

LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, 16 June, 1982

Time — 2:00 p.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. J. Walding: Reading and Receiving Petitions . . .

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

MR. SPEAKER: The Honourable Member for Flin Flon.

MR. J. STORIE: Mr. Speaker, I would like to present the First Report of the Standing Committee on Industrial Relations.

MR. ACTING CLERK, G. Mackintosh: Your Committee met on Tuesday, June 15, 1982 and appointed Mr. Storie as Chairman.

Your Committee agreed that a quorum for all future meetings of the Committee should consist of six (6) members.

The Committee heard representations with respect to the following Bills:

Bill (No. 29) - An Act to amend The Civil Service Superannuation Act.

Bill (No. 38) - An Act to amend The Vacations with Pay Act.

Bill (No. 39) - An Act to amend The Department of Labour Act.

Bill (No. 40) - An Act to amend The Labour Relations Act.

Bill (No. 41) - An Act to amend The Employment Standards Act.

Mr. Al Cerilli - Manitoba Federation of Labour & Ms. Darlene Dzewit spoke on Bills No. 29, 38, 39, 40, 41.

Mr. Harold Dyck - Communist Party of Manitoba spoke on Bills No. 40, 41.

Ms June James - Congress of Black Women, Manitoba Chapter spoke on Bills No. 38, 41.

Mr. Sidney Green - Manitoba Progressive Party spoke on Bill 40.

Mr. Denis Sutton - Canadian Manufacturers Association spoke on Bill No. 40.

Mr. Gary Doer - Manitoba Government Employees Association spoke on Bill No. 29.

Your Committee has considered:

Bill (No. 29) - An Act to amend The Civil Service Superannuation Act.

Bill (No. 38) - An Act to amend The Vacations with Pay Act.

Bill (No. 39) - An Act to amend The Department of Labour Act.

Bill (No. 41) - An Act to amend The Employment Standards Act.

And has agreed to report the same without amendment.

Your Committee has also considered:

Bill (No. 40) - An Act to amend The Labour

Relations Act.

And has agreed to report the same with certain amendments.

Mr. Speaker, I move, seconded by the Honourable Member for St. Johns that the report of the Committee be received.

MOTION presented and carried.

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

MR. SPEAKER: The Honourable Minister of Finance.

HON. V. SCHROEDER: Yes, Mr. Speaker, I have a statement to make and I have copies.

I wish to inform the House that the 1982-83 salary adjustment for senior managers in the Civil Service, who are excluded from the contract with the MGEA, will be 8 percent. We believe that this is a fair increase, more than the percentage increase this year for Cabinet Ministers and the Leader of the Opposition, and approximately equivalent to the increase in annual salary, in dollar terms, for the most senior staff who are included in the MGEA agreement which was signed today. It reflects a principle which is inherent in the 1982-83 General Salary Adjustment, maximum help with inflation for those at lower wages.

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

MR. G. MERCIER: Mr. Speaker, we thank the Minister for providing this information to the House.

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Mr. Speaker, I beg leave to file the proceedings of the 63rd Annual Meeting of the Uniform Law Conference of Canada.

MR. SPEAKER: Notices of Motion . . . Introduction of Bills . . .

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we reach Oral Question period may I direct the attention of honourable members to the gallery, where there are 25 students from Churchill Junior High School, under the direction of Mr. Nath. This school is in the constituency of the Honourable Minister of Economic Development.

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

ORAL QUESTIONS

MR. SPEAKER: The Honourable Leader of the Opposition.

HON. S. LYON: Mr. Speaker, a question to the First Minister. In view of the fact, Sir, that the House has now been sitting just shy of four months; in view of the

fact that we have virtually completed the Estimates of Expenditure, that is the review of them, all but for Supplementary Supply; in view of the fact that the government in recent days has been bringing into the House at the last minute, so to speak, a number of serious and important bills which bear upon the future of freedom in Manitoba and Manitobans activities generally; in view of the fact, Sir, that there are presently some 25 bills at First Reading, some 13 at Report Stage, five that have not been introduced, that is the numbers are blank on the Clerk's sheet and some 11 that have not even yet been distributed, can the First Minister advise what he has in mind for a more efficient and orderly operation of the legislation in the House and when we can expect to see the end of this torrent of socialist legislation which is being heaped on us now?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, I think that we are doing relatively well compared to previous process. In fact, we haven't even seen it necessary yet to introduce a Speed-up Motion which would have been normal, but it will no doubt be introduced soon in the Chamber. We have the added situation this year of having to proceed through the translation process and that indeed has held up the distribution of some bills, but satisfactory progress is being made. As I indicated, we haven't even yet seen fit to introduce the Speed-up Motion, but that will be done shortly.

HON. S. LYON: Mr. Speaker, without accepting in any way the premise of the First Minister that the House's business is proceeding in an orderly way, it's proceeding in quite a disorderly way compared to previous years I've experienced in the Shreyer Government and the previous government. Can the First Minister give us some undertaking, Sir, that some of the bills, particularly those such as the one that was passed around yesterday, The Agricultural Land Protection Act, which trenches upon individual freedom in a way that has not been seen in this Legislative Assembly since 1870; can he give us some assurance that bills of that nature will not be proceeded with at this Session but instead, Sir, will be passed to an Intersessional Committee or allowed better to rest on the Order Paper until the government has had a better opportunity to draft it in better terms with some reaction to the value of individual freedom for citizens of Manitoba?

HON. H. PAWLEY: Mr. Speaker, the Leader of the Opposition sometimes has a tendency to somewhat exaggerate. We recall, on this side of the Chamber, some two years ago when large numbers of bills were withdrawn because it was clearly demonstrated in this Chamber that those bills indeed were of a dictatorial nature. I refer to bills that were brought in by the former Minister of Mines, The Elections Act, and a number of others, during the final days of the Session. Mr. Speaker, we will be proceeding with our legislation and we are doing that in an orderly way. I would assume that the members in the Opposition would wish at the same time to discuss same in an orderly way and we'll proceed as has been the case in the past,

except I think probably with a little bit more orderliness than in the past.

HON. S. LYON: Mr. Speaker, given the examples that the First Minister, with not that degree of precise accuracy that one would wish, has seemed to recall examples of the previous administration. Will he follow some of those good examples then and take a look at some of the legislation that he and his Ministers are bringing in, which trench upon individual freedom particularly, and make sure that those bills, there is no attempt to ram them through this Session with or without the Speed-up Motion, Sir?

HON. H. PAWLEY: Mr. Speaker, I say this with, I am sure, quite a strong degree of accuracy, that this government is much more mindful indeed of those aspects of freedom than was the case with the previous Conservative Government and there are many many examples of that. I recall the particular embarrassment in regard to the Energy Bill; how members across the way indeed were extremely embarrassed when that bill was exposed in committee.

Mr. Speaker, we'll be proceeding to hear the public, to entertain debate in this Chamber, and I would anticipate that honourable members will make the points they wish to make in the normal fashion.

HON. S. LYON: Mr. Speaker, given the fact that a number of the deficiencies of my honourable friend's legislation have already been exposed and they have seen, for instance in the case of first contract legislation, to do nothing except strengthen the adverse pieces of it or adverse sections of it, can we have any guarantee that the usual courtesies will be shown to this House and that legislation not yet distributed to the House will not be proceeded with, except in those cases where there is agreement between the House Leaders?

HON. H. PAWLEY: Mr. Speaker, possibly the Leader of the Opposition is not aware, but for instance in regard to the first contract legislation, it is my understanding that the public submissions had been completed and it is my understanding indeed, as a result of one of the public submissions, a change is being made to the legislation in order to meet the legitimate concern that has been expressed. So, Mr. Speaker, I think the process is being followed as it should be.

What the Leader of the Opposition is concerned about, obviously, is that he's opposed in principle to some of the legislation that is being delivered. He is hoping to cause the defeat of this legislation by way of proposing that it not be dealt with at all during this Session. That's really what the Leader of the Opposition is interested in doing, Mr. Speaker, and we, as a government, have to assume responsibility for our legislation. We proceed with that legislation in due process, and with the first contract legislation referred to, we have already heard public submissions and as a result of some of the constructive comments that were made by members of the public, there have been already some changes that are being proposed.

HON. S. LYON: Mr. Speaker, the First Minister, unwittingly, is putting his finger on precisely the point that I

was attempting to make earlier in a general sense about the disorderly way in which legislation is being handled by this government. Is he aware of the fact, Sir, that the first contract legislation was amended in Committee by the Minister, by a member of his own government, to make it even more unpalatable to a large section of the community of Manitoba than was the case in the first place?

HON. H. PAWLEY: Mr. Speaker, I am rather surprised at the remarks of the Leader of the Opposition. This government intends to be flexible. We don't intend to proceed into a committee, just to rubber stamp. That may have indeed been the practice in earlier years, but we don't intend to proceed into a committee simply to rubber stamp our legislation. We intend to proceed into committee to listen to the public, and indeed we are responding to a brief of the Canadian Manufacturers Association in making a constructive amendment. Now, members across the way may think that's some strange twist in democracy. I think, Mr. Speaker, that is democracy in motion. Democracy's about to be practised in this Chamber; otherwise, what is the point of going into committee?

MR. SPEAKER: The Honourable Member for Pembina.

MR. D. ORCHARD: Thank you, Mr. Speaker. My question is for the Minister of Agriculture. Approximately two weeks ago, the Minister took under advisement a request I made as to providing the House with the names of those individuals who had received assistance under the Farm Interest Rate Relief Program and the amount of that assistance provided. Can the Minister provide myself and the House with that information today?

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. B. URUSKI: Yes, Mr. Speaker. Those questions were taken under advisement and the information that the honourable member requested in terms of the specifics of the numbers, but with respect to the names of individuals, I think the member knows my views. I did take them under advisement and we're still having that matter gone through legally just to see where we stand, but the specific information that he wants is being prepared and will be forwarded to him.

MR. D. ORCHARD: Do I interpret from the Minister's remarks that he is refusing to provide myself and the Legislature with the names of individuals who are receiving assistance, paid for I might add by the taxpayers of Manitoba; that he is refusing to provide that information to the House and the amount of assistance that is being provided to those individuals by the taxpayers of Manitoba?

HON. B. URUSKI: Mr. Speaker, I am not refusing to provide the honourable member with information as to the regions, the scope of farming operations and the nature of the operation, and as much financial information as we can provide the honourable member without divulging specifically the names of the people who apply in all fairness to them in terms of their

financial situations, whether it be in business, whether it be in farming, or individuals. That information - I have not said that we will not provide it, I'm having that matter checked out, but the basic information will be provided to the honourable member.

MR. D. ORCHARD: Mr. Speaker, I am not satisfied with that answer and I hope the Minister endeavours to provide the information requested as soon as possible.

My final supplementary, Mr. Speaker, is that I am not requesting from the Minister detailed financial information that was provided to the various departments in confidence; that is not the nature of my request. I am simply wanting to know, on behalf of the taxpayers of Manitoba, who is receiving assistance and in what amount, so that the taxpayers in Manitoba and this Legislature may be availed of that kind of information.

HON. B. URUSKI: Mr. Speaker, I will repeat the remarks that I made during Committee, that once that kind of advice is given, then one of course can assume of the financial difficulties that firm or that individual has been placed in and has come to the province for assistance. I've indicated to the honourable member that I am checking that matter out legally and if at all possible it can be provided, it will be done so, but I cannot assure the honourable member that will be done. The basic information, as far as the amount of money, we've given the honourable member that information but we will be even more specific in light of the questions that he raised in Committee in terms of numbers, in terms of regions and that kind of information that he raised in Committee.

MR. D. ORCHARD: Well, Mr. Speaker, will the Minister undertake to provide myself and the House that information prior to being asked to pass Supplementary Supply in the House?

HON. B. URUSKI: Mr. Speaker, I can't give that undertaking specifically, but I've asked staff to prepare that information and that it be provided to the honourable member.

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Mr. Speaker, my question is to the Minister of Economic Development and Tourism. Last year, the First Minister showed very great concern when Beaver Lumber moved its head office for Canada to Eastern Canada. I wonder if the Minister of Economic Development has had the opportunity to have discussion with Beaver Lumber regarding their decision to move their western offices to Edmonton.

MR. SPEAKER: The Honourable Minister of Economic Development.

HON. M. SMITH: Mr. Speaker, in response to the question of the member opposite, I haven't had conversations with the head people of Beaver Lumber. I cannot at this point answer as to whether my department has, but I will take that question under advisement.

MR. F. JOHNSTON: Mr. Speaker, the First Minister showed deep concern that I hadn't had discussion with Beaver Lumber. I sincerely hope he shows the same concern to his Minister. I would ask the Minister, Mr. Speaker, if she would also, while having discussions with Beaver Lumber, inform them and see if she can do anything to change their decision to close two stores in the Province of Manitoba.

HON. M. SMITH: Mr. Speaker, I certainly would look at all questions relating to their decision.

MR. F. JOHNSTON: Mr. Speaker, on another subject, I wonder if the Minister of Economic Development could supply to the House the number of loans made under the Interest Relief Program, who have they been made to, for the benefit of the knowledge of members of the House.

HON. M. SMITH: Mr. Speaker, that detailed information, I can supply the general totals and numbers and undertake to do so, but the programs have not been set up with the expectation that the specific names of recipients would be made public. Mr. Speaker, we consider that sort of relationship with private companies as confidential and I'm sure the member opposite will respect that relationship.

MR. F. JOHNSTON: Mr. Speaker, last year I was asked by the Member for Brandon West, or in 1980 I was asked by the Member for Brandon East for a list of names, amounts of money supplied under the Enterprise Development Program for expansion of business and money to start new businesses. The list of names, the amounts of money, the number of jobs were provided to this House within two weeks. Does the Minister believe that the new program information should not be supplied to this Legislature?

MR. SPEAKER: The Honourable Member for Virden.

MR. H. GRAHAM: Thank you, Mr. Speaker. My question is to the Honourable Minister of Government Services. I have previously asked the Minister of Agriculture on several occasions, I have asked the First Minister and now I am going to ask the Minister of Government Services if he can provide the technical services to the Minister of Agriculture so that the Minister of Agriculture can provide me with the prescribed price for the Beef Income Stabilization Program for the last quarter of last year, if the Minister could provide that assistance to the Minister of Agriculture?

MR. SPEAKER: The Honourable Minister of Government Services.

HON. S. USKIW: Mr. Speaker, I know that the member is somewhat facetious with this request. I suggest to him that he put the question to the Minister of Agriculture.

MR. H. GRAHAM: Mr. Speaker, perhaps I could direct the question then to the Minister of Agriculture.

MR. SPEAKER: The Honourable Minister

of Agriculture.

HON. B. URUSKI: Mr. Speaker, I will have that. In fact, I had that information to him; I will endeavour to get it. If I don't have it before the question period is over. I'll have it for him tomorrow.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. H. ENNS: Mr. Speaker, in the absence of the Minister of Finance, I direct the question to the Honourable First Minister. The other day, Mr. Speaker, a constituent of mine travelling on Provincial Road 421 - a somewhat isolated section of the road I might add - was stopped by two gentlemen if I can describe them that way. She was somewhat intimidated about stopping in the middle of a road on a country road. They convinced her that she had to stop, by standing in the middle of the road. They flashed some form of identification which proved to be that they were indeed taxation officers from the Department of Finance and were doing a purple gasoline check.

Mr. Speaker, I'm not concerned; we know that these checks have to be made, but I do express a concern about the manner and way in which it was made. The wife proceeded home, the husband then came down the same road and was a little less intimidated and asked the officer's name. They refused to give them the name.

I would ask the First Minister whether or not he would use his influence with taxation officers to review the manner and way in which they intrude in this manner on rural people. This is not the first instance. There have been other instances and it has happened under other administrations, I might add, but there seems to be an over zealousness here on the part of the carrying on of these duties.

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, I thank the Honourable Member for Lakeside for his question and I accept it indeed as a question that is certainly well intentioned in view of the circumstances as outlined to him.

I would like to look into the circumstances, check practice now with previous practice and also check as to whether or not that practice warrants some change. Certainly, identification should be indicated without question by any officer performing any function relating to the Crown and that goes without saying. The rest of the question I'll accept as one of notice.

MR. ENNS: Mr. Speaker, as the First Minister undertakes to review that situation, you know, I indicate to him again the officers were wearing civilian clothes, an unmarked car; there was no physical means of identification that they were on any governmental duty. I have the licence numbers of the vehicle involved. I will not divulge it publicly, but I would undertake to either provide it to the First Minister privately or to the Minister of Finance.

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

MR. L. HYDE: Thank you, Mr. Speaker. I have a question to the Honourable Minister responsible for the Community Services and Corrections. To the Minister, since the Honourable Minister of Community Services has been reviewing the proposed construction of an indoor recreational complex at the Manitoba School for Retardates in Portage since last March of '82, will the Minister advise today if his long awaited review is now completed?

MR. SPEAKER: The Honourable Minister of Community Services.

HON. L. EVANS: Mr. Speaker, we're not in a position to make a policy statement at this time. The answer is no.

MR. L. HYDE: A supplementary question, Mr. Speaker, to the same Minister. Could he advise when that review will be completed?

HON. L. EVANS: Well, Mr. Speaker, it involves a number of areas of policy relating to institutions for the mentally retarded as well as the matter that involves community facilities which I know the honourable member is concerned about. That is the provision of recreational facilities for the Community of Portage la Prairie; so it's not only a matter that involves one department. It involves more than one department. I'd like to be more specific, but I would only assure the member that I share his concerns. I would like us to come up with a decision as soon as possible.

MR. L. HYDE: A further question to the same Minister, Mr. Speaker. Is the Minister then prepared to sit down with Mayor Greenslade in the Portage City Council to provide the city with the full details of all the changes that are proposed with the results of this review?

HON. L. EVANS: Mr. Speaker, I don't know to what extent I can commit myself to doing exactly what the honourable member proposes, but I do hope that sometime over the summer months I will be able to get out to the good City of Portage la Prairie, move off the by-pass into the city and review a number of facilities there and perhaps take the opportunity to talk to the Mayor and other city officials.

MR. L. HYDE: Thanks, Mr. Speaker. I wonder if the Minister, when he does take an approach to the City of Portage la Prairie, if he'll just take a good note of the condition of our Saskatchewan Avenue in Portage la Prairie.

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. R. BANMAN: Thank you, Mr. Speaker. I direct my question to the Minister in charge of Lotteries and would ask him in light of the fact that it has been shown that certain Nevada tickets sold in the province are not cheat proof, what steps he will be taking to ensure that the public is protected when they are purchasing Nevada tickets in the province?

MR. SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: Yes, Mr. Speaker, this is one of the reasons that we're bringing in this new Act, step No. 1. The Jewers Commission is another step and then beefing up the staff of inspectors as the next step.

MR. R. BANMAN: Thank you, Mr. Speaker. Well, without accepting the fact that an Act is needed, I would like to ask the Minister a question whether or not he, as the Minister, or Cabinet approved and when the approval was given for the 649 Computer Game which is a new lottery in Manitoba?

HON. L. DESJARDINS: Mr. Speaker, I have already answered this question. The information I had that had been approved by somebody representing the former government, the former Minister, the member who just asked the question, and then I gave the approval. I haven't the date, but I can find the date for the member later on.

MR. R. BANMAN: Well, Mr. Speaker, just for the record, I just want to say that when I was Minister I was not aware of this game being entered into and it was not approved by the former Cabinet. Any new lottery games under the previous government would have to have been passed through Cabinet before they would have received approval. In light of the fact that this is a new lottery game and it's using the computers, could the Minister tell us where the profits of these particular funds will be directed to? In other words, will they be directed to any particular agency and who at the present time owns the computers that are placed in the different shops in the province? Who owns the computers that are now presently being used?

HON. L. DESJARDINS: For the present, Mr. Speaker, the funds will be placed in a special account until a decision is made. As my honourable friend knows, we are looking at ways to maximize the profit to make sure that the nonprofit organizations or sports and culture and other groups will receive as much as possible. The division and the distribution of funds is certainly not done in a fair and adequate way at this time. This will be reviewed; so for the moment the fund will go into a special fund.

Now as far as this computer type, that is owned by the Western Canada Lottery Foundation who is paying for it at this time and of course, the Western Canada Lottery Foundation is a creation of the four western provinces, so part of that is owned by the Province of Manitoba.

MR. R. BANMAN: In light of the fact that the Federal Government has announced they are possibly intending also to get into the computerized game field on a sports pool type of approach and in light of the fact that there are rumours there is a bill going to be introduced in the federal House of Commons which will again layer on the already numerous lottery games in Canada, I wonder if the Minister could inform the House whether or no he has had any contact with the Federal Minister of Sport with regard to their proposed computerized game.

HON. L. DESJARDINS: Mr. Speaker, I haven't had any direct contact with Mr. Regan at this time; I have had contact with the Provincial Minister responsible. I have requested that they should hold a meeting. I have been doing that for the last couple of months. It was slated, at least for the Western Canada Ministers, just about the time of the election in Saskatchewan, so that was postponed.

I think that the member now knows the reason and it's part of the answer where I have confirmed the permission or accepting the Interprovincial Lottery that he mentioned earlier. One of the reasons is that if there are going to be those kinds of things I think that the province might as well be on the ground floor instead of the feds. Now, I think we agree; we have agreed in the past on this, the two sides of the House, that the field of lotteries rightly should be exclusively through the provinces. We don't like that at all, but there's not much we can do if the Federal Government decides to go ahead.

It is more than a rumour. There is an Act, I am told. I don't think that they've passed it. It was introduced and the information I was given at the time is that was a way of showing they had something if they didn't get along with the province. I have been told that there was some kind of negotiation by somebody representing the province - I think there were two of them - and the Federal Government to try and make some kind of an arrangement as was done in the past. It could be that a certain amount of money would go through sports on the federal level at the request of the Federal Government, but that's all the information I have at this time.

MR. R. BANMAN: Thank you, Mr. Speaker, another question to the Minister. In light of the fact that there is an agreement which has been signed between the provinces and the Federal Government, which I believe transfers a sum of an excess of \$30 million now to the Federal Government from the different provinces, will the Minister inform the House whether or not that agreement will be adhered to by the Provincial Government? In other words, if the Federal Government tries to renege on that particular contract that both the funds, the \$30 million which is now passing from the provinces to the Federal Government plus the agreement will be challenged, and that the province will uphold the original agreement signed with the Federal Government and then withhold the funds, in other words the \$30 million which are flowing to them now.

HON. L. DESJARDINS: Mr. Speaker, this is certainly something that should and it will be looked at; the suggestion was already made. As long as we can get some kind of an arrangement with the Federal Government, I don't think there should be any threats, but if they go ahead unilaterally to decide to set up this new lottery here and I think there's too many of them. I think then we certainly will have to look at that because in my view they would not be living up to the agreement, although they're stretching things by certainly not the intent anyway. Now they might be stretching this to say, well it's a different kind of a lottery; it's a Sports Toto kind of a lottery; it's betting on games; it's something else. So that is more reason

why the Provincial Minister should meet fairly soon to be ready to meet the Federal Government if need be.

MR. SPEAKER: The Honourable Member for Swan River.

MR. D. GOURLAY: Some time ago, the Minister of Northern Affairs indicated that he had hoped to resume negotiations in late May or early June with the Federal DREE Minister with the purpose of signing a new Northern Development Agreement. Can the Minister advise the House today when a new agreement will be signed?

MR. SPEAKER: The Honourable Minister of Northern Affairs.

HON. J. COWAN: I can advise the member, who has posed this question on several occasions in the past, that I am expecting a phone call from the Honourable Herb Gray this afternoon between 3:00 and 3:15, during which time I am going to inquire as to why we have not been able to get together as we had anticipated being able to get together by this time. I hope tomorrow to be able to provide to the members more detail as to Mr. Gray's response to that inquiry.

MR. D. GOURLAY: Mr. Speaker, I wonder if the Minister could inform the House if he does in fact receive that phone call that he's been waiting on, will he also be discussing the possibility of signing a new Special ARDA Agreement at the same time?

HON. J. COWAN: Both items are items which I would wish to discuss with Mr. Gray today. It is my understanding, as a result of a phone call to him this morning on this very subject, that he will be phoning back at that time, and I hope to be able to provide the detailed information in respect to those two questions tomorrow.

MR. D. GOURLAY: Yes, Mr. Speaker, I would like to ask the Minister what assurance he has received from the federal people with respect to retroactivity on the programs that the provinces have been supplying with 100 percent provincial input?

HON. J. COWAN: We are not at the stage as of yet where we are discussing retroactivity in respect to the Northlands Agreement, so I cannot provide the member opposite with a detailed statement, except to say that of course the province will be putting forward the argument that these programs, if continued under a new agreement, should in fact have retroactive clauses applied to them. We will put that forward on behalf of the province, we will discuss it and I am certain that it will be a matter which we will discuss in some detail.

MR. D. GOURLAY: I have one further question to the Minister. I wonder if the Minister could advise us as to what is happening to applications for Special ARDA grants since the 1st of April.

HON. J. COWAN: In respect to Special ARDA grants, it's my understanding that we have good cause to

believe that the applications, which will have come forward since April 1st and will be coming forward in the future, will be considered under a renewed agreement if and when that renewed agreement is signed. I would hope I'd be able to provide a very definitive statement on that to the member in the very near future. I am optimistic on Special ARDA and the negotiations which have been ongoing, and I hope that I am able to share with the members opposite good news in the near future.

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOWNEY: Mr. Speaker, I have a question to the Minister of Agriculture. In view of the fact, Mr. Speaker, that the Minister of Agriculture has indicated to the farm community and to the House that he is using the Cattle Producers Association to take recommendations from in the development of his ill-conceived Beef Cattle Program, does the Minister of Agriculture plan to change the method in which the cattle producers' organization is funded, from the collection of fees when the livestock are delivered, that if the producers do not want to participate can apply for those funds? Does he, in fact, plan to change that system?

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. B. URUSKI: Mr. Speaker, if and when a policy decision or any indication of that nature will be made, the member will be advised.

MR. J. DOWNEY: In other words, Mr. Speaker, the Minister is considering a change to that particular process.

Mr. Speaker, in view of the fact that the Minister has indicated to the House that he is talking to the farm community and the beef producers, when does he plan on meeting with the Southeast Cattle Producers Association of which there is some 100 members? Several weeks ago, Mr. Speaker, he promised a meeting with them and members of his Cabinet, when will that meeting take place?

HON. B. URUSKI: Mr. Speaker, with respect to the member's comments about consideration, I should mention to the honourable member that during one of many meetings that I've had with the MCPA, the matter of voluntary contributions and payments was discussed with them, so we've had discussions on that topic.

With respect to the specifics of the Southeast Manitoba Cattle Producers' group, I want to tell the honourable member that I met with that group personally. They supplied me, at the time of the meeting, broad terms of a program that they could see themselves supporting. I indicated to them that I would be pleased to have further information and a bit more expansion of the broad details that they presented to me; they have yet to present those. They've presented a bit more. I have suggested to them that those views also be taken into consideration by the Committee that is dealing with this program, and those views will be considered along with other views of producers, who

are working on this program.

MR. J. DOWNEY: Mr. Speaker, did the Minister at that last meeting with the Southeast Cattle Producers Association —(Interjection)— approximately two months ago, offer to have his Cabinet, a Cabinet of which he is a member of, meet with representatives from that Cattle Producers Association?

HON. B. URUSKI: Mr. Speaker, when I met with the group, I indicated to them that they should expand on their proposals and I will be prepared to set up a meeting. I have yet to have the expanded proposals in terms of —(Interjection)— well, Mr. Speaker, the Honourable Member for Pembina wants to chirp away about fault or not fault. I have met with the group personally and certainly if they have specific proposals to make to us, I'll be pleased to receive them, and those proposals will be given consideration along with many others that we will be receiving.

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, my question is for the Minister of Natural Resources. Mr. Speaker, it is my understanding that a number of students have been hired by the Garrison Focus Office for the purpose of carrying the message of the Garrison concern into North Dakota. I wonder if the Minister of Natural Resources could advise the House of the progress of that mission.

MR. SPEAKER: The Honourable Minister of Natural Resources.

HON. A. MACKLING: Thank you, Mr. Speaker. I appreciate the question and it gives me an opportunity to comment on the efforts in respect to further understanding for Manitobans and others about Manitoba's concern about Garrison.

The honourable member is correct; there are students that have been employed and are communicating our concerns in teams. So far as I know, there have been no teams go into the United States yet with material explaining our concerns. They have been there to see the works and appreciate the on-site development that has taken place there, but to my knowledge they haven't been involved in any displays or communication as yet.

MR. B. RANSOM: Mr. Speaker, I wonder if the Minister could advise the House what arrangements have been made in terms of contacts, for instance, in North Dakota for these students to be able to put forward the message.

HON. A. MACKLING: Mr. Speaker, I don't have the details of arrangements yet; they will be announced in due course. I haven't seen the schedule of visitation yet, and I can inform members of that later.

MR. SPEAKER: The Honourable Member for Tuxedo.

MR. G. FILMON: Thank you, Mr. Speaker, my question is for the Honourable Minister of Natural Resources.

ces. Last week, I believe Tuesday while he was in Washington, the Minister of the Environment took as notice a question which I had asked and I wonder if he has yet the response to the question which is, can he confirm that one Dirk Blevins of the Attorney-General's Department, our representative in Washington, will be returning to Manitoba as of June 30th?

HON. A. MACKLING: Here again, Mr. Speaker, I haven't asked my staff to confirm timing of Mr. Blevins' continuance in Washington. It is not our intention to keep someone there 365 days of the year. It's appropriate for us to have Mr. Blevins there to advise and consult at specific periods of time. I believe that both he and our counsel down there, through the law firm, did an excellent job in respect to co-ordinating the arrangements, the visits. Let me indicate that Congressmen had been briefed beforehand as to our visits and were very knowledgeable about the reasons we were there. Excellent work was done by Mr. Blevins and by Mr. Wegman.

INTRODUCTION OF GUESTS

MR. SPEAKER: Order please. The time for Oral Questions having expired, may I direct the attention of honourable members to the gallery where there are 32 students of Grade 6 standing of the Winnipegosis Elementary School. These students are under the direction of Mr. Wetick and the school is in the constituency of the Honourable Member for Dauphin.

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

I can further report to the Assembly that the smell in the Chamber when we arrived this afternoon came from the caulking compound that the roofers were using on the roof above us. The air came into the House by way of the ventilating fans, which have now been turned off, and the smell should dissipate.

Order please, order please. Order please.

PROCEDURAL STATEMENT

MR. SPEAKER: I have a short procedural statement I would like to read to the honourable members.

On June the 14th, the Honourable Attorney-General rose in his place to state that questions asked by the Leader of the Opposition had been of a repetitive nature, and he requested that the Speaker rule on the matter. I took the matter under advisement in order to review Hansard and Beauchesne. A question asked on a previous day is not necessarily out of order since circumstances may change and the government may modify its position.

Beauchesne is quite clear on the topic, however. It says in part in Citation 357, "A question, oral or written, must not (c) multiply with slight variations a similar question on the same point; and (d) repeat in substance a question already answered or to which an answer has been refused."

On the general principles listed in Citation 359, Beauchesne says, "8. A question that has previously been answered ought not to be asked again." Since Beauchesne has been invoked in this matter, it is quite clear that the questions have been repetitive and it is equally clear that they are out of order, and I so rule.

At the same question period, there were two occasions on which a member of the Opposition quoted extensively from a written document before using it as the basis for a question. While this practice was not objected to by any member and did not in itself cause any disruption of the House, a widespread extension of this practice could seriously damage the integrity of the question period.

The principle, which is covered in Beauchesne's Citation 362 reads, "Reading telegrams, letters, or extracts from newspapers as an opening to an oral question is an abuse of the Rules of the House. It is not good parliamentary practice to communicate written allegations to the House and then ask Ministers either to confirm or deny them. It is the member's duty to ascertain the truth of any statement before he brings it to the attention of Parliament."

The reading of written material into the record as the basis for a question is unparliamentary and should be avoided by members. May I refer the attention of members again to Citation 359(2) which says in part, "A preamble need not exceed one carefully drawn sentence. A long preamble on a long question takes an unfair share of time and provokes the same sort of reply. A supplementary question should need no preamble."

ORDERS OF THE DAY

MR. SPEAKER: The Honourable Leader of the Opposition.

HON. S. LYON: Mr. Speaker, I wonder if I might have leave to make a comment of a nonpartisan nature.

MR. SPEAKER: Does the member have leave? (Agreed)

NONPARTISAN STATEMENT

MR. SPEAKER: The Honourable Leader of the Opposition.

HON. S. LYON: Thank you, Mr. Speaker, I'm sure that Members of the House would want to note and extend our congratulations to the Government of the United Kingdom on the successful outcome of the Falkland Islands encounter and the surrender without further bloodshed of the Argentine invasion force. The House of Commons has seen fit to note this matter and I think it's fitting that we should in this Legislature while we are assembled as well.

I'm sure that the House would also want to associate itself, the members individually and collectively, with the motions of deepest sympathy to the families of all of those who unfortunately lost their lives in this military action which was unnecessarily precipitated by the Argentine Government.

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, I thank indeed the Leader of the Opposition for raising this matter and on behalf of the Government, we certainly associate ourselves with the words spoken. I think really the lesson in regard to the Falklands crisis, the war, the loss of life

that followed, and the final conclusion is that it is not safe for any aggressor to think that they can easily succeed in the grabbing of properties, the grabbing of other areas that are in contention. Right now, I'm sure that Guatemala would be having second thoughts in regard to annexation of Belize and the same with Venezuela of portions of Guyana. I think that the example that Britain has followed, in pertaining to the Falklands, indeed was a clear and indicative message to the world as a whole.

ORDERS OF THE DAY

MR. SPEAKER: The Honourable Government House Leader.

HON. R. PENNER: Mr. Speaker, first of all, I would like to announce the continuation of the meeting of the Committee on Statutory Regulations and Orders for Monday, June 21st, at 10:00 a.m. and 8:00 p.m., to further consider the matters referred.

ADJOURNED DEBATES ON SECOND READING

BILL NO. 21 - THE COMMUNITY CHILD DAY CARE STANDARDS ACT

MR. SPEAKER: On the proposed motion of the Honourable Minister of Community Services, Bill No. 21, standing in the name of the Honourable Member for Roblin-Russell.

MR. W. MCKENZIE: Thank you, Mr. Speaker. I have a few comments I'd like to relate to Bill No. 21 and express some of the concerns maybe of the rural volunteer day care groups who I'm sure no doubt, Mr. Speaker, will appear at the hearings and express their concerns and opinions more ably than I am able to do.

Mr. Speaker, it has been espoused in the House that this matter is another one of the election pledges of the government, the NDP Party. I looked up today in the "Choice for Manitobans" and I certainly don't see a pledge of the legislation of the type that we had before here because they said in their promises, child care would be made available on both a full-time and part-time basis to ensure equal access to day care. Subsidies of low income payments will be made a part of the Day Care Program where a possible day care would be integrated, and so it says.

Mr. Speaker, I'm sure there are a lot of people that have been involved in the day care movement across the province and especially in rural Manitoba, who are today rather disappointed when they take a look and realize from this Bill No. 21 that there is basically nothing to explain or define the standards of day care that this government expects to impose when this legislation is passed. Mr. Speaker, since the subject matter of day care came into the Legislature some years ago, many legislative changes have taken place, all in my opinion very beneficial to meeting the social and economic needs of those of our citizens who require or utilize day care services. I have found those debates very interesting and rewarding and I daresay today, Mr. Speaker, we have in this province, thanks to governments of the past and the former government, a

day care service that has been pretty widely accepted and well received.

Mr. Speaker, in case that any of the members opposite or the government are concerned about my remarks, I fully support and our party fully supports the concept of fair standards for day care in our province. Mr. Speaker, in reviewing the bill, it says that day care centres will be licensed by the province to meet unspecified health safety standards and programs that the government intends to implement through the form of regulations. The regulations will be drafted on some specific standards. They're not actually spelled out the way I would like to see them spelled out after hearings are conducted, of course, this summer across the province.

I wonder, Mr. Speaker, if the public and especially the people in rural Manitoba because I don't suppose there will be that many hearings held across the rural parts of the province are going to be any wiser after their hearings are over than I am, standing here as the Member for Roblin-Russell today, as we try to resolve what kind of day care standards that the people in this province are going to enjoy.

I also wonder why the Minister has seen fit to take this initiative in this bill and devise the people of this province that he is, or somebody is, going to write this legislation or this law in some back room, maybe in his office, after the hearings are being held. I, for the life of me, can't understand why he didn't turn it around the other way and give the people of this province an advantage of his wisdom and judgment and the government's position on this legislation as what we can actually expect. I suppose he'll come back and answer when he responds to the bill and says, well, I'm going to listen to what the people say and then I'll pick out what I think is advantageous and that's what I will regulate. I hope that's not the case, Mr. Speaker.

I wonder, Mr. Speaker, why we are committing to this House a set of standards with or without telling us the bill, or putting it in the bill, what these standards are going to be. May I ask how many present day care centres out in rural Manitoba, Mr. Speaker, are going to be phased out as a result of this legislation or the regulations that the Minister intends to implement? What's going to happen to the voluntary day care groups across rural Manitoba, Mr. Speaker, in these regulations? I hope that the Minister will answer or give us some information as to that as well.

Mr. Speaker, I believe the general values of our society in this province is one of, may I say, pluralism which suggests that the communities out there, especially maybe the rural parts of this province, are better suited to getting their needs met by a variety of independent voluntary day care associations. I maybe should remind the House, Mr. Speaker, that can only become possible if organizations, which includes the voluntary day care boards, are left independent of the authority of government. Indeed when the converse, the opposite, happens, Mr. Speaker, government authorities, civil servants appointed by the state and accountable to the state, we have a sort of a one sided system which in some quarters is described as a totalitarian sort of a structure. I think the importance, Mr. Speaker, of understanding the relationship between a democratic system and a bureaucratic system can't be underestimated in the specific issues that are

related to the enforcement of day care standards in our province.

Mr. Speaker, I am sure everybody in this province believes in the provisions of The British North America Act which very specifically defines education as a provincial rather than a federal jurisdiction or concern. That same subject or Act, Mr. Speaker, reinforces the design of community elected school boards, the divisional boards, that see that the system is properly handled and implemented for the education of our children. I find it very easy, as I stand here this afternoon, Mr. Speaker, to sort of parallel my vision of the volunteer community boards extending and enforcing the policies of day care centres, rather than the enforcer being a paid government employee which is described in the legislation as a co-ordinator.

Also, Mr. Speaker, I cannot stress enough the necessity of keeping the taxpayers' dollars in proper perspective with this legislation. I would like the Minister to give us an idea of what kind of money he's talking about for the implementation of these standards, when we do find out what they will be. I wonder how many co-ordinators he intends to hire and how many would be needed to do the job that volunteer co-ordinators are doing in our province today. How many of the volunteer co-ordinators are you intending to replace with this legislation?

Mr. Speaker, I don't think there's any time in my life and political career where the public reaction of too much government involvement with people is more evident than it is today. I listen to people on street corners and in public places talking about the people, like ourselves, that are in public life today and we are not that overly popular, Mr. Speaker. I sometimes wonder if the reason isn't too much government involvement in the affairs of people. This is what brings my attention in the case of the day care regulations which this government is - how far are we going to go in legislating the standards for our young children in these day care centres? Where are you going to start your standards and where are you going to stop? Because, Mr. Speaker, we don't have any of that type of information in the legislation.

I just wonder as I stand here, Mr. Speaker, and maybe the Minister can alleviate my concerns that hired government employees going around to enforce day care standards in the rural day care centres are going to spread a lot of concern amongst the volunteer groups that are so well known across this province and who have done such an excellent job. I certainly acknowledge, Mr. Speaker, the need for standards and our caucus and party certainly welcome, but on the other hand, I acknowledge the tremendous resource of concerned, skilled volunteer community citizens who are out there and have handled the day care pretty well, in especially the rural areas. I am not that familiar with the urban communities, Mr. Speaker, and I don't acknowledge the resource of only one person being the power or the one that's going to enforce standards. I don't think that there are a lot of the volunteers in the rural parts of the province who don't welcome it either.

So I hope, Mr. Speaker, that the Minister will tread very carefully when he's considering alternates to the system, that we have had such good service with in the past and which the people of this province have

enjoyed. I'll leave my remarks, Mr. Speaker, that the enforcement of standards with community boards, I think, would be much more acceptable in the rural parts of our province, rather than with government employees walking around in these day care centres and telling them what they can do and what they can't do.

So with those few remarks, Mr. Speaker, I am sure when we get to Committee, we are going to gain the wisdom of many of the volunteer groups who have certainly played an extremely important role in the development of day care facilities in this province. I sincerely hope, when the regulations are written and we are back in this House again, that the volunteer groups get every attention that they deserve and they gain full recognition under these proposed regulations.

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

MR. D. MALINOWSKI: Thank you very much, Mr. Speaker. As I stand up, I also would like to make an address concerning Bill No. 21, which is before us. Mr. Speaker, a former President of the United States, Herbert Hoover, said "Children are our most valuable natural resource."

In talking about day care centres, Mr. Speaker, it means we're talking about care of those precious to us which we, everywhere regardless where we are living, are taken care of. In many cases, we saw that when a child was in danger, a mother was ready to give up her life for him. So, Mr. Speaker, whether we want to regard children as a natural resource or not, I think we are all in general agreement that children are indeed a precious part of our life, not only here. They are the most valuable part of every community and every nation on the whole globe. Much of the happiness of married life is centred around the bringing up of children.

Mr. Speaker, in the past, it was left to parents alone to cope with the problems and responsibilities of raising children. While most families tried to do the best for their offspring, there were also many cases where the children suffered because of parental neglect or even cruelty. So, if this is the case, others have to take care and help them to raise those children.

Samuel Butler, a British writer, said, "Parents are the last people on earth who ought to have children." In this bit of satire, there is some truth. Maybe, he's making fun of it, but he has a point.

We know, Mr. Speaker, there are some irresponsible parents who not only neglect their children, but often resort to abusing them. I would like to make a quotation, Mr. Speaker, from the Bible concerning our children. "Suffer the little children to come unto me, and forbid them not, for of such is the Kingdom of God. Verily, I say unto you, whosoever shall not receive the Kingdom of God as a little child, he shall not enter therein." So it means that from almost the very beginning, if not as societies, so then the church was taking care of our children.

For us, Mr. Speaker, it is not only an obligation, but also we have a certain responsibility towards our children. How well parents can care for their children, to a very large extent also depends on the kind of country they live in and the kind of economic condi-

tions that prevail. In the countries where much poverty exists, a lot of children will suffer no matter how loving and considerate their parents may be. For something like that, we need conditions; we need circumstances.

Over the years, a vast improvement has been made in the general living standards. Attitudes towards the welfare of children has also changed. Today, the public assumes a greater concern for the well-being of children. We can't imagine debates taking place in the council chambers of the nations in the 18th or even in the 19th Century about establishing child day care centres. It's been going on for ages.

One declaration of the United Nations, concerning children, reads, "Mankind owes to the child the best it has to give." That's our obligation. I think and I believe that, not because United Nations is making such a statement. They are telling us how we should act towards our children. This is not the point. Our own duty should tell us we have certain responsibilities towards our children. Further, Mr. Speaker, I am sure all of us on both sides of this Chamber agree with this United Nations declaration. This declaration on the concern for children reflects the change in the world attitudes. Concern and responsibility for the welfare of children is no longer limited to the individual family, not any more. The concern is now shared by the community, by the nation, and by the United Nations representing the whole world. If we can agree with the United Nations declaration that we owe to our children the best we have to give, can we also agree that in this rich and great country of ours, we have much to give?

Mr. Speaker, I am a strong supporter of child care centres. I believe well-run child care centres are a great blessing to the parents as well as to the children. Apart from the protection and care offered to the child, these child care centres also plays an important part in the child's general development, which is very important. Furthermore, Mr. Speaker, in cases where the youngster is the only child in the family, it is particularly important the child should have the opportunity to play with and be among other children for a good part of the day.

The bill before us concerns only one aspect of the children's and the parents' needs. It concerns the establishment of a place where parents can leave their children, assured in the knowledge that they will be well looked after while the parents are at work, or have a different thing to do, or must leave the children in the care of these centres for many other reasons. But, whenever a mother or father is leaving this child, they are sure that in this institution this child will be taken good care of. He doesn't have to, or she doesn't have to, worry about it. Naturally, all child day care centres should be pleasant, comfortable places, well equipped with the proper facilities, to make them ideal places for children. Let them feel at home.

There is the question of how many more of these centres are needed, on what basis they should be established and how they should be financed? Some honourable members who have done much study and research have convinced me that we need many more of these centres to take care of all the needs. In determining the financing of such centres, we must obviously consider what parents have the greatest

need for such a centre and what are their abilities to pay, because not everybody can afford to send a child - maybe one child wouldn't be so bad, but if it happened that there might be three or four children - it's very hard for such a parent to send children to the care centre.

Mr. Speaker, the wealthy who can afford to hire maids are in no great need of child care centres, even though they could most readily afford to pay for them. But I believe our greatest concern must be for working mothers, widows or single parents; they are in great need. They would like to support not only children, but also themselves, and they don't have opportunities. Having such a day care centre, their problem is not completely but partially solved.

We, on this side, certainly do not believe that child day care centres are a field for life insurance companies, nor any other private profit corporations. These centres should be community-owned, established completely free from the evil situation which brings profit. We should do something for our little ones.

Mr. Speaker, while I support the general principle contained in the bill before us that child day care centres should be publicly-financed community projects, I don't think we should rule out other types of self-supporting child care centres run as nonprofit establishments.

About the care, I would like to quote again from the Holy Gospel which says, "Whoever shall receive one of such children in my name receiveth me, and whoever shall receive me, receiveth me not but He that sent me," according to St. Mark, Chapter 9, Verse 37. In this quotation of the Holy Bible we're not talking about profits, we're talking about care, we're talking about humanity. That's what we're talking about and that's the message.

Mr. Speaker, I know, for example, there are people in the Polish community, German community, Ukrainian, Jewish and other groups who feel very strongly about operating their own centres for their own ethnic community. These are prepared to do their own financing. This is not only true of Winnipeg but also in areas outside of the city as well. There are, for example, large Mennonite communities in this province. These people I imagine want to look after their own needs with regard to child care centres for their communities. As we know, these are very self-reliant and responsible people who as a general rule take good care of their children.

Mr. Speaker, when it comes to coal mines, steel mines, the oil industry, or even the banks, I support without hesitation public ownership, but in the matter of child day care centres, I believe we must allow for a great deal of flexibility, not only pushing them in one direction, one way, one organization. As I said on the start of my speech: Children are the precious assets of their parents and many parents - if not most - have strong views as to what is best for them.

The important thing is that good, well-run child care centres should exist; that there should be enough of them to meet all reasonable needs and that they should be financed in a way that all who need them can readily afford them. But I wonder if at this stage we should aim to make this entirely a government function situation or program. Certainly in urban areas, where child care centres are most needed,

where no group in that community is prepared to establish them, it should be the duty of the government to see to it that adequate facilities are available for those children and that they are within reach of those who need them. But as I said, there are other parents who prefer that such centres be associated with certain ethnic or religious groups in our Canadian mosaic. This is quite understandable considering the nature of our country. Therefore, I believe a great deal of flexibility is needed in this particular matter.

The important point is that the children should be well cared for and that the parents and the government should be satisfied with the services provided in these child care centres.

Mr. Speaker, I will end by repeating the United Nations Declaration on children which I quoted in the early part of my speech: "Mankind owes the child the best it has to give."

I would be happy and proud if we in Manitoba established the best child care centres in the world. Mr. Speaker, I am not talking about rural children or southern children; I'm not talking about Progressive children, NDP children or Liberal children. We are talking and I am talking, especially, about our Manitoba children - of them, we should take care.

Thank you.

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, I move, seconded by the Member for Roblin-Russell, that debate be adjourned.

MOTION presented and carried.

BILL NO. 23 - THE LEGAL AID SERVICES SOCIETY OF MANITOBA ACT

MR. SPEAKER: On the proposed motion of the Honourable Attorney-General, Bill No. 23, the Honourable Minister of Community Services has 20 minutes remaining.

HON. L. EVANS: Mr. Speaker, thank you very much, I've concluded my remarks.

MR. SPEAKER: The bill is actually standing in the name of the Honourable Leader of the Opposition.

HON. S. LYON: Thank you, Mr. Speaker. I wish to make a few comments concerning this amendment to The Legal Aid Society Act, in particular, the amendment which relates to the broadening of the powers of the Board to confer eligibility for legal aid upon groups for purposes of their appearing before administrative boards.

There are a number of matters, Mr. Speaker, a number of angles from which this extension of the Act can be approached. Legal aid is certainly not new to this province; it was carried on for a good number of years in a voluntary way by the Law Society of Manitoba with some assistance from the taxpayers gradually coming in on the criminal side, and a then more structured institutionalized program being brought in

1969-1970, which was the forerunner of the present Legal Aid Society which operates in the province.

Members on this side of the House are not as some, or want to say, opposed to legal aid at all. In fact, some of the earlier Legal Aid provisions were dealt with by the Roblin Government in its years and later by the Weir Government. The idea of providing legal aid for individuals who require it for serious criminal or civil matters is one that receives support on all sides of the House.

In 1977, as part of the Task Force on Government Organization and Economy, the previous government caused all departments of government to be reviewed and in the course of their review, which I will not go into to any extent, the Task Force at that time found that the administration of Legal Aid in the province had fallen into a number of ways which needed correction. There have been a number of apparent abuses of the process and large over-expenditures of budget. It was pointed out at that time that some of the extensions or outreaches that the program and the society had permitted had contributed in some ways to the fact that the Society had not been able to remain within its budget.

As I say, it's not my purpose at this time to go into any detail on that, except to note that those comments are set forth in Volume II of the Task Force Report between pages 22 to 36. Some mention was made of the fact that Legal Aid lawyers were being permitted to appear before Law Amendments Committees of this House, on behalf of either individuals or groups, when there was no specific authority for that kind of action being taken. It's always difficult when you get into the question of this kind of lay advocacy or consumer advocacy to know where the line should be properly drawn without being too arbitrary, without indicating to people who have legitimate concerns that they, just because they lack the funds, shall not be heard. No one would support that.

On the other hand, one has to draw the line in such a way as to ensure that those among our society who - shall we say to be polite - are of a litigious nature do not receive the kind of openness that a bill of this nature is liable to provide, merely to permit them to vent their particular feelings or whims upon some legislative committee, administrative board or tribunal, or indeed even the courts of our province.

So recognizing what those parameters are, Mr. Speaker, and recognizing that one has to take account of the changing requirements of society and all of the things that I'm sure the Attorney-General has said or will say about the need for this amendment, I still think that there are improvements that can be made to this bill, and there are certain bench marks or warning signs that he will want to point out to the Legal Aid Society or perhaps even incorporate in the bill as this bill reaches the committee stage. I'm going to deal with some matters in detail, although I know that at committee stage we can deal with them in terms of specific amendments that might be suggested there. My only reason for not suggesting specific amendments here is that at Second Reading we try to deal in principle with the substance of the bill.

One concern I would think that any reasonable observer would have would be this: that in Section 3.1(2) of the bill, one finds a definition of the group

that is qualified for legal aid. I read the section, "The society may furnish legal aid to a group under subsection (1) in any matter that, in the opinion of the society, involves an objective or interest (a) common to the members of the group; and (b) relating to an issue of public concern including, without restricting the generality of the foregoing, any consumer or environmental issue."

I would point out I would think the rather obvious criticism, Mr. Speaker, that this section is vastly in need of improvement because it does not state that the objective or the interest of the group must be in the public interest. I can think of groups in our society today who could come before the Legal Aid Society, under this section as presently drawn, and seek and perhaps get legal aid - the objects and the purposes of that group not being in the public interest.

There are many many examples that might come to mind but one can easily imagine a group for the greater dissemination of pornography being formed as a club and, of course, the members of that group would have an interest that was common to all of them and the interest would be one relating to an issue of public concern, so they would meet the two requirements that are set forth in the action, the Legal Aid Society, seeing that they meet the statutory requirements, might not then concern themselves about whether or not this group was acting in the public interest.

So I suggest that if we are to have this kind of class action which is a dubious starter in the first place, but if we are to have it, then let us have it in terms which are clear in the sense that the groups that are seeking subsidization by the taxpayers of Manitoba - because that's what we're talking about, Legal Aid, which is subsidization of legal services by the taxpayers of Manitoba - that these groups are groups which any reasonable man would say are acting in the public interest. A simple amendment might cure that and having cured that section, it might take away some of the offensiveness of the Act about which I'm speaking at the present time.

Similarly under eligibility of groups, should there not be some modifier in that eligibility rule, which we find in Section 10.1(2), which requires the Legal Aid Society to be satisfied that the existence of the group again is in the public interest? There are, in our society - to repeat myself - there are groups whose purposes and objects are not in the public interest. As a free society, we permit those groups to exist within our society. There is nothing which says, however, that the taxpayers generally should be subsidizing in any way, shape or form. So I think that kind of tightening of the eligibility, if we are indeed to have this form of class representation, is necessary in the public interest because I can't imagine any government wanting to subsidize with taxpayers' money, people whose aims and objects are contrary to public policy.

Mr. Speaker, it would seem that the intent of the government in bringing this Act forward was specifically directed at consumer groups or environmental groups who were singled out in the one section which I have read, as groups which might from time to time require legal aid in connection with their advocacy positions on topics of that nature.

I wonder whether the drafters of the Act or whether

the Minister who brings it forward have familiarized themselves with Section 34 of The Public Utilities Board Act which already provides something of the same nature in respect to people appearing before the Public Utilities Board and I refer to Section 34. I quote from Section 34 of The Public Utilities Board Act, "The Chairman may, with the sanction of the Attorney-General, appoint a barrister or attorney to represent any class of persons interested in any matter concerning public utility service within the jurisdiction of the Board for the purpose of instituting, or attending upon an application before the Board or any other tribunal or authority, and the board may order by whom the fees and expenses of the person so appointed shall be paid."

Now, I realize, Sir, that section refers only to the Public Utilities Board and that the intent of the legislation is to provide this kind of group taxpayer subsidization for boards, perhaps other than the Public Utilities Board, but it would seem to me, Sir, that something of the nature of the intent of the Act is already long since been in The Public Utilities Board Act. According to the footnote, it's been there since 1959. I don't know on how many occasions it's been used, but it would seem that the Chairman of the Public Utilities Board, along with the Attorney-General of the day, might be in a sufficient position to make a judgment on this matter with respect to Public Utilities, and that in turn could result in a cutting down of the rather broad discretionary powers which are conferred upon the Legal Aid Society Board by the amendments that are sought in this Act.

So aside altogether from the fact that this is a duplication of a power already conferred upon the Chairman of the Public Utilities Board, I would ask the Attorney-General to look at that and to see whether or not with that section in place there's really any need for this amendment that he brings forward.

I know I need not remind him of the tradition that common law of a plaintiff being subjected to the risks of costs of his action. Our law, which has come to us over many hundreds of years of tradition and many hundreds of years of reflection of the community values which it attempts to reflect, has at its base some very fundamental rules which were erected a long time ago in order to prevent the law from becoming the plaything of rich people, poor people, class people of different classes, or whatever. One of the traditions is, and we follow it with perhaps less integrity than we used to at one time but we still follow it rather closely in this country, is that plaintiffs without a case, plaintiffs who come forward to clutter up the courts with frivolous or vexatious actions can be so indicted by the court and cost can be found against them when it is found that actions of this kind are being brought merely for purposes of spite or whatever. I'm talking about the general tradition of the common law, of the plaintiff being subjected to the risks of costs of his action, because the proposed amendment appears to give a right to a group, subject of course to the discretion of the Legal Aid Society, without any risk at all.

If you formed a group, I use the example again, although others can be quickly conjured to mind, a group for the better distribution of pornography in Manitoba which you can lawfully do and then you find one of your members who happens to be peddling

pornography is picked up by the police, theoretically under this amendment, subject to the discretion of the Legal Aid Society, that person could be defended by Legal Aid. The tests we know with respect to funds, with respect to the ability of a person to pay, are pretty loose in this day and age.

I just don't think that the taxpayers' dollar, which is in very short supply these days - so short that our honourable friends opposite are having to raise another \$130 million a year just to cover off the extra expenditures that they're making and still run a Budget deficit which is going to be in the area of about \$350 million to \$400 million in this fiscal year - I don't think that we should be even contemplating a situation where a board, once one step removed from the control of this Legislature, is given a statutory discretion to confer this kind of subsidization upon groups which do not have aims and objects which are in the public interest and might well result in taxpayers' money being wasted, first of all, on a defence that should not be undertaken by the taxpayers and secondly, wasted on a defence by a group whose aims and objects are inimical to the public interest in this province.

So, Mr. Speaker, I think that this bill, like some that we are seeing these days, should really go back to the drawing board because it seems to me that perhaps the Attorney-General, in his zest to broaden the Outreach Programs of Legal Aid and so on, has perhaps lost sight of some of the fundamentals of what makes our whole legal system tick and has certainly lost sight of what the public interest demands as a test for these discretionary powers when they are passed along to a Board.

Mr. Speaker, one can imagine and I'm not trying to go into any flights of fancy on this topic at all, but one can easily imagine that a board of the nature of the Legal Aid Society, wrapped up as it is in carrying out the functions that are conferred on it in a statutory way and being sometimes less concerned or less able to see the overall picture of the public interest as we in this House are perhaps better able to see it, one can imagine all sorts of actions being approved by the Legal Aid Society Board, all sorts of litigious groups being established and funded by Legal Aid on causes which, as I said before, may well be frivolous and vexatious.

As we're on that topic, of course, referring back to the Task Force Report, we can see that even in criminal matters and I think it was criminal matters that were used as an example most often by the Task Force, examples of abuses being carried on by the Legal Aid Society in 1977 and prior thereto - I am sure not all of them were corrected in our time - where really frivolous appeals were being allowed on criminal matters. Those are all documented in the report. It's not my purpose, as I speak today, to refer to that element of history, but merely to indicate to the House, Mr. Speaker, that tendency resides in such a Board to go overboard in terms of wanting to do good, if I may use that over-used expression, on behalf of the litigant and, in the course of doing good, to lose sight of the fact that they are trustees of the public taxpayers' money and that they are very often acting in a way in furtherance of their do-goodism which is contrary to the public interest. Those abuses or examples of

those abuses in matters before the courts were clearly pointed out by the Task Force Report that I have referred to. We don't want that tendency now to be transferred to this type of class action before administrative boards and commissions, where there could be a tremendous tendency on the part of such a Board to feel that they were really serving the public interest by funding, for instance, the homeowners of Dufferin Avenue or the homeowners of Point Road in some dispute that they might legitimately have with the City of Winnipeg or whatever.

In other words, what it leads to in the ultimate, Mr. Speaker, is some further corroboration of the, by now, much abused doctrine of the state is really the - how should I put it? - that the state can be turned to in all respects for all sorts of aid and comfort. That is not the purpose of the state, Mr. Speaker, in a free parliamentary democracy and people in our society know and shouldn't be misled by their governments from time to time that the state can cure all evils or that administrative boards can cure all evils or ameliorate all conditions in which man or woman happen to find himself or herself. That isn't the case.

I am afraid that this kind of an amendment tends toward that kind of sloppy thinking, that somehow or other the state through one of its agencies, the Legal Aid Society, is going to bring a new tomorrow or a new Jerusalem, so to speak, to the existence of people in this province because they can now enter into class actions and go before the Public Utilities Board at somebody else's expense, there to engage in propagating their ideas about what is right or wrong about a Utility Board increase or whatever.

Mr. Speaker, we all know that consumer advocacy is, for better or for worse, part of society today. There are some good examples of it and there are some horrible examples of it. Consumer advocacy is an area in which everyone is an expert. It's very easy for a person with a cause, and we live in a society today, Mr. Speaker, where groups of people tend to spawn themselves into many multiplying groups which seem to have individual causes, it's not difficult to make a bare prima facie case which can satisfy a lay board. I am sure that can be done by this advocacy or that advocacy group making out a prima facie case which, on the surface of it to a layman, would look to be - well, it would raise some question. But, Mr. Speaker, when we are laying out taxpayers' dollars to further that case, I suggest that we have to have something more than that kind of lay judgment brought to bear upon whether or not the taxpayer should be asked to pay for this kind of intervention.

The utilities' matters with respect to the setting of, whether it's Hydro rates or telephone, rates and so on, I don't think are so complex as to be beyond the ken or the knowledge of the average intelligent layman in Manitoba, not at all. I do suggest, Mr. Speaker, that every time a person has a complaint with respect to the rate that he or she is being charged for gas or for power or for their telephones and so on, that shouldn't, as will almost automatically be the case, enable that person to get together with a group with his or her neighbours and to go to Legal Aid and say, we are the concerned citizens of White Street in Thompson about the increase in gas rates. We want to have the taxpayers of Manitoba subsidize us by hiring a lawyer.

so that we can express our concern about this increase in rates to the Public Utilities Board.

Some greater test has to be brought to bear than merely the concern of the people involved because we all know that, while these are complex matters and while on the surface it would appear wrong that somebody's rate is going to go up 10 or 12 percent, that if the utility - most of the utilities in Manitoba that are regulated by the Utilities Board are Crown utilities - has a case to make, that usually that case is being attacked just as vigorously by the counsel for the Utility Board, by the members of the Utility Board itself.

This is where you get into the other objection that I have, Mr. Speaker, to this kind of an amendment, because there is almost a presumption, when you get into consumer advocacy before administrative tribunals and boards, that this is a confrontational, adversarial arrangement in which the poor citizen requires protection. If you don't think about that presumption very long, why of course you can quickly come to that point of view. Of course, giving it any more than 30 seconds of thought, you will quickly come to the realization that there's something wrong with that point of view because the administrative boards and tribunals are appointed by whom? They're appointed by the government of the day. Now, presumably the government of the day is appointing to those tribunals people who are going to be acting in the public interest; people who are going to be acting on behalf of their fellow citizens in Manitoba; people who do not have any particular brief one way or the other for Manitoba Hydro, Manitoba Telephone System, Greater Winnipeg Gas, Inter-City Gas or the Waterworks Department of the Town of Morden that has to have its utility rates set and so on.

In other words, because of this presumption, Mr. Speaker, of the need for an adversarial contact, there almost grows the presumption that the citizen or the citizens' advocacy group has to have separate counsel. That basically, Mr. Speaker, I suggest is a failing not only of the concept behind this Act, but it's a failing to some extent in the administration; not necessarily the conceptual development of Legal Aid, but it's sometimes in the administration of it. I have been heard in this House before, when the present First Minister was Attorney-General, to remind him of how lawyers of my generation were trained when we were Crown attorneys and to remind him of the age-old tradition which apparently isn't taught as well now. It shouldn't have to be taught. If you have to teach ethics, then you've got a society that's in trouble. But the age-old concept of the lawyer being, first and foremost when he is before a court, an officer of the court. He is there first as an officer of the court. He's not there just to pay heed only to the case of the client who brings him into that court, he is there as an officer of the court to see that substantial justice is done within that court.

Similarly, and without straining the example, Mr. Speaker, the men and women who are appointed by this government, by previous governments and by future governments to the Public Utilities Board are there to serve the public interest and the suggestion that an advocacy group can't get a fair hearing before a Public Utilities Board without a subsidized Legal Aid

lawyer, to me is offensive, because it suggests that the quality of the people who have been or will be appointed to these Boards is something less than is desirable.

So, Mr. Speaker, we come at it from - as I said at the outset, you can come at this from various angles. If your presumptions are such that all government boards are to be mistrusted, then of course you're making a mockery out of the appointment process that my honourable friends in the Treasury Bench go through every Wednesday of every week of the year. They make appointments to boards and commissions. Does that mean that they have to double around immediately after they've appointed Mrs. X or Mr. Y and provide in The Legal Aid Act, now that we've appointed those unworthy creatures to this board, we are going to make darn sure that the citizens are protected from them.

That's in effect what this Act says, because if you've got a legitimate complaint, Mr. Speaker, about rates of utilities or anything of that sort, there's already a section under The Utilities Board Act. You can go to the Chairman, and on the recommendation of the Attorney-General, you can get counsel appointed. But I suggest that the test is going to be much tougher if the Chairman of the Public Utilities Board who is a public appointee makes that determination rather than a board of a Legal Aid group which, by virtue of its very existence, is out to create more business for itself.

I always remember the story that was told by a Minister of Welfare, I believe it was, in Mr. Manning's Government in Alberta. This was a number of years ago, and he had been out at a welfare conference and one of the Regional Directors of Social Assistance had come to him and said, Mr. Minister, I want you to know that our caseload last year was so and so and this year, it's so and so. We have achieved an increase of 25 percent and he was quite ebullient and proud of the fact that he was really getting on with his work; he'd increased his caseload. This Minister, being a person of I would say rather profound common sense, said, for the amount of the caseload that you have increased, I should really fire you. If you can come to me next year and tell me that you've decreased your caseload by 25 percent, I would like to give you a promotion because your business should be getting people off welfare, not on welfare, and helping them in ways so that they can adjust their lives so that they don't have to be on welfare.

Well, you can say that's an extraneous example, but I merely point out the tendency of boards of this nature to feel that they are impressing the world at large by saying that their caseload has increased. Well, I can guarantee you, Mr. Speaker, that if this amendment goes through with respect to class actions, the Legal Aid Society is going to have no difficulty whatsoever in increasing its caseload. It's going to have a caseload coming out of its ears because you're going to have every kind of group that isn't in existence right now but which will be formed for the purpose of taking advantage of this section of the Act which is there.

People, who on whim, on caprice or whatever, can say, hey, here's an opensesame. We've got a way now, thanks to the Attorney-General of Manitoba and his

colleagues, to have the taxpayers give us a day or a week or whatever in court. We're sure going to show Manitoba Hydro; we're sure going to show Manitoba Telephone System or whatever or the Waterworks System for the Town of Morden or for the City of Thompson; we're sure going to show them that we're people of account. Mind you, we can't afford to pay and we know that our case is malodorous and we know that it's probably vexatious and it's largely fictional, but we've got the right now in this day and age of rights that we hear so much about to put our hand in the taxpayers' pocket to fund our whim and that's what we're going to do.

Now, the Attorney-General can get up and say, that isn't going to happen and I hope it doesn't happen. But I suggest the amendment, as presently drawn, Mr. Speaker, can lead to that tendency taking place in our province and that is a bad tendency and that is contrary to the public interest.

Mr. Speaker, this is not the occasion to point out all of the dangers that are inherent in the system of getting into the whole subject of class actions. This amendment attempts to confine class actions to administrative boards and tribunals. I remind the Attorney-General of something that I am sure he's aware of, that Section 25 of the Act permits the Legal Aid Services Society of Manitoba to make regulations and to establish criteria re eligibility and that under regulations presently in existence those regulations do provide some eligibility on which it could be interpreted that class actions might be taken, according to my advice, in the Court of Queen's Bench, the Federal Court of Canada, the Manitoba Court of Appeal, the County Court or the Surrogate Court.

I realize that there are legitimate differences of opinion as to whether class actions are good, in terms of serving the public interest and justice, or bad. I realize, reverting to what I said at the beginning of my remarks, that one has to be careful in drawing this line so as not to prevent the appearance or the argument before a tribunal of any sort of a legitimate case or of a legitimate point that needs to be discussed and considered, but that one has to be fervent in the defence of the public interest and of the taxpayers' dollar to ensure that systems such as class actions do not become mere passports for the frivolous use of the taxpayers' dollar. That, I'm afraid, in the Act as presently drawn, is what we have before us.

Mr. Deputy Speaker, that subject can be left for discussion at a later date. I must say that the Act, as presently drawn, would not enjoy our support on this side of the House because of the defects that I pointed out today; because of the obvious need for it to be amended in Committee; perhaps even more so, Mr. Speaker, because of the need for a little bit more sober second thought to be given to this kind of legislation by the Treasury Bench of the government.

So, when I suggested today to the First Minister that there were Acts of this nature that perhaps would not suffer in the least from being reconsidered by the Treasury Bench, I was certainly considering this Act as being not one of the most offensive, but one that might well fall into that category, because if the public of Manitoba does not have this Act in place for another six months, I don't see the public interest suffering one whit. Under the existing law and the regulations,

it's my understanding that a group of citizens was funded last year to make appearances before one of the administrative tribunals of the government. So the power apparently resides there sufficiently to encourage the Legal Aid Society Board of a year ago, at least, to exercise that power after due consideration of the merits of the case represented by this group. I'm not sure if it was the Logan Avenue or what group it was.

Those are my brief comments on the bill and I would hope the Attorney-General would take them in the spirit in which they are offered as improvements to what, on the face of it, is not yet a good bill.

MOTION presented.

MR. DEPUTY SPEAKER, J. Storie: The Honourable Member for Lakeside.

MR. H. ENNS: Mr. Speaker, I should really be somewhat hesitant to follow the comments of my learned Leader, but nonetheless I will and on this bill. I say, my learned Leader, because none can express more clearly and eloquently the kind of common sense that ought to be and should be applied to the practice of law than my Leader.

Having said that, I am about to say something else that he might not be quite so happy about. It's because I really see my job in this Legislature as doing everything I can to see that we, society as a whole, require less and less lawyers. You know, that's one of the problems that we have done over a number of years and a multitude of regulations and massive amounts of legislation is that we have complicated our lives to that extent where lawyers in great abundance are attracted to the business of politics — (Interjection) — not in our party. We still have a fair number; we can do with one.

Mr. Speaker, the comments made by our Leader on this side are essentially the ones that have of course attracted the concern of members on this side of the House. It really underlines what I just finished saying. We now seem to want to institutionalize that fact, that we already now presumed that our laws, our tribunals, our administrative boards are going to be more and more complex; provide less and less easy access to by the ordinary citizen; that we have to pass legislation of this kind that will, in fact, now fund the various groups that want to appear before these boards and tribunals.

Mr. Speaker, it goes without saying that, in most instances, the action directed against by various class action groups is against government and/or its agencies. We have seen the examples here in this province and, indeed, across the land.

Mr. Speaker, my Leader has also referred to the fact that there is, as the particular section, Section 3, is written, absolutely no clear guideline as to what an executive director or the board responsible for the administration of the Legal Aid Society deems to be in the public interest. In fact, it avoids that criteria as being part of the conditions necessary to receiving public monies for that action. The actual section which refers to simply that the issue be a matter of common concern to that group of members can lead one into wild imaginations as to the kind of groups that could possibly qualify for public support, for Legal Aid, to represent their interests. Our Leader

mentioned just one particular group.

Even though members opposite may, at this time and in good faith, feel that, well, no Legal Aid Director or no Board of Directors on the Legal Aid Board would accept the application from a group that we may now deem to be unacceptable. Let us recognize that these things have a way of growing; that if legal aid is extended to this group, that often builds a justification for giving it to another group and another group. Then, before you know it, you have built on that kind of precedent a board that feels honour bound to pretty well leave the door wide open as to who is granted the application.

So, if you were to say that we formed a group of the Klu Klux Klan here in Manitoba and it was in their common interest to press forward certain matters, nobody in this Chamber at this particular time could see Legal Aid, taxpayers' money, going forward to aid that group, but you allow this kind of legislation to stand on the books, particularly in a free and an open and a democratic society.

We have tried; we have wrestled seriously, very difficultly, for instance, to control such things as hate literature. It's very difficult to do that in an open and a free society, I think, to the detriment of having far too much of that material available and with far too little prosecution of it.

Why is it so difficult, even under our present laws? It's because of the number of precedents that have been set in the courts over the years as to what constitutes criminal action in these kind of judgmental moral questions.

So, Mr. Speaker, that's the immediate concern expressed much better by my Leader with respect to that particular section which deletes, makes no reference that the interest has to have the public in mind; that the criteria for qualification is merely that it be common to the group that is making the application and that it be of public concern. Most of these matters are of public concern, but many of them may not indeed be in the public interest.

Mr. Speaker, the other matter that I raise, again it's been raised and it will be repeatedly raised by spokesmen on this side of the House, is the question that I do take it as an affront to some extent. In my capacity as a legislator and in my capacity as a former Treasury Benchet of charging ourselves with the responsibility of making our tribunals and our boards operate in such a fashion that the ordinary groups of people, the ordinary citizen, does have the access and the appropriate means of redress to supposed wrongs and appeals to various actions by government and/or its agencies, and we have, virtually in every field, taken the time to set up the various different tribunals to look after these things.

The Public Utilities Board, of course, comes very quickly to mind dealing with the many aspects, that it is responsible in the regulation of services in our community to our society. We have the Clean Environment Commissions; we have Land Value Appraisal Commission; we have Farmlands Protection Boards; Manitoba Marketing Boards, to make sure that the public interest is being kept in mind when the individual commodity marketing boards, the egg producers, the milk producers, the vegetable producers, perhaps step out of line and forget the public interest or forget

the consumer interest. So over the years a Manitoba Marketing Board was established to supervise that role and surely to which any consumer group without the aid of a lawyer, without the aid of a great deal of legal expenses, any group or individual, can make application to and have their cases heard. Mr. Speaker, if that is not the case then we ought to be doing something about it right here in looking at the legislation, looking at how these various commissions and boards and tribunals operate.

So I say, Mr. Speaker, we have virtually in every field of endeavour that over the years regulations, subsequent to legislation passed in either this House or federal legislation in the House of Parliament in Ottawa, there have been subsequent efforts made, and I think genuine efforts made to (a) recognize, yes, there could be a difficulty in terms of how the decisions of these various regulatory bodies are handed down; and (b) can the groups of individuals that are affected, or can any groups of individuals that feel they are being unfairly treated, treated with prejudice, can they with ease find access to having their cases heard?

I suggest to you that there is virtually not a regulatory body, not a commission, an organ of government operating at both the federal and provincial level that does not have built into it an appeal mechanism. We decide that, and this of course happens and is available very much so on the individual level. We license drivers to drive their motor vehicles in this province; we pass laws and regulations that indicates when we will restrict their driving capabilities and under what circumstances, and the courts do that, and we do that by regulation, as a matter of fact. They can be challenged in the first instance in the courts, but even prior to that, before that, we have such bodies as the Driver's Licence Suspension Appeal Board where the individual driver that feels he has been treated heavily or not fairly, can without the aid of a lawyer - I know many instances unfortunately our society is so bent and so far down on that litigious course that my leader referred to, to some extent, is that we feel more comfortable sometimes by taking a lawyer with us or having a lawyer represent us. But I can assure you, Mr. Speaker, that it is not necessary to appear with legal aid in most of those instances and I see you're in agreement with me on that, Mr. Speaker.

Mr. Speaker, as I said earlier it should not be, and that's even more important, because if it is then our system is getting too complicated. Surely we ought to be able to organize our lives and run the affairs of our province in such a way that everyday people can avail themselves to the appropriate tribunal, have their cases understood, make themselves understandable. We don't all have to be able to speak in the most fluent legal tongue to express our points of view, but I would think it's a sad day for democracy, for democracy in Manitoba if we encourage even the connotation that the only way to get a square deal out of City Hall, the only way to make the Provincial Government, or to make Manitoba Hydro get to hear you is you've got to hire a Legal Aid lawyer, you've got to have somebody that is a lot smarter than you are to be able to speak for you.

Mr. Speaker, I really think and I'm not suggesting for a moment that in any of the commissions and boards

and tribunals that we can mention, and I have not made any attempt to totally research the numbers that there are, because there would be pages of them. We would be surprised at how many various boards and commissions there are. I think we did that once three or four years ago just to find out how these had proliferated and how they have grown, and they are there for good reason, most of them. I think some of them are redundant and, as a matter of fact, I think in our four years we found out that since the Assiniboine River hadn't flooded for a long time there was no use having an Assiniboine River Flood Valley Protection Board still onstream after the floodway having been built and after the Portage Diversion having been built. So there is the obvious laxness on the part of government from time to time of going through the various boards and commissions and seeing that they are still functioning a role for which there is a need and doing the job.

That brings us to the very important point that bears watching. In many instances, these people are not highly paid people but, Sir, there is a structure, there is cost attached to that, and I would ask the government to seriously look at what the cost of having all these various appeal boards, all these appeal mechanisms in place that are there to do precisely what this amendment purports to do already and without additional cost to the taxpayers.

This is the kind of sad thing that you see happening in government, you see this natural proliferation, this natural growth. On the one hand, we will convince ourselves, yes we need an appeal board. In fact I think one of the last recommendations that I heard during the debates on Autopac is we should have an appeal board for Autopac so that people who are not totally satisfied with the arrangements that Autopac is making with respect to the repair or the replacement of a damaged vehicle, the person involved should have an appeal board something like the Driver's Licence Suspension Appeal Board or all these other appeal boards to go to have his case reviewed not by the senior management or administration of Autopac, but by ordinary people, very often lay people, zone peers, people that he has faith and confidence in that were appointed by government, by people's representatives to make sure that the heavy machinery of bureaucracy doesn't injuriously roll over its citizens.

Mr. Speaker, I wouldn't be surprised and quite frankly if this government wants to introduce it sometime in the future I won't object. I see that more acceptable than coming in with a resolution or with an amendment to The Legal Aid Act that encourages and acknowledges that our laws are getting so complex, the business of dealing with government is so difficult that we better pass an amendment that will provide legal aid to the various groups that from time to time think they have a legitimate grievance against government. It, as my Leader says, encourages that kind of concept and it is really an open-ended door that will fill up the caseload of Legal Aid like you wouldn't believe.

Mr. Speaker, I don't think the government has really looked at the fact that you have in essence a vast array of groups, men and women, appointed by them now, by their governments to be the Ombudsman, if you like, for the average citizen to take up the case of the

aggrieved group that feels they are being acted unfairly with by any agency of government or indeed by anybody.

Mr. Speaker, there are virtually in every walk of life - if a municipality feels that a neighbouring municipality - and I can recite them, whether it's some of the annexation problems that we've had - Brandon feels that Cornwallis wants too much of the real estate or something like that - and we've had these cases. What have we got? We've got a Municipal Board which sits down, you can come and you often do come with aid of legal counsel but not necessarily so. Reeves, lawyers, councilmen, ordinary citizens, businessmen will group together, appear before the Municipal Board and state their case and if it has become so difficult to state your case before one of these tribunals, then as I suggest, Mr. Speaker, we should be looking at the makeup of the rules of the game, of the board and the kind of people that are serving on those boards.

So, Mr. Speaker, I take no hesitation. In fact, I feel I can do that now even more so since my leader has left. I think what we should be doing is finding a way of creating less lawyers in this society of ours. Much of our problems have been created because we have too many lawyers. I see this as a bit of a lawyer boondoggle. Here we have the Attorney-General - (Interjection) - No, Mr. Speaker, I'm not imputing any of those kind of motives to the Attorney-General, but the fact of the matter is it's an open admission on the part of those of us who are freely elected to this Chamber saying that our citizens can only deal with us through a legal mouthpiece, or at least suggesting that they have a better chance of coming to us and getting their case heard through a legal mouthpiece. I reject that as an individual MLA. No group - no farmers group, no consumers group, no urban group or country group needs to come to me to speak to me about concerns about legislation with the aid of a lawyer. - (Interjection) - Well, I think that's very often the case. I think the lawyers very often may have some vested interest in so complicating matters that it takes another ten of them to sort it out.

Mr. Speaker, they are now going to have a Legal Aid Certificate to do that and all the rest of us are going to have to dig into our pockets to pay for it. That isn't fair, Mr. Speaker. It isn't necessary and I object to that clause in this bill and, as my Leader said, will not be supporting it.

MR. SPEAKER, Hon. J. Walding: The Honourable Minister of Finance.

HON. V. SCHROEDER: Thank you, Mr. Speaker. After that one I couldn't help but reply. I don't know whether the member has read today's Globe and Mail. There's a libel trial going on in Ontario and the plaintiff's lawyer - the plaintiff happens to be a Federal Cabinet Minister - is quoting Shylock; that is, the defendant is saying, "This man is so thick skinned that this story didn't hurt him at all," and the plaintiff's lawyer, Munro's lawyer is saying, from Shakespeare - Shylock - "but if I am pricked do I not bleed?" This makes me get up to speak.

I have been at several Public Utilities Board Hearings and maybe it's because of the lawyers, but I've been at hearings where the Greater Winnipeg Gas

Company has presented a hundred exhibits and more, presented many days of testimony, evidence with respect to rate of return, with respect to who should pay, arguments about whether they would like a greater proportion of their payments to come from the consumer as opposed to other groups, business, greater proportions coming from different groups within the business community, manufacturing as opposed to other groups, and I say that in defence of the consumer, there has to be someone speaking up.

I would suggest that if the Member for Lakeside showed up at one of those hearings he would have great difficulty wading through those hundreds of exhibits without some —(Interjection)— Certainly, the Members of the Board are there hearing one side of the case from the company. The lawyer for the company spends days presenting a case in order that we can pay more for our natural gas. Who pays for the lawyer for the company? The Member for Lakeside and the taxpayers of this province. They pay for the lawyer for the gas company. Certainly, the consumers of gas who happen to be by and large the taxpayers of this province. —(Interjection)— Mr. Speaker, I would suggest that most of them are one and the same people. They recognize it. The people out there - there may be a few of them out there who have no constituents, who have natural gas.

The same thing happens with Inter-City Gas, Western Plains and all the others, the utilities that are throughout the province. They have no objection at all to the consumer paying for the company's lawyer. They seem to think that's perfectly fine because they have been in office for a number of years while that has happened. So the consumer pays for the company's lawyer. They didn't say let's get rid of lawyers on that board. They could have done that. They could have tried for a less complicated process. They didn't say we won't allow a lawyer's fees to be charged by the company as an expense of doing business in the province. They didn't say that. And so, here the Attorney-General is coming along and saying well, in cases where there is a clear matter of public interest for a specific group being hit, then surely that group should also be represented. We have here a case where again they have no objection to the consumer paying for this lawyer who puts all of the paper on the table; but once all those exhibits are on the table, once all the evidence is in, they are saying: but the other side shouldn't be entitled to a lawyer paid for by the public.

Now if they were consistent they would at least surely say that on the other side of that adversary position the board represents the public. The board is neutral. They say the board represents the public. The board has a responsibility to hear the case. The board has a further responsibility to investigate into the case and I think it does a very good job; I think, in general, in the past and now is doing a very good job. That doesn't mean that sometimes a public interest group isn't of some benefit to a large group of people out there in the public.

I think specifically of cases where an application is made by the Greater Winnipeg Gas Company, for instance, to increase percentage wise the costs on residential consumers to a greater extent than on commercial consumers, on commercial consumers to a greater extent than on manufacturing consumers,

so that they're attempting to create differences between the different groups of consumers. At that point, surely the consumer that is getting hit very hard should have the right to be represented there as a special interest group. I see nothing wrong with that. In fact, I think that's fair.

Now you could argue that the lawyer involved should be paid from the same pot that the other lawyer involved is paid for, because if their argument holds in terms of fairness to the public, then it should also hold in terms of fairness to the company. Surely that board is there to be fair to the company. If they're there to be fair to the company, then the company doesn't need a lawyer. If the company doesn't need a lawyer, why should the public or the consumer pay for that lawyer. —(Interjection)— Well, I was coming to the point where I might be agreeing with the Member for Lakeside.

MR. SPEAKER: Order please.

When we next reach this bill, the Honourable Minister will have 33 minutes remaining. The time being 4:30 p.m., it is now Private Members' Hour.

IN SESSION

PRIVATE MEMBERS' HOUR

MR. SPEAKER: The first resolution is the proposed Resolution by the Honourable Member for Radisson. The Honourable Member for Radisson.

MR. G. LECUYER: Mr. Speaker, I wish to propose the following Resolution, seconded by the Member for Inkster:

WHEREAS the present global military expenditures exceed \$550 billion a year tying up valuable knowledge, technology and resources; and

WHEREAS a redirection of this knowledge, technology and resources towards the improvement of the human condition could provide adequate year-round food, water, education, employment, health care and housing for everyone on earth; and

WHEREAS the deployment of nuclear weapons threatens the very existence of life on earth; and

WHEREAS there are now more than 60,000 nuclear warheads in existence providing a global nuclear overkill factor of between 20 and 40 times; and

WHEREAS the possibility of surviving a major nuclear exchange which would necessarily entail extensive damage to industry, transport, food, water, medical care as well as a fundamental change in the earth's biosphere is virtually nil; and

WHEREAS the threat of a nuclear war is greatly increased by the possibility of accidents resulting from mechanical and human error and by the extension of nuclear capabilities to volatile political regimes; and

WHEREAS the United Nations' Second Special Session on Disarmament scheduled for June 7 to July 9, 1982, seeks to confront the issue of world disarmament and particularly nuclear disarmament;

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba expressly declare its positive moral commitment for world disarmament; and

BE IT FURTHER RESOLVED that the Legislative

Assembly of Manitoba fully endorse the goals and the objectives of the United Nations' Second Special Session on disarmament and actively attempt to determine the possible actions that it might take to hasten world disarmament on a global scale.

MOTION presented.

MR. SPEAKER: The Honourable Member for Radisson.

MR. G. LECUYER: Mr. Speaker, I am deeply honoured to introduce in this House a resolution dealing with nuclear disarmament because I have no doubt that it embodies the most important issues of our time. Whether we as a Provincial Government or for that matter any other government succeed or fail in achieving any goal it sets for itself, none will have a greater impact than the success or failure of governments throughout the world, especially those who now manufacture nuclear weapons or are on the verge of doing so, to agree to put a stop to their destructive arms buildup; for if we fail, mankind's experiment in building a civilized world will end with a manmade act of complete self-destruction of every living creature on this planet.

Yesterday, Mr. Speaker, an emergency debate was called in this House due to Alcan's decision to shelve for the time being the construction of an aluminum shelter in Manitoba. I for one believe that this government and for that matter all governments of the world, should hold an emergency debate on the issue of nuclear disarmament. At least we can do something in this regard.

I refer you to last Saturday's Today magazine. I have it here hoping that other members will also look at the article which is entitled "James Stark's Dream." His dream and his actions revolve around organizing a worldwide referendum on nuclear disarmament. Already some 32-plus Canadian cities, and Winnipeg is one of those reconsidering its previous decision, have agreed to hold such a referendum this fall. A Gallup poll, conducted a year ago, revealed that almost 70 percent of Canadians would favour such a move and almost one-half of the MPs in Ottawa representing all three political parties have endorsed the idea of a global referendum.

Mr. Speaker, there are those perhaps who think that the question of disarmament and defence spending belong to the privileged realm of federal decision-making. On this I disagree vehemently. Many other federal issues of lesser consequence, such as transportation, metric conversion, communications and many others have been and will continue to be discussed in this House in the future. Mr. Speaker, the issue of world disarmament affects each and every one of us directly, that is, each one of us who cherishes life. The essence of this resolution has to do with our own survival. It is not enough to bemoan the blindness of a world embarked on a suicide course. It is necessary to put an end to the accumulation of weapons and use the money thus saved to improve the lot of humanity.

My interest in this issue dates back more than 20 years when I chose to be directly involved in work in the area of development in the Third World. I have

carried on my interest through my active involvement and participation in the Canadian Catholic Organization for Development and Peace and continue to share the goals of this organization and the numerous other church and other nongovernmental organizations which are zealously working at developing greater world awareness in favour of action for development and peace. A few months ago, when I became aware that a second special session - the first was held in 1978 - of the U.N. was being called for June 7 to July 9, 1982, to discuss disarmament with representatives of all member countries and numerous nongovernmental organizations who are being invited; when I started researching this vast and complex issue on which thousands of experts and concerned people have expressed their views, I became convinced that we, as legislators, have to take a stand in favour of peace, a move which, I hope, will be supported unanimously on a nonpartisan basis by all members of this House.

Mr. Speaker, I was saddened towards the end of last week that we hadn't had the opportunity to debate this issue prior to the manifestations which were held throughout the world on Saturday, and I take the blame for not putting this resolution on the Order Paper sooner. But in retrospect, Mr. Speaker, I am now heartened that after the tremendous success of the peace rally held, most appropriately I must add, in front of Manitoba's Legislature, that we are just now starting to debate this question. I think the people of Winnipeg, the 15,000 to 20,000 strong, the others in the numerous cities across Canada and many other countries of the world have shown in the last week tremendous concern, desire and solidarity for a nuclear-free world. Mr. Speaker, how could anyone morally live at peace with himself and stand in opposition to this resolution?

I would like for a moment for us to reflect on a few of the numerous unmet human needs of the world and the growing gap between the have and the have-nots.

First, on the question of poverty: one person in five is trapped in degrading poverty, malnourished, illiterate, surviving at a level below human decency.

Secondly, education: in the poorest countries, 95 percent of the people are illiterate; and in the richest, 1 percent.

Thirdly, the question health: lives are 30 years shorter on average in Africa than in Europe. Among children under 15, annual deaths from diseases, which could be prevented by immunization, number over 12 million.

Fourthly, on the question of food: at least 450 million people in the world, and perhaps as many as one billion now as a result of the droughts and the wars of 1979 and 1980, suffer from hunger and malnutrition.

Fifthly, on the aspect of water: 2 billion people in the world, most of them in developing nations, do not have access to a dependable sanitary supply of water. Water-related diseases kill approximately 10 million people every year. These diseases are the leading killer of children.

Now, as opposed to this disastrous picture of mankind's failures, remember that global arm expenditures represent almost \$1 million per minute or \$1.5 billion daily to stockpile nuclear and other war weapons. Two weeks of military spending would provide

adequate year-round food, water, education, health and housing for everyone on earth. From the standpoint of the third WHEREAS of this question - I would like to quote from an article in the Free Press on March 23, 1982, the following: "Military spending actually provides many fewer jobs than would be created if the amount of goods were spent in the civilian sector. A U.S. study by the Department of Labour found that each billion dollar spent on environmental control, alternative energy development or mass transport would yield on the average 20,000 more jobs than if spent on military programs." So we cannot, as one argument, say what about all the jobs that would be lost if we discontinued the arms buildup.

Another quote I would like to present from a newsletter on disarmament which dates from May of 1982: "When billions of dollars are spent every year on products that have no commercial value, the value of those dollars decreases. Also when one-third of all scientists and one-quarter of all production workers are used to produce these weapons, this creativity and productivity are lost to more needed projects, such as alternative sources of energy.

Mr. Speaker, the most important document in my estimation which has been produced among the numerous articles and documents in recent years is that called "Security and Disarmament, a Minority Report," which was signed by members of all three political parties of the House of Commons, a document which will be forwarded to this special session of the U.N.

I want to make one quotation from this document which says: "Military expenditures now exceed \$550 billion per year, an amount that is more than the annual income of 2 billion people in the world's poorest countries. At least 50 million people worldwide are directly or indirectly engaged in military activities including those in armed forces, para-military forces, scientists and engineers in research and development for military purposes and workers directly engaged in the production of weapons."

I want, Mr. Speaker, now to refer to the fourth WHEREAS of this resolution. If we accept the conservative estimate of the 20 and some say as much as 60 factor overkill in terms of nuclear armament and I imagine the super powers dismantling 10 bombs a year, each 2,850 years, they will still be able to destroy the whole world once by the year 2850, I should have said. The stockpile of nuclear bombs equal to the destructive force of one-and-a quarter-million Hiroshimas and the entire accumulated fire power of the Second World War and Korea is contained within a single nuclear submarine.

In one article that appeared in the Free Press on May 17th, John Robertson wrote: "Canadian Civil Defence documents suggest that Winnipeg has been singled out as a target for a 2-megaton bomb, some 140 times more powerful than the one dropped on Hiroshima. While he's not the only one that said this, the Minority Report which I quoted awhile ago also said: "The Poseidon submarine carrying 16 missiles, each with 10 warheads and each warhead with over three times the explosive force of the Hiroshima bomb is capable of destroying 160 targets, more targets than there are cities in the Soviet Union."

Recent talk by public figures about winning or ever

surviving a nuclear war reflects a widespread failure to appreciate the facts. Any nuclear war would inevitably cause death, disease and suffering of epidemic proportions for which effective medical intervention on any realistic scale would be impossible. The lucky ones would be the ones to die on impact.

Mr. Speaker, thousands of people are now not only aware and concerned but also regrouping to make determined attempts to educate others and rally support in favour of a nuclear freeze and dismantling of nuclear warheads. Among the leading groups are the physicians who have a group and formed the International Physicians for the Prevention of Nuclear War. I want to make one petition from the World Military and Social Expenditures, an article written by Ruth Leger Savard which says: "A major nuclear war between the U.S. and the USSR exchanging 2,000 nuclear weapons, in a matter of hours would mean deaths in the hundreds of millions and the destruction of the life-support systems; industry, transport, food, water, medical care of both countries. The effects of nuclear war would not be confined to the two antagonists. Radiation sickness would spread with the winds. Disruption of the biosphere would cause crop failures worldwide, increased ultra-violet light and skin cancers. The immediate and later casualties could well put all of human civilization in jeopardy." As I said awhile ago, Mr. Speaker, the survivors would envy the dead.

In reference to the sixth WHEREAS in my resolution, I would like to quote and again from the Winnipeg Free Press of May 23, 1981, the following: "Anything could ignite this insane power magazine; computer error put the entire Norad command on alert last year; the Poseidon submarine sinks and is never found; a terrorist organization can buy the technology and construct a bomb, use it, and set off a paranoid chain reaction." A nuclear war, Mr. Speaker, can be unleashed because of fear and impulsivity because the climate of terror engenders a vicious circle of fear and mistrust. Fear destroys the capacity for rational thinking and promotes panic-driven impulsive actions provoking panic responses among adversaries that escalate the danger of conflict or it can be started because of archaic or perceptual distortion. Threat forces regression into archaic thinking patterns, dividing the world into total goodness and total evil, impeding the discovery of common purpose, reducing the ability to deal realistically with threat or danger. To justify our hostility, we deny our adversaries any worthy motives. The whole obscene jargon of the nuclear arms race destroys not only appreciation of humanity of the adversary, but our own humanity as well.

Again, I quote from the Minority Report on page 3: "Five nations, the U.S., the USSR, U.K., France and China possess incredible numbers of nuclear weapons for delivery by land-based missiles, aircraft or submarines. India, Israel and South Africa are now regarded as nuclear-weapons capable. Pakistan is on the nuclear threshold, right behind Iraq, Argentina, Brazil, Taiwan, South Korea and Libya. Atomic devices are spreading to volatile areas of the world where tensions are high and safeguards are low. It is only a question of time before terrorists obtain a nuclear device."

Now, faced with the high risks of a nuclear happening which would mean total annihilation, what can we do? Most definitely, we must speak out in protest and push to have Canada declare itself a Canada weapons-free zone. This would require such measures as the following which are outlined in the Minority Report. No nuclear weapons in Canada. No nuclear weapons transported through Canadian territory, whether land, air or sea; no production of components for nuclear weapons; no support systems for nuclear weapons.

The Minority Report suggests the following positive measures. 1) a comprehensive test ban on nuclear devices; 2) a ban on the flight testing of new strategic nuclear weapon systems; 3) a prohibition of the production of fissionable material for weapons purposes; and 4) limitations and progressive reductions in military spending of new strategic weapons systems. Of course, the Minority Report also has many other suggestions which Canada must try to press forward and especially at the upcoming U.N. Special Meeting.

In ending I would like to quote the following from Albert Einstein who in the final week of his life signed an appeal against the development of nuclear weapons. It read: "We appeal as human beings to human beings to remember your humanity and forget the rest." And Jonathon Schell in his book, *The Fate of the Earth*, said: "The choices don't include war any longer. They consist now of peace on the one hand and annihilation on the other."

Thank you.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. B. SHERMAN: Thank you, Mr. Speaker. I'm very pleased to have an opportunity to speak to this resolution introduced by the Honourable Member for Radisson.

Firstly, Sir, I'd like to congratulate the honourable member on his resolution and also on his address to that resolution and on the evident sincerity from which and with which he spoke to this very important subject.

I'm pleased to be able to speak in support of the spirit and the intent of this resolution, Sir, because it gives me the formal opportunity in the House to express my profound desire, and if I may say so I believe the profound desire of my colleagues in the Progressive Conservative Party, for the objectives contained within the resolution before us and in particular, Sir, my profound desire for bilateral nuclear disarmament and for an end to the nuclear threat to mankind.

The resolution speaks of course to global world disarmament and that is a mighty and a lofty and a most laudable objective. I believe that for many of us, and we number in the hundreds of millions, who live under the shadow of nuclear tyranny and nuclear terror at the present time and feel concerned about it and express concern for it, that the long-range objective of global disarmament is an objective to which we would happily and satisfiably proceed at some point in time, perhaps a few years down the halls of history from here, and that we would settle at this point in time in our lives and the lives of our children, for an end to the

threat of nuclear conflict and nuclear devastation.

This does not in any way minimize the sincerity of the resolution or the ambitions of all of those of us who would speak to the resolution's objectives or to the total objectives of the disarmament discussions that are taking place at the United Nations and indeed in many other councils of the world at the present time. I simply suggest, Sir, that I think tens of millions of us would be happy if we could foresee a future in which our age and our time were able to end for all time the tyranny of the nuclear terror that hangs over us, the threat of nuclear conflict and devastation, and build the spirit and build the climate that would in future decades, in future generations, lead to the laudable total objective of total global disarmament even in the conventional sense.

At the moment, probably that goal of total global disarmament in the conventional sense is some considerable distance down the road, but for our sakes and the sakes of our children the goal of nuclear de-escalation and nuclear disarmament had better not be any considerable distance down the road.

Mr. Speaker, the objective of world peace and nuclear disarmament is most certainly not the monopoly of any individual group or component in our society. It is not the monopoly or the preserve of any particular political or philosophical or ideological persuasion, either collectively or individually. It is not the preserve of any association and it is not the preserve of any individual person. Whatever our differences may be, and I made reference to this, Sir, on June 12th when I had the opportunity to participate in the Disarmament Rally and Parade here in Winnipeg, whatever our differences may be as individuals, and they may be many, and at times they may be rather frenetic and controversial, those differences pale into insignificance alongside the most important mission that all of us as men and women face on this planet today.

We do have our differences, and thank God for them, because they produce the dynamics of democratic interchange which is the underpinning of freedom and respect for the individual and there would be nobody in this House, regardless of party differences, who would quarrel with that principle and with that institution. We have our differences in domestic politics. We have our differences in philosophy. We have our differences in religious view and denomination. We have our differences in economic viewpoint. None of them, Sir, is worth a fragment, a scintilla of importance when compared alongside the most compelling vocation of our age and that is the vocation, the call to end the threat of nuclear devastation that hangs over our civilization and our planet and to end that threat, not only for our time, but for all time. That is the most urgent vocation, profession, religion of the 1980s, and we are able, I believe, to put aside our more domestic differences, our less important differences, our lower quality differences to unite in that purpose, and that objective.

So, I have no difficulty, Sir, in supporting this Resolution, because the Resolution does not speak to a partisan issue. Survival, peace, an end to nuclear tyranny are hardly partisan issues. Whatever our differences, we share I believe, Sir, a commitment to the cause that is articulated and represented in the Reso-

lution brought forward by my honourable friend, the Member for Radisson, before this House at the present time. We're united - there is no question about it, Sir - on this planet by the hundreds of millions in this purpose.

There are tens of millions of people in the Western World, the free world, who have the opportunity to stand up and speak to this cause and send messages to their political leaders and send messages to the major capitals of the Western World every day of their lives or every day on which they may have the inclination and the opportunity to do so. But, on the other side of this philosophical and ideological curtain that exists in the global political sense, there are tens of millions, indeed hundreds of millions of people who do not have that opportunity to speak in precisely the way the Honourable Member for Radisson has just spoken and in precisely the way that I am attempting to speak as the Honourable Member for Fort Garry, and in precisely the way that others in this Chamber will speak during the debate, which will not be a debate, I submit, Mr. Speaker, but during the discussion on the recommendation that is now before us.

So we who speak to it are speaking for silent throngs of tens of millions, indeed hundreds of millions, who would like to speak the same way we do, but do not have the opportunity to do so because of the system of political authoritarianism and totalitarianism and repression of freedom under which they are forced to live in their various geographical jurisdictions around the globe.

The statement that is incorporated in the Resolution proposed by the Honourable Member for Radisson is the same statement that I believe was at the centre, Sir, of the Disarmament Parade and Peace Rally held in many cities of the Western World this past Saturday, June 12th, and in which Winnipeg, the capital city of Manitoba, certainly acquitted itself with distinction and honour by virtue of the turnout and the support offered in the local event here. That statement is a statement which I have attempted to put into my own words on two previous occasions when I've spoken on this subject, Mr. Speaker, and for the sake of the record, I would like to repeat it now. I do not offer it as any inspired comment that purports to speak for anybody else. All in this Chamber will have their own views as to the statement that lay at the centre of the June 12th disarmament and peace parades and rallies and to the statement that lies at the centre of the Resolution in front of us in this House at the present time.

For me, personally, the statement is a statement to the leaders of the most powerful nations on earth, essentially to those who make the decisions with respect to the buildup of the nuclear arsenals all around the globe and in particular a statement to Washington and to Moscow. That statement for me, Sir, is simple and short and it says the following. It says, "Stop; turn back together; face God; face home." I think that, essentially for me, incorporates the message I want to deliver to Washington and to Moscow and to all those nuclear powers and potential nuclear powers participating in this mad nuclear arms buildup on this planet today. But, the basic message for me is directed to those two superpowers of the nuclear community and it can be represented or reflected in

those words that I have placed on the record.

That simple plea, which essentially is a sincere command from the tens of millions of citizens, men and women, boys and girls of this planet who participated in the parades and rallies held on June 12th, has really taken on dimensions of immensity now because of the growth of the nuclear threat, the proliferation of nuclear armaments and the intensification of the so-called balance of terror that exists in the world today.

Certainly, it took on massive dimensions of immensity on June 12th because men and women, wherever they were permitted to do so, such as in free societies like this one, did turn out in the hundreds of thousands to demonstrate their concern over nuclear arms proliferation. More than that, Sir, they turned out to demonstrate their determination that the threat to this planet and this civilization that nuclear proliferation bespeaks must end, and end not only now for our time but end for all time. It was a statement, as I said, that was directed to those who make the decisions relative to the world's nuclear arsenals and to those who exert some influence on them, as is the statement that lies at the heart of the Resolution proposed by the Honourable Member for Radisson.

As I participated in making that statement on June 12th and as I participate in subscribing to the statement contained in this Resolution today, Mr. Speaker, I remind myself of how fortunate I am that I live on a continent with societies, both north and south of the 49th parallel, that permit this kind of free and decent expression. I think it is important to remind ourselves of that opportunity and how precious it is. I remind myself, as I have said, of the hundreds of millions of my fellow humans on this planet who would like to join with us in such a statement, but who are not permitted to do so. So I think that we, for our parts, help to some degree in speaking for them.

I remind myself also, and I think this is very important, Mr. Speaker, of the realities of that which we are asking. There would be no one in this Chamber, I'm sure, who would expect that we can pursue the objective of nuclear disarmament in any other than a bilateral way and that we can pursue that objective in any other than a realistic way. I remind myself of the enormous burdens, and they are enormous, that are born in today's fearsome world by those who carry the primary responsibility for defending Western freedom and Western civilization and those are my friends and our friends in the United States of America. There is no questioning the fact that Washington plays a central and an important and a highly responsible role in this issue to which we are addressing ourselves and certainly no one is attempting to make any apologies for the posture or position that Washington has taken in respect to the Cold War and the brutal nuclear dialogue.

There is also no question that this kind of statement and the Resolution proposed by the Honourable Member for Radisson will be heard in Washington and the question that must concern us all, Mr. Speaker, is will this statement be heard in Moscow? Is it possible somehow, someway, to get this kind of expression of commitment and sincerity and feeling on the part of ordinary people, regardless of what part of the world they live in - we happen to live in the Western World, in North America, but regardless of what part of the

world we live in - ordinary citizens of this planet to get their message through to the other supernuclear power and its leaders in Moscow? Somehow, somehow, we must attempt to achieve that.

So, Mr. Speaker, I simply suggest in conclusion, as I speak in support of the objectives and the Resolution, that we approach it as realistically as is necessary; that we pursue to the depths of our energies and our commitment bilateral nuclear disarmament as the first and most important, in fact the most urgent step because it's the survival step, in achieving the long-range goal of which the Resolution speaks, of which the disarmament talks at the UN this week speak, of which my friend from Radisson speaks; that is ultimately disarmament in the conventional sense and the application of those kinds of resources and energies and monies to loftier and more important human services, considerations and concerns.

I know that an enormous ground swell of popular support is developing in the Western World for nuclear disarmament and for peace and I welcome that. I think there is a great deal to be said for that. I think what's most important about it is that, thus far, it crosses philosophical, ideological and domestic political boundaries. I think it's extremely important that it reflect, as it does, a representative cross-section and that, in so reflecting a cross-section, it has built into it some realistic dynamics for maintaining a very pragmatic and realistic perspective, because we are not going to achieve nuclear disarmament simply by wishing for it and we're not going to achieve anything if all we get is unilateral nuclear disarmament on the part of the Western superpower, the United States. So we pursue it in the framework and the parameters of human fellowship and idealism, but we pursue it also, Sir, within the framework of realism recognizing that until we get some kind of progress in arms control and arms limitations and reductions in a bilateral way on nuclear defense spending, that we have to maintain a sufficient deterrent to protect those Western values and freedoms that we cherish so greatly and which many enslaved millions in this world know nothing about.

The first step, Sir, is success in arms control negotiations. Everything should be done to encourage the two superpowers to understand that the ordinary people of the world want that; have reached a point where we are saying to them, we must have it and continued conflict and continued confrontation at that level is not acceptable in terms of humanity and the rightful objectives of the human race.

So, Sir, with those few words, I offer my support to the Resolution introduced by the Member for Radisson and look forward to passage by this House after discussion in fuller depth.

MR. SPEAKER: The Honourable Member for Inkster.

MR. D. SCOTT: Thank you very much, Mr. Speaker. Like the Member for Radisson, the Member for Fort Garry and several others in this House, I too was a participant in Saturday's March, June 12th. It was something that was a very moving experience for me, Mr. Speaker. We had expected no more than three to five thousand people to turn out; we had estimates ranging between 15 thousand and 20 thousand peo-

ple. The parade started at the Legislature and, by the time the tail end of the march had started, the start of the march was almost already back on the grounds. It went from the Legislative Building, down to Main Street, up to Portage and Main, up Portage Avenue to The Bay and then back down across Broadway and to the Legislative Buildings.

The spirit of the people who were there, and I might add that the people who were involved were not of any particular age spectrum. There was not some kind of - some people might wish to say - a 60s rally. There were people there in their 70s; there were people there who were very young children and the total age spectrum between. It was a very moving experience to be a part, and to feel that the people in the City of Winnipeg and the Province of Manitoba have come together on such a momentous occasion and share our desire and our dream for peace which was being demonstrated worldwide on Saturday.

We have just come through a past couple of months of daily accounts of war in the Falkland Islands, between Argentina and Great Britain. The cost of that war, both in human terms and the lack of our so-called experts in arms, has really come home almost daily to you when, first off, you see the loss of the General Belgrano. Then, a few days later, just two days later, the Argentines retaliating with a missile, which is not one of the latest missiles, which is not nuclear powered, which was shot about 40 miles away and the people and soldiers, seamen on the Sheffield didn't even know what hit them; they had no warning at all. All they heard was the whine of the missile and the explosion; that was their warning.

We are informed that we have - I certainly can't call them conventional, but at least - non-nuclear armaments today that are capable of being shot some 200 miles away. Therefore, the world's navies are rapidly obsolete. If it wasn't for the armada of some 100 ships surrounding the British aircraft carriers and other British destroyers, I am sure more of them would have gone down, rather than just the loss of three or four frigates. That's not saying, just the loss of three or four frigates; that's an incredible loss on its own.

We see in Lebanon the incursions of the State of Israel moving across the border into Lebanon bringing on total disasters. We haven't seen pictures of that area as devastated or pictures of cities devastated like that, I would say, since the shots that one can go back and see the terrible facts of World War II in the bombed out shells of the cities that were left in Europe and in the United Kingdom.

What we are talking about today and emphasizing I guess in this resolution is the fact of nuclear arms, but the reason I started off with the conventional weapons is to show and to indicate that the nuclear arms are not the only ones we must disarm from, they're the only ones that we must be pressing other nations of the world to disarm from, they must all be included in the category of arms disarmament.

Certainly, the nuclear madness with which we are faced today is so devastating that few, other than those who are closely involved and understood the mass and the force of this kind of weaponry projected years ago, and our societies, our governments, have almost routinely gone along and ignored them. I'm referring in particular to Albert Einstein who stated

back I believe in the '40s: "When we released energy from the atom, everything changed except of our thinking. Because of that we drift towards an unparalleled disaster." Those, Mr. Speaker, are the words from the person who would not be proud today, for sure, that his revelations and his discoveries came on how to break the atom.

We see today the development of bombs, 20-megaton bombs as compared to the bomb that devastated Hiroshima and Nagasaki. They were equivalent to only 13,000 tons of TNT. Today it's 20 million tons of TNT, which one 20-megaton bomb of which both the super powers have a great number of, is equivalent to over four times of all the bombs together of World War II. When one considers the enormity of that war and you consider that one bomb today has more destructive force than four times of all those bombs together, one certainly pauses to think of what kind of absolute foolishness our world has let ourselves get into.

We understand that Winnipeg is a target. If there was to be a nuclear holocaust, Winnipeg would be a target of a two-megaton bomb which is about 140 times the one that was dropped on Hiroshima. We have just south of us in North Dakota some three silos with the Minuteman nuclear missiles within them and they certainly would be the target of a great many nuclear bombs to try and wipe out the opposition.

We have a growing spectrum of some 10 new nuclear bombs being manufactured every day. What was once an exclusive club of five nations with the nuclear capability within 10 years is expected to exceed 40. Some unofficial countries that have the bomb still so-called unofficially such as India in a combination and this is a strange strange combination indeed, that a nation such as Israel could tie together with a nation such as South Africa and jointly develop not only traditional and conventional arms, but also nuclear arms. They have done that and the expectation that they have the bomb together currently is very high. Very little doubt, I might add, remains that they do not have nuclear capabilities and both of them, needless to say, are if anything a tinderbox in this world and both of those nations are located in the centres of them.

We have another nation, we understand South Korea, a nation that Canada wants to sell the Candu reactor to, we understand that they also unofficially have the bomb capacity. On a very short-term time basis, we have some 10 more nations that could have the bomb within probably six months to a year and then expand on beyond that up to four or five years, possibly six years and you start getting into some incredible countries and their capacity to have the bomb. They include Argentina, Brazil, Czechoslovakia, East Germany, Pakistan and Poland. In 7 to 10 years we're looking at even more unstable nations; areas like Bulgaria, Chile with its incredible record of human destruction, of Cuba, of Egypt, of Hungary, of states that one can only call as religious fanatics such as Israel and Libya, and areas like Rumania and Turkey, anywhere whatsoever, but nations that have any kind of moral turpitude that we expect of the United States, of the USSR, of England, of China and France, the nations that are currently so-called legitimate nations and that probably is one of the strangest and

weirdest terms that anyone has ever come up with. It's just that they're in the so-called nuclear club; some club. So within 10 years we see the spectrum of some 40 nations having nuclear arms. Seven of them extreme right-wing dictatorships, seven of them equally extreme left-wing dictatorships, a minimum of three and God knows how this is going to expand, but the nations who are led by religious fanatics and they I would suggest are as unpredictable and as immoral as either the extreme right or the extreme left.

We had this devastation in this devastations capacity or potential, being brought towards us. Why is it being brought towards us? Basically, it's one's ideology, one's blindness, one's hatred that one can build up in one's own mind that the other person is the enemy, no matter what the cost, that one must go in and wipe them out, be that person of another political ideology, be he of another economic or religious ideology, he is the ultimate enemy. For us to continue along this line, to let our hatreds run beyond any semblance of common sense is I would suggest, Mr. Speaker, a total fallacy and certainly will lead to destruction of mankind on the planet Earth.

We've had over 125 wars in this little Earth of ours since 1925, some 95 percent of them within the Third World. Just since 1960, we've had 76 coups and they're coming almost at a daily rate. Unfortunately many of them lie within our own hemisphere in Latin America. We have over 100 dictatorships who are claiming ownership of land outside their own territory, lands within other sovereign states. Just last week when I had the opportunity to be in Washington, it really shocked me to be walking through Capital Hill and on every building you would see these little opaque yellow signs on the walls on various entrances, and walking down the halls you'd see these little opaque signs as well with arrows on them and they said, "Fallout Shelters."

We came across one fallout shelter, Mr. Speaker, on the third floor of a building. Now I don't how long those things had been up there, but with the stupidity that one hears being emanated from the super powers on both sides in today's world, and when one goes down into the Capitol of what is supposed to be the defender of the free world and one sees within their own Capitol Hill such signs of so-called security for the people that surround them, for their nation, that they can expect their legislators to run down the hall and stand in the section of a hallway on the third floor or anywhere in those buildings when we are being threatened with bombs of 2, of 10, and of 20-megaton strength that would wipe out the whole city of the area, one wonders what kind of rationality the legislators and the political representatives have in our nation's capitals.

We see and we hear - I don't know how many people heard last week, but those of you who didn't, I would certainly suggest that you try and attempt to get a copy of CBC's last Sunday's program "Sunday Morning" in which they were quoting a pentagon official as saying to people, there's nothing to worry about a nuclear war; they're talking about the first strike capability; the survival rate within a first strike; the chances of us surviving a first strike. All you have to do is run out in your back yard, dig a ditch three feet deep, or four feet deep, toss a door overtop of it, crawl in and

somehow fill up the dirt on top of the thing again and you're going to be okay, you'll be able to come out in a few days time. That is the simple-minded Model T types of bureaucratic technology that these people have in their little minds of how one can survive a catastrophe that we would have in a nuclear war.

It terrifies one to see that those are the types of people, that is the mentality, that is the understanding of the people, be they in the pentagon or be they in our Defence Department or be they in the KGB or be they in the British Secret Service or whatever. If they are advising their political leaders with that kind of non-sense, for God's sakes, we are all in incredible peril.

We, in Canada, must take a much stronger line than we have ever taken in the past towards nuclear disarmament, towards disarmament in general. Our Federal Government constantly gets hollered at for the lack of our defences; the lack of our navy; the lack of our airforce, or the inabilities of it to defend North America or to launch into other attacks in other nations, and I would suggest that what we've just seen in the experience of the Falkland Islands that no matter how fancy a ship we have out there; no matter how fancy a plane we have up there; the chances of them surviving one run is very very limited. As a matter of fact, the chances of the humankind lasting more than just a few minutes, maybe 15 or 20 minutes, before the next war - if there ever came to be a nuclear war - was over would be very very marginal.

We must declare Canada a nuclear free zone; we must act to stop the testing of the cruise missile in Alberta or Saskatchewan or anywhere within Canada and I would suggest and extend that we eliminate the testing of any kind of arms or at least of nuclear arm carriers and nuclear armaments within our country. We cannot afford not to act, Mr. Speaker. If we do not act, it will be at our own peril.

Thank you, Mr. Speaker. I believe it's 5:30 p.m.

MR. SPEAKER: Order please.

When we next reach this Resolution, the honourable member will have four minutes remaining.

The time being 5:30, the House is adjourned and will stand adjourned . . .

The Honourable Minister of Health.

COMMITTEE CHANGE

HON. L. DESJARDINS: Mr. Speaker, before the adjournment, I'd like to make a substitution on the Law Amendment Committee. I substitute the Honourable Member for Concordia for the Member for Gimli.

MR. SPEAKER: Agreed? (Agreed) The House is accordingly adjourned and will stand adjourned until 2:00 p.m. tomorrow. (Thursday).