister would consider one or two suggestions, mainly that if she has no more space, that in next year's issue she dropped the frogs and put in the historic sites, or add one more item to include a very important historic site. Mr. Speaker, I'm referring to the brochure which talks about the Frog Follies. I thought that historic sites should have some precedence over that.

MR. SPEAKER: The Honourable Minister of Tourism.

MRS. PRICE: Mr. Speaker, with our distinguished visitor sitting in the loge and such, I certainly am not going to touch that one.

MR. SPEAKER: The Honourable Member for Lac du Bonnet.

MR. USKIW: Yes, Mr. Speaker, I would like to ask the Minister of Mines and Water Resources whether or not he has a project now under way or just completed in the village of East Selkirk.

MR. SPEAKER: The Honourable Minister of Mines, Resources and the Environment.

HON. BRIAN RANSOM (Souris-Killarney): I would take that question as notice, Mr. Speaker.

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

MR. BILLIE URUSKI: Mr. Speaker, I'd like to pose this question to the Minister of Agriculture, and ask him whether he would use his good offices to urge the Canadian Pacific Railways to repair their railway into the Interlake, into the Arborg subdivision, so that cars could be brought in to move grain that should be moved out of areas that have been subjected and have been flooded out in the past while, as that grain cannot be moved.

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. DOWNEY: Mr. Speaker, I think that the member has a very important matter which he brings to the attention of the House, but I would have to say that until the situation of flooding has somewhat backed off or indicates that it has finished flooding, that it would be maybe not possible to fix the railroad that he's indicating. But I would bring to the attention, as quickly as it is feasible to the railroads, that that type of work proceed.

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

MR. RUSSELL DOERN: Mr. Speaker, if the First Minister has a statement on the flood, perhaps we'll wait for that.

MINISTERIAL STATEMENTS AND TABLING OF REPORTS Cont'd

MR. SPEAKER: The Honourable First Minister.

HON. STERLING R. LYON, Premier (Charleswood): Thank you, Mr. Speaker. If we have agreement to revert back to Ministerial Statements so as not to use up time in the Question Period, I appreciate

that courtesy being extended. (Agreed.)

I have here, Mr. Speaker, copies of what I will say along with the latest updated report on flood levels.

Mr. Speaker, before Orders of the Day, I would like to make a brief statement with respect to the flood situation. The most important point is that following consultation with municipal officials in the Red River Valley, and on the recommendation of our own officials, I have ordered an immediate general evacuation from the Red River Valley. This follows upon the evacuation ordered yesterday of all hospitals, senior citizens' homes and farmsteads in the valley.

This evacuation must be undertaken within the next couple of days because by Friday, and that's our best estimate at the present time, virtually all surface transportation will be impossible because roads will be impassable, making boats and helicopters both in limited supply, the only means of travel to and from the dike towns and villages and farmsteads in the valley.

While the evacuation order is general, it will not include essential personnel who must remain behind to help ensure the security of both the dikes and property. Every day's delay in evacuation will make it that much more difficult as the time approaches when the roads are cut.

I should stress, Mr. Speaker, that our officials have every confidence in the ring dikes around the towns and villages, and that with extra lifts of earth and sandbags plus constant patrolling and maintenance, they can withstand the added flood threat as we now predict it. But it is both imprudent and risky to have any people, apart from those essential to the emergency, staying in isolation behind these dikes. The very fact that they are dikes and will be under considerable pressure from high water, would make it a needless risk for people to stay.

Evacuation routes have been set up, and buses from bus lines have been despatched to assist in the evacuation.

We are asking people to report to evacuation centres at Morris, Ste. Agathe, St. Jean and Emerson on the west side of the river, and to St. Adolphe and Dominion City on the east side prior to leaving the valley. Those persons who come to Winnipeg will report to one of seven reception centres. I needn't detail them now, but they include four arenas on the west side of the Red and three on the east side. These have been manned and are in operation as of this afternoon.

I can add that the Union Stockyards have undertaken to act as a reception centre for evacuated cattle.

Schools in the valley have been ordered closed until further notice. Evacuation routes are Numbers 2 and 3 Highways on the west side, Number 75 Highway from just north of Morris to Winnipeg, because it is closed from that point south, and on the east side, Number 59 Highway. People from Morris can reach Number 59 via Highway 23, while those from Letellier can use Provincial Road 201.

Mr. Speaker, I am also passing around the latest report from the Water Resources Branch, which estimates new peak flood stages along the Red that are some two feet higher than those experienced in 1950. I want to point out one other vital fact, and that is that these were computed on the basis of water flows and rainfall, as of yesterday. And since then there has been a general rain over the Red River Valley with one-half inch falling. It has been estimated that one-half inch of rain translates into a one-half foot rise in the water level. It now appears therefore that flood stages on the Red this year will be some 2 ½ feet higher than in the tragic year of 1950, when the Red River created a lake 60 miles long and 25 miles wide in some places.

I want to comment, Mr. Speaker, on the close co-operation that exists between the province and the municipalities and the city of Winnipeg in this emergency. We have been working together with one general goal, the protection of our citizens.

One final comment, I am asking the people of Winnipeg to open their hearts and their homes to the evacuees. They can phone their nearest reception centre, and their phone numbers will be broadcast and published.

In 1950, Mr. Speaker, some of us here will remember it, Winnipeggers in particular, indeed all residents in the Red River Valley, recall how people from beyond our provincial borders came to our aid. We can now help our own people in the same open-hearted fashion.

I would add just a postscript, Mr. Speaker, that is not attached to the statement, that through the kind co-operation of the media, another statement will be broadcast by me at 6:30 tonight to all Manitobans and to all residents of the Red River Valley.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I'm sure every member in the House appreciates the gravity of the First Minister's announcement, and I'm sure that every member in the House would want to be part of any effort that can be made with respect to dealing with this unfortunate state of emergency. I would assume and I would expect, and I'm certain that the First Minister will have available to

him such material and with such degree of reasonableness, as to cause him to take the action that he has taken. I would urge the First Minister to have that material in such a way as that any time he will be able to deal with it if the question arises.

I expect that there is no doubt whatsoever, Mr. Speaker, that the First Minister is now acting in a way that he has to act. Yesterday, he dealt with voluntary evacuation and I expect that what he is now talking about is a request, indeed a demand that citizens evacuate their homes, and I repeat; I'm satisfied that he has the material and the advice and the sufficient surveillance of everything that is happening as would cause him to make that kind of announcement, and we accept it.

I do, Mr. Speaker, have several questions that I would like to put to him, or observations that I would like to make. I think that the First Minister is correct in assuming that Manitobans all over the province would want to co-operate and to lend their assistance to do whatever they can in dealing with the situation. I think many people are unaware as to what they can do and really are quite frustrated by their helplessness, and I appreciate that even those who can do something are frustrated that they can't do more.

I did indicate to the Minister of Finance before the First Minister came into the House that I think that if manpower is needed, and I'm not certain as to whether it can be properly mobilized and designated, but if it is needed, I am virtually certain, Mr. Speaker, that if the First Minister called for volunteers from the high schools of this province that he would receive enthusiastic response and that the young people would merely want to know where they have to go to be used and how they could be used. I'm not sure whether that kind of availability is something that will help the situation, but I feel certain that if the Minister prevailed upon it, he would obtain it in the same way, Mr. Speaker, as he has indicated to people in the province that if they are able to billet any evacuees that they should make that fact known to the authorities.

I would also assume that the First Minister would be making available whatever public buildings are convenient to be used for the purpose of housing people on a temporary basis.

I also make the observation, Mr. Speaker, not because I don't think it hasn't already been thought of and the Minister I'm sure is doing many things that he hasn't mentioned, the government, but I would assume that there is going to be put into force adequate provision to prevent those few people who take advantage of a situation of this kind to engage in interfering with other people's property; that there will be surveillance to prevent looting of any kind or other types of damage which some poor misguided people would engage in, taking advantage of other people's misery.

So, Mr. Speaker, we recognize the gravity of the announcement and brief; we want to extend whatever cooperation is expected of us; we tell the minister that we agree that he can obtain co-operation in our view and response from the citizens of Manitoba both with regard to evacuees and to people who are needed in a manpower situation, and we stand ready to do whatever we ourselves can, and if the First Minister would make any request to the House as and when he thinks it is necessary, we would be glad to interrupt proceedings, no matter what stage they are in to deal with such a request; I even tell the First Minister that if I think I'm scoring my best points against the Conservative government, I will be interrupted Mr. Speaker, to deal with this question.

MR. SPEAKER: I have deducted the time for the statement from the Question Period. There is five minutes left in the Question Period, however, with unanimous consent of the House, I'm sure Question Period could be extended provided the questions deal only with the issue of flooding. The Honourable Member for Elmwood.

MR. DOERN: Mr. Speaker, I wanted to direct a question to the First Minister. Given that there may be sufficient volunteers to combat the flooding and help in the diking etcetera, there are also some 30,000 unemployed Manitobans and I wondered if the First Minister has given any thought to utilizing unemployed people in a special, paid, crash, emergency program?

MR. LYON: Well, Mr. Speaker, I thank the honourable member and the Member for Inkster for their suggestions, all of which are useful and helpful.

With respect to the suggestion of the Member for Elmwood with regard to unemployed, the federal government of course have representation on the Emergency Committee, both in the military sense and in the civilian sense; and that suggestion will be passed along to them, although I'm confident as the Member for Inkster says, that many of the things that we think of have been thought of by the officials who are charged with this responsibility.

I can also add in that connection that the manpower requirements as they are seen by the officials at this point are more in the nature of manning, patrolling of dikes which can be done most efficiently

I would imagine, by the local cadre of people who will be left within the ringed diked areas along with assistance where required from members of the armed forces, RCMP and so on who have all been put on a stand-by basis. There are some 450 to 500 members of the armed forces ready to move in to action; their permanent representative on the committee has met with us on a number of occasions and whenever their services are required they will be moved in.

In addition to that with respect to the special point that was made by the Member for Inkster in his earlier comments about security of property, we're quite concerned about that, security and maintaining order and so on in the communities and every attention will be paid to that particular item, I believe I mentioned security of property in the statement that I made, and it's very high on the list because when people evacuate they want to feel that not only are they leaving all of their homes and their personal property subject to the threat of a flood, and knowing that the ringed dikes will protect that, but they also want to be free of human depredation as well. That kind of assurance so far as we have been informed can certainly be given to all people so that they can leave with a slightly lighter heart than they otherwise would. When one contemplates the kind of traumatic experience that it is for a person to leave his home, or his or her home for a period of two or possibly three weeks, because it could well be that length of time from the time of the evacuation until the peak, and then the subsiding of the water after the peak until they can get back to their homes.

So I thank the Honourable Member for Elmwood for his suggestion on Manpower and I'm sure that they have already been in touch with Manpower in the event that they need that kind of labour assistance. The other forces are standing by for utilization. I thank as well the Member for Inkster for his helpful suggestions and, Mr. Speaker, for the co-operative attitude that has been displayed by all members of the House, members of the Opposition in particular, in this crisis. This is a crisis that faces all Manitobans and I think it's good for all Manitobans to know that all members of their Legislature are working toward the mitigation of the flood threat that we face and are working toward the highest protection that we can offer, first of all to human lives, and secondly to property and all of the matters that ensue from this kind of crisis. There is very little else I can say in a general way although I won't take more time in case there are more specific questions.

MR. DOERN: Mr. Speaker, I just want to be perfectly clear on this point. Do I understand then that the First Minister is saying that there are sufficient machines and manpower at present and that there is no requirement say in the next week to 10 days even for volunteers? Because many of us of course were engaged in the 1950 flood and I think there are probably a lot of people around willing to roll up their sleeves and participate, so could the Minister clarify whether there is or is not a requirement for volunteers?

MR. LYON: I'm happy that the member asked that question, Mr. Speaker, because if I was ambiguous in any way it gives me an opportunity to correct it. I am not saying that there is no need for volunteers, who may well be called for on an individual basis by a community of homes or farm areas that require assistance near the city or further out. Any requests for volunteers now should be funneled through Emergency Measures because of the growing inaccessibility of the areas to ordinary means of transport. So I would not in any way want to be thought of dampening — that's not a bad pun — of dampening the desire of people to assist people in the valley.

What we have to contemplate however, Mr. Speaker, in terms of the amount of assistance that volunteers and others can offer is the situation that is best I suppose demonstrated by looking at a flood map from 1950. I believe caucuses have been or are being provided with copies of that map which gives you a better visual concept of what we are looking at, a lake roughly 60 miles long and 25 miles wide, and the amount of work that can be done within the ring diked areas and so on, is of a limited nature. As the Member from Inkster will appreciate, he having been the Minister of Mines for some time, the topping on those dikes can be done mechanically through equipment and then the sand bagging of course can be done on top of that; that will have to be done of course, because in order to permit a certain amount of freeboard these dikes will all have to have the lips put on them to protect the property within them. So there may well be occasions where people under controlled circumstances could be brought into some of the areas, but that we are leaving up to the Flood Organization Committee because it's very very important to keep track of people when they're brought into that kind of a location with the potentiality for danger that there is there. But volunteers who are called for will be certainly welcome.

Any other assistance that could be offered by way of billets, by way of material, such simple items as power boats that people have that they could offer to the Emergency Measures people would be appreciated because there is a limited amount of that kind of equipment within provincial or federal or even army circles. That kind of equipment is already being used in the lower valley to give assistance to those people who have to travel by boat to get to and from a farm house

to a barn or indeed in the case of Emerson, to get to the water filtration plant in Emerson they have to go by boat at the present time.

So that kind of assistance, and there are others that quickly come to mind, is needed along with any volunteer help that may be called for on an individual basis, while the water is still relatively low — well, not low, while the water is still rising, while people can get in on a safe basis, but then only on an organized basis after the flood reaches its proportions near peak time.

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

MR. DOERN: Mr. Speaker, I just ask the Minister if he would be prepared to assert that the City of Winnipeg is in no danger even though the record levels of the 1950 flood will be exceeded. Bearing in mind that there are a few low spots in St. Vital, Elmwood and other regions, is it safe to say that we are, in the city, in no comparable danger because of the floodway, because of the permanent diking and the equipment machinery, the experience garnered in the past? Would the Minister care to comment?

MR. LYON: Well, Mr. Speaker, given the circumstances as we have them at this moment, because no one can forecast precipitation in the next two to three weeks, and I'm not trying to place too much of a lawyer's caveat on that proviso — given the levels as we see them at the present time, I think one can safely say that the Winnipeg Floodway and the interior diking and other complete or partially completed works that have been undertaken over the last good number of years by the various city administrations, will provide full protection to the residents of the city of Winnipeg from the flood threat as we see it at the present time. Obviously as the Member for Inkster will appreciate, no one can give an absolute guarantee other than the Lord on high, but as we see it at the present time Winnipeg is in no danger whatsoever except for those low lying areas that he has identified and others that may become apparent, and the City of Winnipeg are already busily engaged with respect to flood protection works in those areas.

MR. SPEAKER: The Honourable Member for The Pas.

MR. RONALD McBRYDE: Mr. Speaker, I realize the First Minister, the energies and time spent with the particular situation we've been talking about, but I wonder if the Minister could now or at a later time, update me on the situation in regard to the Fisher River and the relocation of people from that area, whether it's been completed now and when the people can be reached in that particular area. Well, Mr. Speaker, if that could be provided at some time.

MR. SPEAKER: The Honourable First Minister.

MR. LYON: In the interests of accuracy I would prefer to take that as notice so I can give the honourable member the accurate details of it. The general assurance that we have had from the Emergency Measures people as recently as last evening was that that evacuation of the Peguis Reserve was accomplished largely through the efforts of the local people with assistance from EMO and federal authorities, was accomplished extremely well. The band had their own operational set-up to follow. They came right into the Gimli Centre where bedding and other housekeeping material was available to them and the only general report I've had is that that was accomplished extremely well. As to the present water conditions in the area evacuated, I would have to get more detail on that or on any other matters that the honourable member may wish to have information upon.

MR. SPEAKER: The Honourable Minister of Mines.

MR. RANSOM: Well, Mr. Speaker, I could just advise on the basis of the information that the First Minister tabled, that the Fisher River, peak has been reached and water will be declining barring any further major changes in the weather.

MR. SPEAKER: The Honourable Member for The Pas.

MR. McBRYDE: Yes, Mr. Speaker. To the Minister of Resources, I wonder if he would be kind enough to inform me too if there's any changes in the predictions, or what is likely to happen on the Carrot River, if he could do that at some time, Mr. Speaker.

MR. SPEAKER: Orders of the Day. The Honourable Member for Lac du Bonnet.

MR. USKIW: Yes, Mr. Speaker. I would like to ask the Minister of Agriculture why it was that he undertook to attack the operations of the Canadian Wheat Board, with respect to boxcar allocations that he thought should have been allocated in order to move grain prior to the flood situation in Southern Manitoba?

MR. SPEAKER: Order, order please. May I suggest to the honourable member that the extension of the time period is only for information with respect to flooding problems.

ORDERS OF THE DAY

MR. SPEAKER: The Honourable Government House Leader.

HON. WARNER H. JORGENSEN (Morris): Mr. Speaker, I wonder if you would call second readings of bills as contained on Page 2, starting with No. 2 down to No. 27, followed by third readings on Page 1 and 2.

ADJOURNED DEBATE ON SECOND READINGS

MR. SPEAKER: Bill No. 2, an Act to Amend The Financial Administration Act. (Stand.)

MR. SPEAKER: Bill No. 18, an Act to amend The Natural Products Marketing Act. (Stand.)

BILL NO. 20 — THE PERSONAL INVESTIGATIONS ACT

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Yes, Mr. Speaker. The Member for Kildonan is not in his seat but I'm sure he would have no objection to me proceeding at this time to deal with this legislation.

MR. SPEAKER: Order please. Does the honourable member want this to remain standing in the same . . . ?

MR. GREEN: Yes, Mr. Speaker. I want to indicate that from time to time I've been before the courts and I've referred to the judge as Mr. Speaker, so if on the odd occasion you hear yourself referred to Your Lordship, which I almost did a few moments ago, you'll know the reason why and I won't have to correct myself.

Mr. Speaker, we've looked at this piece of legislation for some time and I must say, Mr. Speaker, that one of the features of the legislation which is most intriguing is that it's being presented by the honourable, the Member for Morris, the House Leader, because, Mr. Speaker, it contains in it many provisions which, if I've listened properly to the Member for Morris for the last 10 or 11 years, are the kinds of things that I would have thought that he would find most objectionable, but I will be more specific as my remarks go on.

I want to indicate, Mr. Speaker, that the New Democratic Party, as a group, and I have no difficulty in speaking for all of the members of our group in this connection, believe that the principle of having some regulation of people engaged in personal investigations is a good one. The honourable member knows that we passed an Act in that respect. It is also felt, Mr. Speaker, that providing for better means whereby a citizen who is under investigation not be defamed and not be unjustly treated because of what is contained in a Personal Investigations Report is something which is worth giving a great deal of attention to, is worth legislating about and hopefully, Mr. Speaker, the legislation can have some effect. And there are varying degrees, and I tell the honourable member this, of confidence as to just how effective that type of legislation can be, but there is no argument on this side of the House that an attempt should be made, and as the honourable minister knows, we did pass an Act in 1971 which proved to be a pioneer in this respect.

Mr. Speaker, the third point that I would like to make to the honourable, the minister, is that there is presently a Personal Investigations Act on the books, that he has chosen to bring in a bill which repeals the existing Act and puts in its place another Act. Now that always has its difficulties, Mr. Speaker, because sometimes you find that it is difficult to relate to which sections are being changed, and which sections are not being changed. And in this case, Mr. Speaker, I would have thought that it would have been unnecessary, that it was not necessary to repeal the existing piece of legislation and to substitute for it an entirely new bill. However, the minister has chosen to do that, whereas I think it would have been very easy to merely make what amendments

he thought were necessary to The Personal Investigations Bill.

Now, Mr. Speaker, having said what I have said, I want to indicate to the minister that although we agreed with the principles that I have enunciated, we find many sections of this bill to be totally objectionable and other parts of the bill as not being effective in doing what the minister wants to do.

And the objectionable features, Mr. Speaker, are exactly those types of things that the Conservative members usually talk about as involving government regulations, state control, the imposition of the state over the freedom of the individual, and the arbitrariness of bureaucrats, that those things are introduced into this bill by a person, who I thought would be the last one who would want to do that type of thing, but nevertheless, Mr. Speaker, I understand the minister is busy and has many things to do and thereby sometimes would rely too much on what is being proposed by the bureaucrats without having a real opportunity to examine what he is doing.

Now, Mr. Speaker, I think that the minister would be shocked, and if he's not shocked I'm going to be disappointed in the minister. If I made the observation that according to this bill, if I had a suite to rent in my house, which I do, it would be illegal for me to phone my friend, the Attorney-General, saying to him that I understand that you know this fellow who wants to get a place in my duplex. Can you tell me something about him so that I would know whether I would want that man living in my duplex? And I say, Mr. Speaker, and it's not merely my own perusal of the bill that says this but I have legal advice researched to support it, and I urge the Attorney-General to look at it, that this bill, Mr. Speaker, would make it illegal for me to ask the question, it would make it illegal for the Attorney-General to answer the question unless, Mr. Speaker, he registered under the Act with some bureaucrat. Because the Act says, Mr. Speaker, that no person shall provide personal reports, and that's what the Attorney-General would be doing, or compile personal file, or act as a personal reporting agency unless he is registered under the Act.

And then if we go to the Sections which deal with those things we find, Mr. Speaker, that they are totally applicable, applicable to anybody who does that type of thing, not necessarily a reporting agency that is engaged in the business of supplying these things so that employers can have sophisticated information, sophisticated in their view, as to what to find out about an individual so that they would be in a better position to know whether they want to hire him or not, in which case, Mr. Speaker, we agree that if a person is engaged in that type of enterprise for a profit, that there has to be some protection to the people who are being investigated and whose benefits are either being given or denied based on that type of report.

But Mr. Speaker, we say that it is not necessary, and we say to the Conservative Party that you are the Party that pretends to be against such type of bureaucratic control and then, Mr. Speaker, two years running you introduce bills which fly in the face of normal activities related to the freedom of individuals in our society. Last year we had the Hog Board, or the Hog Producers Association which gives to a private organization the right — the Cattle Producers Association, which gives to an organization the right to pass regulations which are enforceable at law and which, if they are not enforced, can put people in jail.

Now, Mr. Speaker, why is it that the Conservative Party introduces a bill which makes the ordinary inquiry of that kind illegal unless you register with some bureaucrat, unless you go and get a licence under the Act, which is what it says in this Act. Mr. Speaker, in addition to that the bill is most hypocritical in that this Director, which is being created under this Act and under the new bill, may I say, Mr. Speaker — and by the way, I don't want to give the impression that there may not be certain things in the present bill which are a problem, and if there are and should be corrected, then I'd like to hear about them and I would correct them. But this new bill provides that there will be a Director, Mr. Speaker, and this Director has extraordinary powers, Mr. Speaker.

If a man wanted to go into this business, which is a legitimate business, he would be faced with a Civil Servant, and you are the people who continue to refer to the power of these bureaucrats, who has the right to say, Mr. Speaker, that the past conduct of this individual, of the person who is applying for a licence, affords reasonable grounds for him to believe that he may not carry on the business in accordance with the law or with integrity and honesty, and he has a right to say whether that person is going to be able to act with integrity or honesty. He has the right to say, Mr. Speaker, that in his view the person applying to be a Personal Investigation would be unable to comply with the provisions of the Act or the Regulations — not that he is unable, not that something of his present conduct is a problem, but that in the Director's view . . . If the Member for Morris was making an application and the Director came to the conclusion that he would be unable to comply with the provisions of the Act — this is a future compliance — he would be able to deny that person a licence, Mr. Speaker. He would be able to deny that person a licence if that person was convicted of an offence that in the opinion of the Director involves a dishonest

or fraudulent act.

Now Mr. Speaker, isn't that interesting? You know, one of the things that's in this bill is to try to prevent citizens from being labelled by a Personal Reporting Agency with having done something wrong in their lives, and the bill says that you should not refer in a personal investigation — listen to this — you cannot refer in making a personal report to any adverse information that is more than seven years old. So a Personal Investigator cannot say something about somebody that is more than seven years old. He cannot say something which involves debts that are statute barred, but the Director can use that same information to say that he won't appoint a Personal Investigator. If a man has been guilty of theft, and that can happen, that might not be able to be said about him in a Personal Investigator's report, but the Director may decide that that is a reason for denying him a licence, and that's not the worst of them, Mr. Speaker, because after you've dealt with theft, after you've dealt with whether he will be honest and have integrity, he is also entitled to say — and listen what this Director, proposed by these Conservatives, can do. He can say that having regard to his financial position the applicant cannot be reasonably expected to be financially responsible in the conduct of his business.

He says in advance, Frank Johnston, the Member for Sturgeon Creek, wants to be a Personal Investigator. He is a bright fellow, but the Director says, "Let me see your Bank Account. Let me see how much money you've got." —(Interjection)— Pardon me? Well, Mr. Speaker, the Honourable Member for Sturgeon Creek is introducing legislation that says that the Director can ask that kind of question to determine whether or not this person can carry on business.

So Mr. Speaker, you know, I'm not even going to say that such directors or such legislation has not been passed although I'm not certain where it is, but let us assume that my friend can find an Act where we did something like this or somebody else did something like this. We're now faced with this bill which we are looking at and trying to examine how this government regards legislation should operate. And they've got in here a Director, who can do the things that I have referred to, in denying somebody the right to carry on a business which today he can carry on without going to anybody because today a Personal Investigator doesn't even have to be registered under this Act. There are rules with regard to their operations under the old Act, but I don't think that they involve registration. I'm fairly certain, Mr. Speaker, that they don't involve registration, and certainly the power of the Director to conduct the kind of examination that is referred to in Section 4.(1) is something that is being brought in by a Conservative Administration.

I want the Member for Sturgeon Creek to contemplate something else that he is bringing in in this piece of legislation. He is going to find it very amusing, Mr. Speaker. I'm glad that the Member for Sturgeon Creek is sitting in his seat. Mr. Speaker, I remember the Member for Sturgeon Creek on this side of the House. Any piece of legislation that was brought in, if it contained that type of thing it covered the entire group, not only the government but the backbenchers. Now he's a member of this government that this bill is being brought in by and, you know, the Member for Morris, I'm sure, will feel just as uncomfortable about what I'm going to say as the Member for Sturgeon Creek.

Under this bill, Mr. Speaker, and in this particular item, I want to indicate, Mr. Speaker, that I am not sure that I am not speaking merely for myself, that there may be people on my side of the House who feel differently on this particular point. I don't think that there is any disagreement on the matters that I have raised today.

But on this particular point there may be a disagreement because of what is assumed to be the problem. Under this bill, Mr. Speaker, if a personal reporting agency has information which is not understandable to the subject, listen to this: "It is not understandable to the subject. It is against the law for him to compile that report and the remedy is that the director can require the personal investigator to change that report to make it understandable to the subject."

Now, Mr. Speaker, first of all I don't know whether this subject that they're talking about is able to understand anything, but the government has passed a law that it shall be understandable, and when the government says, so let it be written, so shall it be done. The man can't understand but the government says that he will understand. He will understand by law, Mr. Speaker. And then they say, Mr. Speaker, that if it is still not understandable to the director, that if it is not understandable to the director — and I don't know what bureaucrat you're going to have as a director and I don't know what his level of understanding is — but if I prepare a report and I'm a personal investigator, and the director cannot understand it, Mr. Speaker, the Conservative Government passes a law that the director shall understand, and that the report shall be amended so that he understands.

It may be, Mr. Speaker, that the report will then be changed. It may be that it will be less accurate as to what it means, but the Conservatives have decreed, so let it be written, he shall understand, so shall it be done. He will understand. That is the law of the Conservative Party.

Now, Mr. Speaker, I have heard people saying, well, these people have codes. We've got to

go to the nth degree to make sure that our law is effective, and that's one of the difficult things about these types of laws, and I recognize it, Mr. Speaker, that once you pass the law with the very best of motives, that making it effective sometimes involves travelling a path to 1984 that you can never remove yourself from. So here we have a law which says that the subject shall understand, the director shall understand. The fact that both of them may be — and I'm not saying they are — but they may be nincompoops, doesn't mean anything. The Conservative Party says they shall understand and so they shall understand, Mr. Speaker.

Well, my friends may say I am making fun of something which is a real problem, that sometimes personal investigators use a code. If they use a code it will not be understandable because the person doesn't have the code. Well, Mr. Speaker, I would say if that were a problem and if it could be corrected, and I'm not sure it could be corrected, it should be a requirement that the code that is used between the user and the personal investigator be made available to the subject, and those are the three people that are involved and then it could be read in the same way as the user is going to use the code.

But, Mr. Speaker, that won't necessarily help. What if the code is understandable? What if the personal investigator decides with the user that wonderful will mean lousy; that prompt will mean tardy; that responsible will mean irresponsible. So the personal investigator sends a report saying, this is a wonderful person who is always prompt and is responsible. And the user reads, and it's understandable — mind you, if it isn't, they can make him change, they can make him change the words to make it understandable — but most people can understand what I have just said. But the user reads, this man is lousy, he is a latecomer, and he is irresponsible. And how, Mr. Speaker, will that particular section deal with that quality?

And you know, it's the Member for Morris, who has raised on numerous occasions, the question as to how far you have to go in order to make effective that kind of legislation, and what its limitations are. I say, Mr. Speaker, that in this Act, he is legislating in such a way as I would never expect him to do but then, Mr. Speaker, perhaps I'm being too decent to him. The fact is that the Conservative legislation is much removed from their protestations. I would have really expected the Member for Morris and the House Leader, and the Member for Lakeside, the Minister of Highways, to have said to the Cabinet last year that this cattle producers thing is just not acceptable.

But they didn't, Mr. Speaker. They all got up and despite all of their previous protestations about their respect for civil liberties and the freedom of the individual and the fact that they are not going to use the state to declare matters which infringe on the liberty of the subject, that all of those things meant nothing when they were dealing with the cattle producers' bill and probably mean nothing in dealing with the kind of thing, Mr. Speaker, that is contained in this particular legislation.

And these things, Mr. Speaker, that I am referring to, are all in the bill.

Mr. Speaker, it is against the law in this bill for a person to use information that he has heard about a person that has not been obtained in accordance with the provisions of this Act, to use it. I don't know whether they use it to the benefit of the subject or not. I mean, if a person hears that somebody is a terrific guy, but the information wasn't obtained in accordance with The Personal Investigations Act, it's unlawful for them to use it. And that is stated in clear form right in the provisions of the Act. It's unlawful for him to use it if it's bad information, it's unlawful for him to use it if it's good information. Can you imagine, Mr. Speaker what — and I'm going to be a bit male chauvinist — what your wife, or to make it all-embracing, your son, heard in gossip, is not useable. And I'm not suggesting, Mr. Speaker, that that is good information or that one should use it. I'm suggesting that you can't pass a law against it, that people will behave imprudently and use that type of information and passing a law will not change that.

I raise these questions, Mr. Speaker, because these particular provisions, and there are more, are contained in a piece of legislation being put forward by a party which says that it is trying to protect the freedom of the individual from the encroaching statism. Mr. Speaker, I don't recall any encroaching statism that quite matches the kind of sections that I have referred to in this Act in the past 10 years of the New Democratic Party administration, 8 years, excuse me. It's probably wishful thinking. The worst I think that we were attacked with, were some snooper clauses which were clauses that appeared kind of harsh, but which were subsequently changed. All of those clauses, Mr. Speaker, were changed before the legislation was passed and yet we have from this administration, the kind of provisions which are entirely contrary to the liberty of the subject. And which, Mr. Speaker, if they are to be carried through to their illogical conclusion, will result in an absurdity that are contained in this Act.

Mr. Speaker, there are, and I say this, that there are areas on which the members of this group will differ. I've indicated that there may be some difference of opinion with regard to whether information can be required to be put in an understandable form. I don't think I've left any doubt

as to where I, individually would stand on that. There are also, Mr. Speaker, provisions of the Act which intend certain results but which are not effective in achieving them, and some of my colleagues will deal with the fact that the bill in its present form and because of drafting errors which go the other way, are not effective in accomplishing what the purposes of the Act are. Those matters will be dealt with by members when they obtain the floor during this debate.

There is one item on which there may be some difference of opinion, Mr. Speaker, and that relates to the use of an electronic device in interviewing a person who is seeking a benefit. Again, Mr. Speaker, the motivation — and I'm now talking from a personal point of view — the motivation for this legislation and the reasons as to why people think it's necessary are very positive, that there is a desire to bring about good things by not having people dealt with unfairly through the use of an electronic device which cannot be considered to be reliable.

The one area, Mr. Speaker, in which I think there would be really no dispute, is not contained in this Act and I wouldn't think that it would be proper subject matter for the Act, but I do want to make it clear that I think that an employer should not be able to require an employee who is under suspicion, or at any time, to be required to take a lie detector test; nor do I think that an employer should have reason to fire a person either because he refused to take a lie detector test or because of the results of the lie detector test. That is, first of all, an employee should have the right to say that I don't want to take one of those tests. An employee should also have the right to say that if your dismissal is based on that test, I challenge the dismissal, and he should be able to succeed, because I don't think you can convict a person on a test which is not considered to be reliable and certainly the consequences of error are far more serious to the person who is being affected by it than it is to the employer, because the employer, if the man is not behaving properly, should be able to obtain evidence which is other than one of these gimmicks.

Mr. Speaker, that isn't covered by this Act. This Act merely covers a person who is making application for employment, an application for a benefit. It might be employment, it might be a lease, I guess a landlord, although I don't think that's what it's enacted for, I think you're generally dealing with prospective employees, but I think if you use the words you would find that it could be either.

Mr. Speaker, I consider that an employer — and again, this is personal, this is not a consensus of the group that I'm in, I'm making a personal observation — I consider that an employer who is making that kind of test is probably doing a silly thing. I consider that an employer should not take such a test. I am doubtful as to whether making a law against it will improve the situation or worsen the situation because, Mr. Speaker, if you outlaw lie detector tests, how are you to prevent the employer against doing something which might be equally bad? How can you prevent that employer from saying, he's going to hire a lie detector, that the Member for St. Matthews has the capacity to determine who is lying or not, and that the Member for St. Matthews will be his interviewer, and the interviewer will tell the employer whether the applicant is to be trusted or not. Is that prohibited by this legislation? Or is any other form of gimmick test prohibited?

And, Mr. Speaker, I'm not saying that there isn't a problem. I'm saying: Does this solve the problem? What if the employer wanted to take palm tests and say that he was going to hire people on the basis of palmistry and on the basis of their stars?

Well, Mr. Speaker, I'm not satisfied that a lie detector test is an effective means, but I am not satisfied, at this point — and I will be pleased to hear how it's dealt with at Committee — that this is the one that is worst and has to be legislated against. And whether, when you legislate against it, you're going to find that there are other horrors that are just as bad or worse and that you're going to have to continue with legislation, and the Legislature will never catch up with the horrors. It is quite possibly going to create more horrors than it eliminates.

And I would think that the Member for Morris, in most of his comments on legislation, would be one who would be taking that type of position. Instead, Mr. Speaker, I find that he introduces this bill, which contains the problems which I have referred to and which, Mr. Speaker, is, in my view, contrary in many of its provisions. And I'm not referring to the central question of legislating an agency of this kind so that there is a better opportunity for a subject to know that he has not been unfairly dealt with by means of an agency which is supposed to be gathering sophisticated information which is intended to be used.

We not only, Mr. Speaker, can live with that but we are prepared to endorse it. And for that reason, Mr. Speaker, we are prepared to have the bill go to Committee, but we can tell the honourable member that both for the kind of defects and for the kind of bureaucratic statism that has been mentioned, and particularly with regard to the references as to this bill being universal and available and applicable to all members of society, the powers of the Director, Mr. Speaker, that we will be making substantial criticism of the bill in that respect. We will also be making substantial criticism of the bill in areas where the sections may provide for a good result but which are defective in achieving that result.

There is one more feature of the bill, Mr. Speaker, which, again, points out the difference between words and deeds, as reflected by the Conservative Party when it comes to talking about making arbitrary provisions. Under the existing Act the exemptions are spelled out; under this bill, the Act says that the Lieutenant-Governor-in-Council, Mr. Speaker, will say who is exempt. And they can exempt anybody. They can even exempt a well-known reporting agency, because the Act says that the Lieutenant-Governor-in-Council may exempt any person or class from the definition of personal reporting agency — anybody, any person, not any class — you know, it's a little better when you do it on the basis of a group of people because then at least you're not being arbitrary. But this is that they can exempt any person. And my honourable friend knows too much about legislation for him to defend the position: Oh, but we're nice guys; we wouldn't do that. And we've heard enough lectures from him on the subject that you do not give power to a government to do something on the basis that the government will not use those powers.

In this case, the government is being given arbitrary powers to deal with this legislation and to deal with people in society without reference to the Legislature.

And, Mr. Speaker, maybe it's necessary. Maybe this Act is a complete mirage, maybe because of the provisions that I have mentioned. The Conservative Party says, "Yes, we will pass the bill but then we will exempt everybody from its operation and none of the things that the Member for Inkster says are going to happen will happen, because although we have passed the bill we will make everybody exempt from it." And of course if everybody is exempt from it, then what is the purpose of having the bill?

Now, Mr. Speaker, we do see and did see and I think that the entire House saw that there was a problem, which it was hoped could be dealt with by legislation. I am, at this point, not certain just how many of the problems have been resolved by the existing Act. I would have preferred to see, in amendment form, those parts of the Act that had to be changed.

The Minister has seen fit to bring in a new bill. He says that he obtained this bill as a result of some model drafting being done throughout the country. If so, Mr. Speaker, that doesn't change any of the criticism that I have; I don't care if it's done in Saskatchewan. I wouldn't care if it was being done by a New Democratic Party government, Mr. Speaker. I can assure you that when we were in government that when legislation of this kind was put on the table the kind of arguments that I am making — and not confined to myself; I'm not trying to say that I was the only one — but the kind of arguments that I am making were made by each and every member with regard to legislation which displayed, Mr. Speaker, a tendency for the bureaucrats and for the government in support of the bureaucrats to have unnecessary jurisdiction over the areas of human life which, although they are problems and although there is sometimes necessity of dealing with them, that one has to guard that the legislation goes no further towards interfering with the rights of the subject than is absolutely necessary to accomplish the objective desired.

And, Mr. Speaker, even if the objective desired is a positive one, if the means that are implemented to get there involve such an interference with the daily lives of people in our society as is to be objectionable, then even sometimes those objectives should be reassessed to see whether the cure is not akin or worse than the disease.

And I put, Mr. Speaker, those criticisms to the Conservative administration in the spirit that, yes, we can support measures to deal with the issue that is being raised but we cannot support some of the draftsmanship of this bill, both where it is faulty for reasons of error, or where, still worse, it is faulty because the administration is seeking to exercise a type of restriction over the lives of people in our society which is totally unacceptable.

MR. SPEAKER: Bill No. 20 will stand in the name of the Honourable Member for Kildonan unless anyone else wishes to speak at this time.

Bill No. 24, An Act to amend The Municipal Act, the Honourable Member for Lac du Bonnet. (Stand)

Bill No. 25, An Act to amend The Human Tissue Act, the Honourable Member for St. Vital. (Stand)

Bill No. 27, An Act to amend The Liquor Control Act. (Stand)

ADJOURNED DEBATES ON THIRD ADING

MR. SPEAKER: Bill No. 5, An Act to amend The Criminal Injuries Compensation Act standing in the name of the Honourable Member for St. Johns. (Stand)

Bill No. 8, An Act to amend The Mental Health Act. (Stand)

Wednesday, April 25, 1979

**BILL NO. 9 — AN ACT TO AMEND THE CROWN LANDS ACT AND
THE REAL PROPERTY ACT**

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, many of the considerations which gave rise to my speaking on this bill have now disappeared.

MR. SPEAKER: Are you ready for the question on Bill No. 9? The Honourable Attorney-General.

HON. GERALD W.J. MERCIER (Osborne): Mr. Speaker, I can hardly resist saying that if any of the comments made by members opposite were relevant to this bill I would have something to respond to, but under the circumstances I think the question could be put.

QUESTION put, MOTION carried.

MR. SPEAKER: Bill No. 15, An Act to amend The Garnishment Act, the Honourable Member for Kildonan. (Stands)

THIRD READING

BILL NO. 11 — AN ACT TO AMEND THE PROVINCIAL JUDGES ACT

MR. JORGENSON presented Bill No. 11, An Act to amend The Provincial Judges Act for third reading.

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

MR. WALDING: Mr. Speaker, I move, seconded by the Honourable Member for Transcona, that the debate be adjourned.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. GREEN: Mr. Speaker, I wonder if we can save some time by just not calling Third Readings today. If you call them then we're going to stand them, so just save some reading. There are some members away who may have been wanting to deal with these bills.

MR. JORGENSON: I'm just wondering how I could fill in the time between now and 4:30. Even the Minister of Education is not here. Well, perhaps with the consent of my honourable friends opposite we could go straight into Private Members' Hour and quit a few minutes early.

PRIVATE MEMBERS' HOUR

RESOLUTION NO. 1 — RIGHT TO WORK (AS AMENDED)

MR. SPEAKER: We are now then in Private Members' Hour. Resolution of the Honourable Member for Inkster, Resolution No. 1, the Right to Work.

There was a motion made by the Honourable Member for Roblin, a sub-amendment to the amendment moved by the Honourable Member for Wellington. However, when the Honourable Member for Roblin made that motion it was a rather irregular motion. He just penciled in three words on the motion of the honourable member and it was not signed or anything, and I feel that I should rule it out of order as not being in proper form. I would therefore have to rule it out of order. However, the Member for Roblin is not here. I think he has already spoken on it, so it does not affect him in that respect.

So, Resolution No. 1 and the amendment moved by the Honourable Member for Wellington. The question is now open.

QUESTION put on the amendment and declared lost.

MR. GREEN: Yeas and Nays, Mr. Speaker.

MR. SPEAKER: Call in the members.

The question before the House is the proposed amendment moved by the Honourable Member for Wellington.

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

YEAS: Messrs. Adam, Boyce, Cherniack, Cowan, Doern, Green, Hanuschak, Jenkins, McBryde, Malinowski, Parasiuk, Uskiw, Walding.

NAYS: Messrs. Banman, Brown, Cosens, Craik, Domino, Einarson, Ferguson, Galbraith, Gourlay, Hyde, Jorgenson, Kovnats, Lyon, MacMaster, McGill, McGregor, McKenzie, Mercier, Orchard, Ransom, Sherman, Steen.

MR. CLERK: Yeas 13, Nays 22.

MR. SPEAKER: I declare the amendment lost. We are now dealing with the main motion as amended by the amendment of the Honourable Member for Roblin. The Honourable Member for Inkster.

MR. GEN: Mr. Speaker, without any urgency about it, if there is a disposition to call it 5:30 p.m., we would not object.

MR. SPEAKER: There's a suggestion that we call at 5.30 p.m. Is there any disapproval of that?

The hour being 5:30 p.m. the House is now adjourned and stands adjourned until 2:30 Thursday afternoon.