



**Second Session — Thirty-Second Legislature**  
of the  
**Legislative Assembly of Manitoba**

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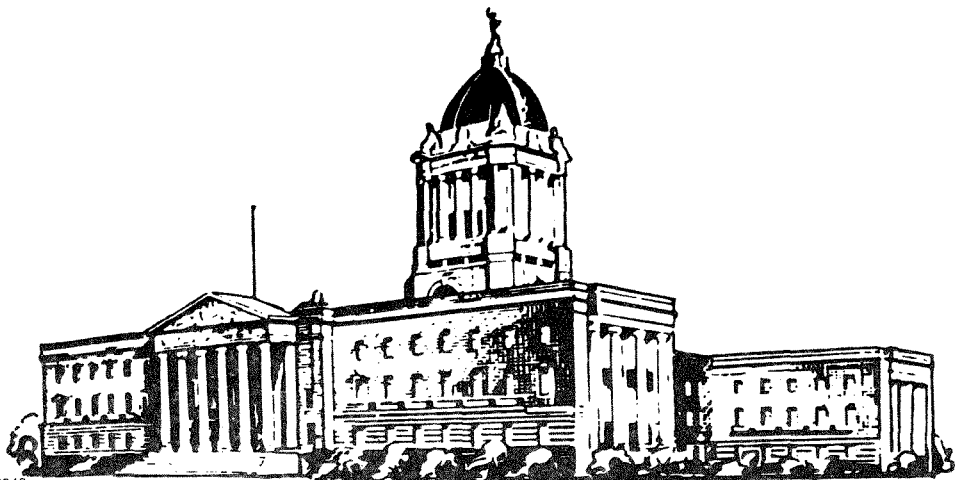
**DEBATES  
and  
PROCEEDINGS**

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**31-32 Elizabeth II**

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The Honourable D. James Walding  
Speaker*



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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Second Legislature**

**Members, Constituencies and Political Affiliation**

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

# LEGISLATIVE ASSEMBLY OF MANITOBA

Wednesday, 27 July, 1983.

Time — 10:00 a.m.

**OPENING PRAYER** by Mr. Speaker.

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

## PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

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

**MR. P. FOX:** Mr. Speaker, I beg to present the First Report of the Committee on Statutory Regulations and Orders.

**MR. CLERK, W. Remnant:** Your committee met on July 19, 21, 26, 1983, and appointed Mr. Fox as Chairman. Representations were made to the committee with respect to the following bills:

Bill No. 64 - An Act to amend The Marital Property Act

Bill No. 65 - An Act to amend The Family Maintenance Act

Bill No. 66 - An Act to amend The Child Welfare Act  
Bill No. 68 - The Change of Name Act; Loi sur le changement de nom

Bill No. 69 - The Marriage Act; Loi sur le mariage  
Bill No. 70 - The Vital Statistics Act; Loi sur les statistiques de l'état civil

Bill No. 71 - An Act to amend The Child Custody Enforcement Act; Loi modifiant la loi sur l'exécution des ordonnances de garde

Bill No. 97 - An Act to amend The Queen's Bench Act; Loi modifiant la loi sur la Cour du banc de la Reine

Mr. Len Fishman, Family Law Subsection of the Manitoba Bar Association, spoke on Bills No. 64, 65, 66

Ms. Susan Devine, Manitoba Association of Women and the Law, spoke on Bills No. 64, 65, 66

Mrs. Evelyn Wyrzykowski and Mrs. Shirley Scaletta, Catholic Women's League (Manitoba Council), spoke on Bill No. 97

Messrs. Isaac Beaulieu and Vic Savino, on behalf of First Nations Confederacy and the Dakota Ojibway Child and Family Services, spoke on Bills No. 65 and 66

Dr. Frank Hechter, Private Citizen, spoke on Bill No. 66

Ms. Anne Riley, Manitoba Association for Rights and Liberties, spoke on Bills No. 65 and 66

Ms. Myrna Bowman, Private Citizen, spoke on Bills No. 64, 65 and 66

Ms. Carole Zoerbe, Mothers Without Custody, spoke on Bills No. 65 and 66

Ms. Maxine Hamilton, NDP Status of Women, spoke on Bills No. 64 and 65

Mr. Donald Lugtig, Manitoba Association of Social Workers, spoke on Bills No. 65 and 66

Messrs. Murray Smith and Dave Lerner, Ms. Donna Lucas, Manitoba Teachers' Society, spoke on Bill No. 66

Ms. Carolyn Garlich, Manitoba Action Committee on the Status of Women, spoke on Bills No. 68, 69 and 70

Ms. Renate Krause, Legal Aid Lawyers Association, spoke on Bills No. 65 and 66

Mr. Joel Morasutti, Manitoba Progressive Party, spoke on Bill No. 64

Written Submissions:

Mr. Jerry D'Avignon, Private Citizen, with respect to Bill No. 65

Mr. Paul V. Walsh, Q.C., Solicitor for The Children's Aid Society of Winnipeg, with respect to Bill No. 66

Your committee has considered:

Bill No. 71 - An Act to amend The Child Custody Enforcement Act; Loi modifiant la loi sur l'exécution des ordonnances de garde

And has agreed to report the same without amendment.

Your committee has also considered:

Bill No. 64 - An Act to amend The Marital Property Act

Bill No. 65 - An Act to amend The Family Maintenance Act

Bill No. 66 - An Act to amend The Child Welfare Act  
Bill No. 68 - The Change of Name Act; Loi sur le changement de nom

Bill No. 69 - The Marriage Act; Loi sur le mariage  
Bill No. 70 - The Vital Statistics Act; Loi sur les statistiques de l'état civil

Bill No. 96 - The Domicile and Habitual Residence Act; Loi sur le domicile et la résidence habituelle

Bill No. 97 - An Act to amend The Queen's Bench Act; Loi modifiant la loi sur le Cour du banc de la Reine

And has agreed to report the same with certain amendments.

All of which is respectfully submitted.

**MR. P. FOX:** Mr. Speaker, I move, seconded by the Honourable Member for Wolseley, that the report of the committee be received.

**MOTION presented and carried.**

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

**HON. A. ADAM:** Mr. Speaker, I beg to present the Second Report of the Committee on Agriculture.

**MR. CLERK:** Your committee met on July 26, 1983, and heard representations with respect to the bills before the committee as follows:

Bill No. 90 - An Act to amend The Cattle Producers Association Act

Mr. Gordon Hicks, Manitoba Cattle Producers Association

Mr. Larry Clifford, Manitoba Cattle Producers Association

Mr. Max Ross, Manitoba Cattle Producers Association  
Mr. Ed Dalke, Manitoba Cattle Producers Association  
Mr. Peter Friesen, Manitoba Cattle Producers Association

Ms. Margaret Soper, Consumers' Association of Canada

Ms. Charlene Graham read a brief from Mr. Dave Fulton, Manitoba Cattle Producers Association

Mr. Doug McLaren, Manitoba Cattle Producers Association

Mr. Terry Eyjolfson, Manitoba Cattle Producers Association

Mr. Thad Snow, Manitoba Cattle Producers Association

Mr. Goody Sigurdson, Manitoba Cattle Producers Association

Mr. Wayne Dawydiuk, Private Citizen

Mr. John Whitaker, National Farmers Union, Local 516

Mr. Keith Proven, National Farmers Union, Region 5

Mr. Jim Bund, Manitoba Beef Cattle Performance Association

Mr. Earl Geddes, Manitoba Farm Bureau

Mr. Bob Munroe, Manitoba Cattle Producers Association

Written Submissions:

Mr. Allan Chambers, Manitoba Cattle Producers Association

Mr. Darcy Hickson, Keystone Simmenthal Association  
Mr. Ken Barrow, Private Citizen

Bill No. 7 - An Act to amend The Dairy Act

Mr. Robert DeMyer and Mr. Tom Dooley, Milk Producers Marketing Board

Your committee has considered:

Bill No. 6 - An Act to amend The Pesticides and Fertilizer Control Act

Bill No. 7 - An Act to amend The Dairy Act  
And has agreed to report the same with certain amendments, on division.

Your committee has also considered:

Bill No. 90 - An Act to amend The Cattle Producers Association Act

And has agreed to report the same without amendment, on division.

All of which is respectfully submitted.

**HON. A. ADAM:** Mr. Speaker, I move, seconded by the Honourable Minister of Natural Resources, that the report of the committee be received.

**MOTION presented and carried.**

## MINISTERIAL STATEMENTS AND TABLING OF REPORTS

**MR. SPEAKER:** The Honourable Minister of Government Services.

**HON. J. PLOHMAN:** Mr. Speaker, a brief statement on the aerial spraying.

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

**HON. J. PLOHMAN:** I'd like to, Mr. Speaker, inform the members of the House that aerial spraying was conducted yesterday evening over the communities of Portage and Carman, and this morning over the communities of Selkirk, Stonewall and Stony Mountain.

Weather permitting, aerial spraying will be conducted over the communities of Morris and Niverville this evening, beginning at 7 p.m.

Alternate sites for tonight's spraying are Beausejour, Oakbank and Dugald, Gimli and the beaches (which includes an area four miles in width ranging from Camp Morton on the north to Matlock on the south) and Altona.

The community of Dugald is mentioned today because it falls within the 64 square mile area to be covered around Oakbank.

I would also like to state that although Gimli and the beaches have been mentioned as one of several alternates for tonight's spraying, we are very aware that this is a resort area and most residents would be outside during the evening spraying hours. Therefore, I have asked EMO officials to make every effort to conduct the aerial spraying over Gimli and the beaches during the morning spray times of 6 a.m. to 10 a.m.

As was mentioned yesterday, monitoring of viral activity has been increased in western Manitoba, and I will report to the House at the earliest opportunity on the results.

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

**MR. G. FILMON:** We thank the Minister for his continued update on the situation, Mr. Speaker. I just mention that I, for one, and I'm sure that many of colleagues continue to get telephone calls questioning a desirability of the government doing their spraying in the 7 p.m. to 10 p.m. range, when not only in the beach areas, as he has said, with the wonderful weather we've been having in Manitoba this past month people are always out in the evenings; and indeed despite the \$100,000 program and the constant hour-by-hour update on newscasts people are outside in great numbers during those hours. They are expressing concern as to why the government couldn't do it at other hours. We know that the morning times are available and it's something that ought to be considered, I think.

**MR. SPEAKER:** Notices of Motion . . .

## INTRODUCTION OF BILLS

**HON. R. PENNER** introduced Bill No. 114, An Act to amend The Legislative Assembly Act (3).

## ORAL QUESTIONS

### McKenzie Seeds

**MR. SPEAKER:** The Honourable Member for Turtle Mountain.

**MR. B. RANSOM:** Mr. Speaker, my question is to the Minister responsible for McKenzie Seeds. Yesterday,

the Board of Directors of McKenzie Seeds terminated the employment of the chief executive officer and two other senior officers of McKenzie Seeds. My question to the Minister responsible for McKenzie Seeds is, are the RCMP involved in the investigation and are civil or criminal charges being contemplated?

**MR. SPEAKER:** The Honourable Minister of Community Services.

**HON. L. EVANS:** Mr. Speaker, I'm not clear on that. We'll have to inquire and report.

**MR. B. RANSOM:** Mr. Speaker, a supplementary to the Minister responsible for McKenzie Seeds. Has the Minister not taken the opportunity under these circumstances to bring himself completely up to date on all the actions relating to this situation?

**MR. SPEAKER:** The Honourable Attorney-General.

**HON. R. PENNER:** This may not be a complete answer to the question asked, but it includes a reference to the first of the two questions. It is standard practice when something of this kind occurs - the Provincial Auditor has reported a potential conflict of interest and there is potentially a breach of trust - that the matter is referred to the Department of the Attorney-General as a standard procedure. Indeed, officials in the Department of the Attorney-General will be looking into all aspects of breach of trust because, for example, if there is a civil breach of trust which can encompass - and I'm speaking here generally, of course - the making of a profit through office, then the province or the agent, the Crown corporation, may be entitled to an action to recover the amount of that profit, even though the Crown corporation or government department or agency has not itself suffered a direct loss in the normal use of that term.

But also the officials in the Department of the Attorney-General will look at any situation like that with respect to whether or not there has been any contravention of the criminal law. That is standard procedure and officials of the Department of the Attorney-General will look at this as they would any other similar situation.

**MR. SPEAKER:** The Honourable Minister of Community Services.

**HON. L. EVANS:** Mr. Speaker, I can advise the honourable member that the Board of Directors has been considering the civil proceedings, and that is their responsibility and within the realm of their jurisdiction.

**MR. SPEAKER:** The Honourable Member for Turtle Mountain.

**MR. B. RANSOM:** Mr. Speaker, a further question to the Minister responsible for McKenzie Seeds. The statement issued yesterday says that termination notices were given to the three officers involved. Can the Minister advise the House what, if any, special circumstances surrounded those termination notices, what special provisions were contained in those termination notices?

**HON. L. EVANS:** Mr. Speaker, as we indicated, the Provincial Auditor's Report, when it's completed, will be made available to the public and I would assume that report will outline all of the factors.

**MR. B. RANSOM:** Mr. Speaker, a supplementary. Perhaps my question wasn't clear. Were there any special circumstances surrounding the termination notices; were they terminated immediately; were they terminated with additional pay; were they terminated with losing any privileges that they might have had in terms of back pay; what were the conditions surrounding the termination notices?

**HON. L. EVANS:** Very specifically, Mr. Speaker, when the board was advised by the Provincial Auditor last Friday of the existence of conflict of interest, the board decided at that point to terminate the services of the individuals involved without pay. However, I should also point out that they have retained a lawyer, I believe a Mr. Thornborough, a lawyer in the City of Brandon, to act on their behalf.

**MR. B. RANSOM:** Mr. Speaker, approximately one month ago the three officers were put on compulsory leave with pay. My colleague, the Member for Arthur, asked the question at the time as to what provision had been made in order for the government or the Crown corporation to recover salaries paid to those officers, should the conflict-of-interest allegations prove to be correct. That question was branded as being "Alice in Wonderland" thinking by the Minister of Finance, but he said a decision would be taken at the time that their guilt was proven. Mr. Speaker, that time has arrived now; the officers have been terminated; what action is the government taking to recover the salaries paid to those people, at least during the last month?

**MR. SPEAKER:** The Honourable Minister of Finance.

**HON. V. SCHROEDER:** Thank you, Mr. Speaker. As the Minister of Corrections has indicated, the Board of Directors has already sought a legal opinion with respect to their rights regarding any possible recoveries of any funds or profits made as a result of any improper dealings by any officers of McKenzie Seeds. This is another portion of the possible recoveries that may be made. In fact, we are requesting of McKenzie Seeds Board of Directors that they look specifically at that kind of recovery and if possible it will be made.

**MR. B. RANSOM:** Mr. Speaker, a further question to the Minister responsible for McKenzie Seeds. Can the Minister advise the House when he first had any knowledge of the possibility of this conflict-of-interest situation existing involving the chief executive officer of McKenzie Seeds and other senior officers?

**MR. SPEAKER:** The Honourable Minister of Community Services.

**HON. L. EVANS:** Mr. Speaker, as I've perhaps indicated on previous occasions, the first knowledge was when the Honourable Member for Turtle Mountain made

allegations and serious charges in this House on Friday, June 3rd. The member raised questions in the committee the Thursday before, I believe one week before then, a Thursday, his questions were very innocuous, very detailed, along with many other members' questions. He made no references at that time to allegations. There were no implications, no innuendo and nothing was left in my mind, or indeed the mind I'm sure of any member of the committee that there was anything wrong or that any conflict-of-interest situation existed.

**A MEMBER:** When did you know?

**MR. B. RANSOM:** A further question to the Minister responsible for McKenzie Seeds. Can the Minister advise the House whether or not he had heard any rumours concerning the possibility of conflict of interest involving the Chief Executive Officer, Mr. William Moore?

**HON. L. EVANS:** Mr. Speaker, I heard no rumours.

**MR. B. RANSOM:** Mr. Speaker, a further supplementary to the Minister responsible for McKenzie Seeds. Had the Chairman of the Board, Mr. McDowell, or any director of McKenzie Seeds at any time prior to the issue being raised in the House, had any of those people discussed with the Minister any possibility of conflict of interest?

**HON. L. EVANS:** Mr. Speaker, there was no discussion as alluded to by the honourable member. I would like to point out also, Mr. Speaker, to the honourable member that the allegations of conflict of interest, as it now appears, transgressed the Conservative administration as well as this administration . . .

**SOME HONOURABLE MEMBERS:** Oh, oh!

**HON. L. EVANS:** . . . and that Mr. Don Craik, the Minister of Finance . . .

**MR. SPEAKER:** Order please.

**HON. L. EVANS:** . . . at the time had his special assistant, Mr. J.L. Burns, on the Board of Directors of McKenzie Seeds Limited. Indeed one of the items, it appears, of conflict-of-interest allegations occurred in April of 1981, and was dealt with by the board appointed by that government at that time. Mr. Burns was present and approved of that particular arrangement where there was a conflict-of-interest situation. — (Interjection) — I have the Minutes of the meeting which show that Mr. J.L. Burns was present, and the Conservative-appointed board approved of the leasing of a particular building.

Mr. Speaker, there are various groups and individuals who have information. We have the Board of Directors, whether it be appointed by a Conservative Government or an NDP Government, you have a board of directors in place; you have the company auditors, Meyers Noris and Penny, in place, overseeing operations of the company; you have the MDC which receives weekly cash flow reports; and indeed you have the Provincial Auditor who has been doing overviews for years of this company.

I would suggest, they were all in place to monitor this. I would imagine that if any of them had any knowledge of any conflict-of-interest situation, they would have taken it upon themselves not only to involve the Board of Directors or the Minister, whether it be this Minister or whether it be Mr. Don Craik, the former Minister for McKenzie Seeds.

**MR. B. RANSOM:** Mr. Speaker, a further question to the Minister responsible for McKenzie Seeds. If the Minister says, as he has told the House this morning, that he had no knowledge of the possibility of conflict of interest prior to my raising it in the House, how was he able to say on Friday, the 3rd of June, and I quote, "But I have been assured that the conflict of interest that the member is alleging does not seem to be what it looks upon at first sight and at first blush?" How does the Minister responsible for McKenzie Seeds reconcile his statement of this morning with his statement of the 3rd of June?

**HON. L. EVANS:** Mr. Speaker, on June 3rd, the Member for Turtle Mountain made various allegations and statements bringing up information that was news to me that I had never heard of before such as Agassiz Packaging Company. I had never heard of that company before in any which way, but indeed I indicated that there was some slight information, a very limited amount of information, given to me a matter of days prior to the June 3rd meeting of the House. Between the time that the Member for Turtle Mountain raised it on Thursday - and I want to say this, Mr. Speaker, and make it very clear that it was Mr. Moore who volunteered a very limited amount of information, and I stress the term "volunteered," because there was no need in my mind to ask any questions because there was no innuendo, no charges made by the Member for Turtle Mountain at the Thursday committee meeting.

I went away from that meeting thinking that the Member for Turtle Mountain had a lot of interest in various details of the company, as indeed had many of the other members of the opposition and the government. But on the Monday, May 30th, Mr. Moore volunteered a very limited amount of information saying that he had at one time an interest in the Scott National Building. That had been known and approved by the Conservative-appointed board, and that he no longer had any interest in that group.

He secondly referred to a computer company which he said he was involved in to facilitate acquisition of computer services which the board at that time said should be acquired, that is, the computer services. But he said also, he had no longer any interest and he had made no money.

Having said that, Mr. Speaker, that was the extent of the information; it was very limited. I asked my staff to prepare a report on the details that day. The details were being looked into, and I alluded to that in my previous answers to the questions asked by the Honourable Member for Turtle Mountain. When he asked me and made various allegations containing new information on the Friday, I still had not received that report.

That report was being prepared; questions were being asked; factors were being checked out. When we had

that report, of course, we would have taken whatever action seemed to be necessary at that time. But I reiterate, there was no information given to me along the lines that the Member for Turtle Mountain raised on the Friday.

I say again, Mr. Speaker, obviously the Member for Turtle Mountain knew about this on the Thursday preceding. He, in my view, had an obligation to confront the officers of the company when he had them right there at the committee, and to lay the allegations on the table at that time instead of sitting on them for over a week.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please, order please. Order please. If other members wish to ask questions, would they wait their turn and please stand up and they will be recognized as usual.

The Honourable Member for Turtle Mountain.

**MR. B. RANSOM:** Mr. Speaker, on June 3rd, the Minister responsible for McKenzie Seeds said, and I quote again, "But I have been assured that the conflict of interest that the member is alleging does not seem to be what it looks upon at first sight and at first blush." My question to the Minister responsible for McKenzie Seeds is: Who assured him that there was no conflict of interest?

**HON. L. EVANS:** I have said that in this very brief conversation, the assurance was given by Mr. Moore who came to us to volunteer the information. But, Mr. Speaker, I repeat, I had asked my staff for a report on this to get the details and to check out various items.

Mr. Speaker, that individual had been president of the company for some time, had worked with the company over the years as it was developed, and indeed was kept in office while the Conservative Government was in power. They seemed to have enough confidence in him to keep him in there as president for four years.

**A MEMBER:** Are you defending him, Len?

**HON. L. EVANS:** I do not condone, Mr. Speaker, any conflict of interest at any time, anywhere, whether it be at the federal, provincial or municipal level, or whether it include Crown corporations. I would hope that the members opposite would get more enthusiastic about supporting the government in its drive to bring in conflict-of-interest legislation.

**HON. S. LYON:** Conflict of interest doesn't stop crooks. You ought to know.

**MR. B. RANSOM:** Mr. Speaker, a further question to the Minister responsible for McKenzie Seeds, was the Minister not in any way concerned when the issue was brought to him by Mr. Moore, the former NDP candidate in Brandon-Souris and long-time friend and political associate of the Member for Brandon East, the Minister responsible for McKenzie Seeds? Was he not immediately concerned at any possibility of conflict of interest? Why would he accept the assurance from his long-time political associate that there was no conflict of interest as he told this House on the 3rd of June?

**HON. L. EVANS:** Mr. Speaker, I was concerned, and that's why I asked my staff to undertake an investigation.

Furthermore, Mr. Speaker, I want to make it clear and I am repeating perhaps, that the member on the Friday, June 3rd, made various allegations, brought up details - they were brand new to me - made references to a company that I had never heard of before, and we acted appropriately. I sent a memorandum to the Minister of Finance asking that the Provincial Auditor investigate. Action was taken immediately.

Not only did we take action immediately, but we indicated that we would make the report public for the information of the people of Manitoba.

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

**HON. S. LYON:** Mr. Speaker, a question to the First Minister, will the First Minister now demand the resignation of the Member for Brandon East as the Minister responsible for McKenzie Seeds, and help to clear the air of this NDP collusive type of conflict of interest which is only now beginning to take light? Will he ask for the resignation of the Minister immediately?

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

**HON. H. PAWLEY:** Mr. Speaker, I am disappointed that the Leader of the Opposition would show so clearly his hand to so prematurely and so hastily seize upon this matter as to demand the resignation of the Minister of Community Services.

The Minister of Community Services indicated that he was made aware of certain preliminary information four days before more complete information was provided by the Member for Turtle Mountain. Following that, Mr. Speaker, it was the Minister of Community Services that immediately called the Provincial Auditor to investigate. Did the Minister hesitate? The Minister called the Provincial Auditor to investigate, which was the proper and appropriate action for the Minister to take under these circumstances. The Minister should be commended for that, Mr. Speaker.

No. 2, it was this Minister, it was the Minister of Community Services; it was this Minister, upon receiving certain information four days prior to the matter being raised by the Member for Turtle Mountain that caused preliminary investigations to be undertaken by members of his staff.

Mr. Speaker, no one can be kidded into thinking that any Minister in four days would be able to obtain the information that it required the Provincial Auditor two months to obtain.

**HON. S. LYON:** Mr. Speaker, in the light of this bizarre comment by the First Minister suggesting that perhaps the Member for Brandon East deserves a promotion because of his part in this, may I refresh the First Minister's memory and remind him that on the 3rd of June it was he who said, in response to a question by my colleague, the Member for Turtle Mountain: "... first we must indeed find out who knew what. Apparently there is some indication that honourable members across the way may have known some of these kinds of relationships. I want to find out indeed who knew

what. I think this is the type of situation that ought to be referred to the Auditor for the Auditor to give a full and complete report as to whether there be any conflict of interest on the part of any party. We'll be making arrangements accordingly." Mr. Speaker, far from giving credit to his colleague it seems that the First Minister was already ordering it.

**MR. SPEAKER:** Question.

**HON. S. LYON:** I ask the First Minister, will he not now dismiss this incompetent Minister under whose tutelage three senior officers, one of whom is a close political friend, a political officer, a political candidate of the NDP, will he not dismiss this Minister so that at least some of the rot will be out of that situation in Brandon?

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

**HON. H. PAWLEY:** Mr. Speaker, I regret the - and it's a matter of discretion on the part of the Leader of the Opposition - but I can assure you, Mr. Speaker, we can talk about the political allegiances of others of the three individuals that are involved. At least one has been a prominent member of the Conservative Party prominently involved, from my information, in the Conservative Party. But that is beyond the point, Mr. Speaker, that is beyond the point. It's as irrelevant for myself to talk about that as it is for the Leader of the Opposition to constantly make those references.

Mr. Speaker, I want to commend, not only the Minister of Community Services, but I commend the Member for Turtle Mountain for having raised this matter by way of questions in the House on June 3rd. — (Interjection) —

Mr. Speaker, if I may be permitted to continue and just proceed through the factual events. I have copies of Minutes dated April 23, 1981. In attendance at that meeting was a Mr. J.L. Burns, who was a special assistant to the one Deputy Premier of the day, Mr. Donald Craik. It's my understanding that a copy of these Minutes — (Interjection) — Mr. Speaker, no one is trying to save anyone but to present the facts clearly in this House.

A copy of these Minutes dated April 23, 1981, I'm prepared to table these Minutes in this House, were referred to my understanding to Mr. D.W. Craik, but a special assistant, political appointment, Mr. Burns, sat on the board, at that meeting motioned that the company lease the Scott National Building, for a period of three years, subject to having the option to sublease areas of the property. And as the land on which the property is situated is leased from Marathon Realty the lease should be reviewed by the company's lawyers, Meighen Haddad and Co. to ensure a fixed cost of \$559,500 per annum carries on, the Conservative-appointed board carried unanimously. Mr. Moore and Mr. McEachern then returned to the meeting.

Copies of these Minutes were forwarded, it's my understanding, and this bears to be confirmed by the Auditor, were forwarded to the then Deputy Premier of the Province of Manitoba, Mr. Don Craik, and at that meeting was Mr. Burns himself.

Mr. Speaker, four days before the matter was raised by the Member for Turtle Mountain . . .

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. SPEAKER:** Order please.

**HON. H. PAWLEY:** Mr. Speaker, what I am pointing out is that the former Deputy Premier of this province was made aware of certain facts pertaining to conflict of interest on April of 1981, in case it hasn't yet sunk in to the head of the former Premier of this province. — (Interjection) — Mr. Speaker, if order cannot be maintained there's no point attempting to respond to questions.

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

If members are interested sufficiently to ask questions I would expect them to be sufficiently interested to hear the reply. I would also expect other members who perhaps wish to get into a debate would do that outside and would not interfere with the Honourable First Minister's reply to the question.

The Honourable First Minister.  
Order please.

**HON. H. PAWLEY:** On May 30th of this year, Mr. Speaker, the Minister received, it's my understanding for the first time, some very preliminary reports in respect to potential conflict. As a result of receiving that information the Minister arranged for investigation to be undertaken by a member of his staff. A few days later, June 3rd to be precise, the Member for Turtle Mountain very properly, and I applaud the Member for Turtle Mountain for doing this, raised certain questions in this Chamber. Mr. Speaker, upon . . .

**SOME HONOURABLE MEMBERS:** Oh, oh!

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

The debate that is going across the floor between the Honourable Leader of the Opposition and the Honourable Minister of Finance is proving disruptive to the answer which I'm having some difficulty in hearing. I would ask those two members to try to control themselves if they can so that we may all hear the Honourable First Minister.

**HON. H. PAWLEY:** Upon the questions being raised, and properly, and I applaud the Member for Turtle Mountain for doing this, on June 3rd immediate steps were undertaken by the Minister of Community Services, immediately contacting the Provincial Auditor to call for an immediate inquiry into the affairs of McKenzie Seed. If that action was not taken June 3rd, it was taken the day subsequent — (Interjection) — June 3rd, Mr. Speaker.

I know that it's nice to try to make points in respect to something of this nature and try to infer certain actions, or other actions. I think the Minister has acted very reasonably, very prudently, without delay, to cause internal investigations within his own department, and to immediately within four days of the information coming to his attention, and immediately upon the Member for Turtle Mountain raising further information in this House to have an inquiry launched by the Provincial Auditor. Now what more could be expected of the Minister of Community Services responsible for McKenzie Seeds?



**HON. S. LYON:** Well, Mr. Speaker, a further question to the First Minister. In view of the fact that his own Minister of Community Services, the Member for Brandon East, acknowledged or tried to state this morning that he had no prior knowledge of this matter prior to the 3rd of June, yet the record shows, Mr. Speaker, that he did; and the First Minister gets up this morning and says that the Minister knew of it before the 3rd of June, four days before; in view of all of that, Mr. Speaker, will the First Minister not cause the resignation of the Member for Brandon East to be tendered immediately, do the honourable thing?

**HON. H. PAWLEY:** Mr. Speaker, first I think we should be very clear. The Minister has indicated what information was made available to him on May 30th. Subsequent to that, on June 3rd, the Member for Turtle Mountain made known to this Chamber - and I commend the Member for Turtle Mountain for this — (Interjection) — Well, I will continue to say it, because I do commend the Member for Turtle Mountain for having raised this matter in this House and he raised it in my view in a responsible manner. Unfortunately, not in the same manner that his leader is dealing with this matter this morning.

With the additional information that — (Interjection) — well, for the information . . .

**SOME HONOURABLE MEMBERS:** Oh, oh!

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

**HON. H. PAWLEY:** Mr. Speaker, subsequent to the Minister of Community Services responsible for McKenzie Seeds receiving additional information, which he did not have, and which I'm assured he did not have on June 3rd, that he caused the Provincial Auditor to further make investigations. I think what is important at this point is that the Provincial Auditor carry on with his investigation to bring in his final report. That report will be tabled in this Chamber; it will be made available to every Manitoban to study.

I think what this does indicate, Mr. Speaker, and I've been persuaded, in view of the debate in this Chamber, that when we've talked about conflict of interest insofar as members of this Chamber are concerned, I think maybe we ought to be looking as well at the question of conflict of interest in respect to senior managers and officials of various Crown corporations and departments.

**MR. B. RANSOM:** Mr. Speaker, my question is to the Minister of Education. The Minister of Education recommended Mr. William Moore for appointment to the Board of Directors of Brandon University, and no doubt because of his longstanding political affiliation with the NDP Party, will the Minister now revoke that appointment?

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

**HON. M. HEMPHILL:** No, Mr. Speaker.

**SOME HONOURABLE MEMBERS:** Oh, oh!

**MR. H. ENNS:** You got to say this, they stick by their friends.

**MR. SPEAKER:** Order please.

**MR. B. RANSOM:** A further question to the Minister of Education. Was the Minister of Education aware that Mr. Moore attempted to have a computer owned by Vantage Western Data Limited used by the University of Brandon? And I quote from the September 9th Minutes of the Board of Governors: "Mr. Moore also suggested that the university explore the possibility of tying into the IBM 38 computer at McKenzie Seeds," which of course as we're all aware, Mr. Speaker, the chief executive officer of McKenzie Seeds, Mr. Moore, and the government's appointee to the Board of Governors, had an interest in that computer.

Further, on October 12th, Mr. Speaker, the Minutes of the Board of Governors again reveal and I quote: "Mr. Moore stressed that the McKenzie computer was available to the university and urged the university to explore further the possibility of using this facility." Mr. Speaker, in view of that information, will the Minister of Education revoke the appointment of Mr. Moore to the Board of Governors at Brandon University?

**HON. M. HEMPHILL:** Mr. Speaker, I think that in the course of phrasing the question that the Member for Turtle Mountain did ask me if I had any knowledge of facts that he then proceeded to indicate to the House, and I can say that I have not previously or had not any information of the nature that he presented in the House this morning. So to this day I have not personally any knowledge or received any information to date that would have me give consideration to the question he is raising.

**MR. B. RANSOM:** A further question to the Minister of Education - and I accept the Minister's statement that she had no prior knowledge - but in view of the fact that Mr. Moore, one of her appointees to the Board of Governors of Brandon University, has been fired by the Board of Directors of McKenzie Seeds because of a conflict of interest; and in view of the fact that conflict of interest involved leasing of a computer to McKenzie Seeds; and further that Mr. Moore in his capacity as Vice-Chairman and member of the Board of Governors of Brandon University attempted to have Brandon University tie into that computer in which he had an interest; will she seek his resignation? Will she revoke his appointment, Mr. Speaker, never mind seeking it?

**A MEMBER:** Hear, Hear!

**HON. M. HEMPHILL:** Mr. Speaker, what I can suggest that I am prepared to do is receive and ask for any information related to the information that was presented by the Member for Turtle Mountain. I have no previous knowledge. I am listening to the points that he raised and I will do everything I can to look into the matter and to confirm or not confirm the points that were made. Until I do that I have no basis upon which to make any decision.

**MR. B. RANSOM:** Mr. Speaker, a further question to the First Minister. I know that when I raised the question of conflict of interest back in June, the members opposite had catcalls across the way about the accuracy

of the information. I can assure the First Minister, and I can assure the Minister of Education, that this information is accurate and I'm prepared to table these excerpts from the Minutes from the Board of Governors of Brandon University. In view of that fact, Mr. Speaker, will the First Minister act as decisively today as the Board of Directors of McKenzie Seeds acted yesterday and remove this man from Brandon University Board of Governors?

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

**HON. H. PAWLEY:** Mr. Speaker, let me assure honourable members of this Chamber that I will obtain the Minutes. I will check the facts as they have been alleged. If there's a conflict of interest, Mr. Moore's appointment to the Board of Governors of Brandon University will be revoked.

**MR. B. RANSOM:** Mr. Speaker, there is a conflict of interest. The conflict of interest has been proven with respect to McKenzie Seeds. — (Interjection) — This is a further question - for the information of the Acting Government House Leader, Mr. Speaker, this is a further question. In view of the fact that Mr. Moore's conflict of interest with McKenzie Seeds has been proven and he has been fired because of that, and since he has urged Brandon University to become involved with leasing a computer from the company with which he was involved as a part owner, how much longer does this government have to go on protecting their political friend in his position as a director, as a member of the Board of Governors of Brandon University? Why can't they deal with this situation as they would deal with anyone else if he wasn't a political friend?

**HON. H. PAWLEY:** Mr. Speaker, let me review the facts for the benefit of honourable members across the way.

It was this New Democratic Party Government that caused an inquiry to be launched immediately, June 3rd, in respect to the allegations that were raised pertaining to three individuals. The Honourable Member for Turtle did not launch the Auditor's inquiry, it was the Minister responsible for Community Services.

No. 2, Mr. Speaker, it was not the former Conservative board that had been appointed by McKenzie Seed that, even though they had - and I have referred to the Minutes of April 21st - it was this board appointed by this government that immediately caused the dismissal of the three individuals in question. So, Mr. Speaker, far from protecting — (Interjection) —

Mr. Speaker, I trust that we are not still in a zoo, but we're in a Legislative Assembly . . .

**HON. S. LYON:** Well, when we get you out of here, it'll improve, don't worry - the quality of the stock will improve.

**MR. SPEAKER:** Order please.  
The Honourable First Minister.

**HON. H. PAWLEY:** Mr. Speaker, far from protecting, this government has moved immediately to launch the inquiry by the Auditor. This government's Board of Directors, upon receiving the adequate information from

the Provincial Auditor, immediately caused the dismissal of the three individuals in question; and thirdly, Mr. Speaker, if indeed there be confirmation of conflict of interest involving Brandon University and Mr. Moore, let me say that this government again will act quickly and bring a termination to the appointment of Mr. Moore.

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

The Honourable Member for Turtle Mountain.

**MR. B. RANSOM:** Mr. Speaker, following upon question period and prior to Orders of the Day, I move, seconded by the Member for La Verendrye

THAT under Rule 27 the ordinary business of the House be set aside to discuss a matter of urgent public importance, namely:

The dismissal of three senior officers of A.E. McKenzie Company Limited who were involved in a conflict of interest by transacting with A.E. McKenzie Company Limited for personal gain without proper disclosure of the transactions to the Board of Directors of that Crown corporation.

**MOTION presented.**

**MR. SPEAKER:** Under Rule 27, the Honourable Member for Turtle Mountain has up to five minutes to explain to the House the urgency of the motion, not the text, but the urgency thereof.

**MR. B. RANSOM:** Mr. Speaker, with the dismissal of these three senior officers from McKenzie Seeds, we have what I believe is an unprecedented action in terms of the operations of a Crown corporation and, Sir, it is necessary that debate of that issue take place immediately. There is no other opportunity for adequate debate of this issue.

The committee considering McKenzie Seeds has met and reported to this House. Public Accounts has met and reported to this House.

Sir, by way of background information, it is necessary to point out to the House that this issue was raised in the House on the 3rd of June by myself, the issue basically being that Mr. Moore, the chief executive officer, and two other officers of the corporation had incorporated companies in October of 1981 to do business with McKenzie Seeds, and I presented evidence in the House at that time to substantiate those allegations even though the some of the members opposite called across the way that I would regret this and the Member for Brandon East, the Minister responsible for McKenzie Seeds, said that I was getting down in the mud to raise such an issue.

**HON. L. EVANS:** No, I didn't say that . . .

**MR. B. RANSOM:** Mr. Speaker, the Member for . . .

**MR. SPEAKER:** The Honourable Minister for Community Services on a point of order.

**HON. L. EVANS:** Mr. Speaker, on a point of order, that item is not true. If he checks the record and if he sees

the reference to the mud and mire, it was with regard to allegations that he made about myself, not about the conflict-of-interest suggestions or allegations that he made.

**MR. B. RANSOM:** Mr. Speaker, on the same point of order — (Interjection) — not part of the five minutes, Sir - but speaking to the point of order raised by the Minister, I quote on Page 3430 of Hansard, Friday the 3rd of June . . .

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

The honourable member did not have a point of order, it might have been an explanation of a difference of opinion, but it was not a point of order. The Honourable Member for Turtle Mountain does not have a point of order. He may proceed under Rule 27(2).

**MR. B. RANSOM:** Well, I wish to rise on a point of order then, Mr. Speaker, because the Minister responsible for McKenzie Seeds made an allegation which he now denies. On Page 3430 of Hansard: "HON. L. EVANS: Mr. Speaker, the honourable member is wallowing in the mud and mire."

**SOME HONOURABLE MEMBERS:** Oh, oh!

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

That was no more a point of order than was the previous point.

The Honourable Member for Turtle Mountain may continue under 27(2).

**MR. B. RANSOM:** Thank you, Mr. Speaker.

As I was saying when I raised the allegations in the House, in June members opposite called across the way that I was wallowing in the mud and mire and would regret having brought up this issue. Sir, I presented the facts and the government undertook an investigation. I refrained from asking any further detailed questions about this issue as the investigation was under way. Indeed, I co-operated at the request of the Minister of Finance in speaking with the Provincial Auditor to pass onto the Provincial Auditor any further information that I had which I perhaps could not substantiate but which might have led the Auditor to something further.

We have now arrived at the point, Mr. Speaker, where the Auditor has made a preliminary report to the Minister of Finance, to the government. The Board of Directors of McKenzie Seeds has taken action on that report.

So that part of the situation has been dealt with, Mr. Speaker, but what arises from that factual investigation and the action by the Board of Directors of McKenzie Seeds is now a political situation in this House relating to the government's handling of this issue. It is evident, Sir, on the basis of the allegations being called across the way by the members opposite that indeed there is a necessity to debate this issue now, because the Minister of Finance, for instance, keeps calling across the way, "when did I know; when did I know," as if there was some guilt on my part for not having brought this issue up earlier, Mr. Speaker.

That kind of allegation cries out for debate, Mr. Speaker. The members opposite have been trying to

say that the former Minister, Mr. Craik, was somehow guilty. Because a board of directors had approved an item of business which had been disclosed, and because it appeared in the Minutes, Mr. Craik is guilty. Sir, that cries out for debate, because what the First Minister has done is make the case for the guilt of his own Minister.

The only way to resolve and to make any advance on this political issue of the government's handling the issue is to have a debate, and now is the earliest opportunity, Sir. It is pertinent that we debate.

**MR. SPEAKER:** Order please.

The Honourable Attorney-General also has five minutes under Rule 27(2).

**HON. R. PENNER:** Speaking in opposition to the motion, I should point out that it fails in any event on the ground that there is indeed another opportunity for the issue to be debated. The members opposite well know, and certainly the Opposition House Leader well knows that when the Supply Bill is moved, as it must, and that may be within a couple of weeks, that is a cover-the-waterfront debate; that any issue that is deemed by them to be important or urgent, or a matter of urgent public importance, may be debated at that time. So to say that there is no further opportunity and to focus on the fact that the committee dealing with McKenzie Seeds has already met is to throw dust in the eyes of the issue.

Secondly, I should point out that what has been dealt with by the management of McKenzie Seeds is conflict of interest, and that is the ground for dismissal. But I pointed out in question period today that there is an investigation, a criminal and a civil investigation in the sense that the senior officials of the Department of the Attorney-General, as is standard procedure, are looking into something that is more than conflict of interest, but whether there is breach of trust.

You, Sir, in previous rulings on the sub judge issue have given a wider interpretation of sub judge, and I think appropriately so. Anything that may indeed prejudice both the position of the government and the Crown, and the position of people who might be defendants, civilly or accused criminally, would be highly improper and ought not to be countenanced.

The Member for Turtle Mountain just said that he refrained at the time that the matter was being investigated by the board and the Provincial Auditor because he didn't want to prejudice that investigation. How more serious to prejudice the investigation that now moves into a far more serious area. It ought not to be countenanced. What we have had is only the preliminary report of the Provincial Auditor, and to now, after the preliminary report has been received and then the result of which, the one administrative action which can be taken has been taken, now at this stage to countenance debate when there is another opportunity would be entirely improper.

It fails, Sir, on two grounds then. It fails because there is another opportunity. It fails because it entrenches on the sub judge and ought not to be allowed in a way which would seriously prejudice the rights of potential accused and the rights of the government as a potential litigant.

## SPEAKER'S RULING

**MR. SPEAKER:** Order please, order please. Order please. I thank both honourable members for their remarks regarding the urgency of the matter. With the Honourable Member for Tuxedo's permission, I will continue.

The Honourable Attorney-General has pointed out at least one place where members can consider the matter if they so wish. I am sure it is not beyond the wit of honourable members to find other opportunities also to debate the matter. Since it is probably of public interest, I cannot see it as being of public importance in that it would not wait and would have to take the urgency as of precedence over today's proceedings. I would, therefore, rule the motion out of order.

The Honourable Member for Turtle Mountain.

**MR. B. RANSOM:** Mr. Speaker, I must respectfully challenge your ruling.

**MR. SPEAKER:** The question before the House is, shall the ruling of the Chair be upheld?

**QUESTION put, MOTION carried.**

**MR. SPEAKER:** The Honourable Member for Turtle Mountain.

**MR. B. RANSOM:** Yeas and Nays, Mr. Speaker.

**MR. SPEAKER:** Call in the members.

Order please. The question before the House is: Shall the ruling of the Chair be sustained?

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

### YEAS

Adam, Anstett, Bucklaschuk, Cowan, Desjardins, Doern, Dolin, Evans, Eyer, Fox, Harapiak, Hemphill, Kostyra, Lecuyer, Mackling, Malinowski, Parasiuk, Pawley, Penner, Phillips, Plohman, Santos, Schroeder, Scott, Smith, Storie, Uruski

### NAYS

Banman, Brown, Driedger, Enns, Filmon, Gourlay, Graham, Hammond, Hyde, Johnston, Kovnats, Lyon, Manness, McKenzie, Nordman, Oleson, Orchard, Ransom, Sherman, Steen.

**MR. CLERK:** Yeas, 27; Nays, 20.

**MR. SPEAKER:** The motion is accordingly carried.

## ORDERS OF THE DAY COMMITTEE CHANGES

**MR. SPEAKER:** The Honourable Member for La Verendrye.

**MR. R. BANMAN:** Mr. Speaker, I would like to make some changes on the Municipal Affairs Committee:

Filmon for Gourlay; and on the Standing Committee on Statutory Orders and Regulations: McKenzie for Hammond.

**MR. SPEAKER:** The Honourable Government House Leader.

**HON. R. PENNER:** First of all, Mr. Speaker . . .

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

**MR. B. RANSOM:** Yes, Mr. Speaker, just on a point of order. The Government House Leader indicated that there would be opportunity to debate the issue surrounding the conflict of interest with McKenzie Seeds.

Can the Government House Leader advise then if he will call Bill 31 immediately or this afternoon in order that debate may take place on that subject?

**HON. R. PENNER:** I have the distinct recollection that when the Acting House Leader, the Deputy House Leader sought to call these bills earlier, he was, if I'm not mistaken, chastized by the Opposition House Leader that he should know that the procedure is that those bills are called at the very end of the Session. Far be it for me to break precedent with such a well-established procedure; after all, precedent means so much in this House.

**MR. SPEAKER:** Order please. Would the Honourable Government House Leader please indicate the next item of business.

**HON. R. PENNER:** Yes, Mr. Speaker. I was about to make an announcement with respect to the meeting of the Standing Committee on Municipal Affairs just to advise members that with respect to one of the bills referred, Bill 47, the Minister advises me that there may be some substantial changes with respect to that bill. It is still to be considered and that it will not be called for review in the committee tonight.

Mr. Speaker, would you please call the adjourned debate on the resolution for referral standing in my name on Page 10.

Following that, Mr. Speaker, there will be the calling of some adjourned debates on bills, Bills 48, 55, 102, 110, 107, 77 and 3.

## ADJOURNED DEBATE ON RESOLUTION

### CONSTITUTIONAL AMENDMENT RE: OFFICIAL LANGUAGES

**MR. SPEAKER:** On the proposed resolution of the Honourable Attorney-General and the amendment proposed thereto by the Honourable Member for Fort Garry, the Honourable Member for La Verendrye.

**MR. R. BANMAN:** Thank you, Mr. Speaker. I wish to add a few words to the number that have already been spoken with regard to this proposed amendment to the resolution presented by the Honourable Attorney-General.

One of the reasons why the opposition has been asking from Day One for the government to hold intersessional hearings by a committee of the Legislature on this important issue is the very strong reaction that the public has to this particular resolution either one way or the other. I have to tell the members opposite that they have done, I believe, a real disservice to the Francophone community of Manitoba. I feel, Mr. Speaker, representing a riding which has a fairly large concentration of members of the Francophone community, of the German community, of the Ukrainian community, what this bill has done is it has brought to the fore and heightened the type of controversy which we see building today.

The previous administration, under the guidance of the then Premier Sterling Lyon, of which I happened to have been a member of the Executive Council, was moving in what I consider a very prudent and wise manner in implementing French language policies in this province. The day I heard that the government was going to move in a manner, such as they are doing right now, I knew, Mr. Speaker, knowing the people in my constituency and knowing the people in Manitoba, that the animosities would build. One does not have to go very far; one has to just look across the Chamber and see what is happening to the New Democrats among themselves with regard to this particular issue. You have the Member for Elmwood who is now championing a cause that he feels is the right way.

I have to say to members opposite that the approach taken by the previous government in the implementation of Section 23 was one which all Manitobans were growing to accept and were starting to live with, but what this government has done by introducing this resolution, they have created a gap between the Francophone community and other communities in this province, one which is going to be divisive in this province and will not serve in the best interests of the Francophone community or of the rest of the population. I have discussed this, Mr. Speaker, with a number of my Francophone friends in the communities. There are some people that are very very concerned within the Francophone community of what is going to happen with this particular resolution and their status within the social structure of this province by the type of things that are happening right now with regard to the controversy that is now building.

I say to members opposite that in their haste to try and do something for the Francophone community, you have done them a disservice, one which will take years and years to overcome. This government now, in their haste, has embarked on an advertising program. The first figure I heard now was 100,000; but yesterday we had a pamphlet tabled which alone will cost between 55 to 60. I see in today's paper and in the weeklies all throughout the province a big picture of the now Premier, or a facsimile thereof - it looks like it was taken about 20 years ago - but be that as it may, the government is now spending taxpayers' dollars to try and prop up their position because they realize they've got a problem. The problem is not one which had to be created. They say this resolution is in place because, Mr. Speaker, they wanted to save the taxpayers' money. Now they're spending the taxpayers' money to go ahead and try and sell their particular position.

Mr. Speaker, I believe that the SFM did an excellent job in negotiating for the Francophone community. Their

job, Mr. Speaker, is to negotiate the best agreement they can for their particular group and they did that. This government got negotiated out of their socks on this agreement and I have to say to the members of the Societe Franco-Manitobaine that they did an excellent job for their particular group.

But I believe that the government - and I would have to say that for political reasons - are trying to solidify the vote of a certain segment of our Manitoba population, be it 5, 6, 7 percent of the Manitoba population and they want to, next election, in some of the ridings where it's going to be quite close, be able to say, look what the New Democrats did, vote for us en masse. And that's really what's happening right now and this is what people in Manitoba and the Francophone community are concerned about, because that is a divisive type of a tactic.

Now what have we got here? We have got a government who, in their desire to solidify the vote of a certain segment or population in society, has moved on this resolution in such a manner that it will - and I'm convinced because we see it happening right now - will be more divisive than any other policy that has been established by many preceding governments. And it will not serve this resolution, this change, this amendment to the Constitution, will not serve in the best interests of the Francophone community in Manitoba and I say that not, Mr. Speaker, as a bigot, not as a redneck Tory, I say that as coming from an ethnic group. I can't be branded as rednecked, bigoted Anglo-Saxon Wasp because I'm not and I know some of the problems that minority groups face within this province. I know what persecution is all about. I know what it's about.

So, Mr. Speaker, what I'm saying to members opposite is that this province was embarked on a course of action, which saw the slow development of the Francophone language rights in this province, and it was done in a way that it did not antagonize the number of people that we're talking about now. This has really highlighted it, and as I say, I am convinced and I think time will bear this out, that this government, in their zealous approach in trying to solidify the votes for one minority group has really done that group a big disservice. And I think as time wears on, we'll see that.

Now, why the rush? Why the amendment? Why the resolution at this time, at this late stage of this Session? We are seeing something happen here this year which is very interesting. We are now embarked on a Session, which I think last Tuesday, every day we sit, we are establishing a new record and it's going to be the longest Session in the history of this Manitoba Legislature.

This morning in the mail I just got some changes to The City of Winnipeg Act. We're looking at amendments in that act, about five pages of amendments. Every day we're getting amended bills on our desks. We're dealing with legislation that the government, in one way or another, has had some change of heart on, and is now proposing all kinds of amendments.

To keep up with all that, Mr. Speaker, is a job in itself, never mind dealing with the first constitutional amendment this province is dealing with and one which will affect - not so much this generation - I don't think within the next couple of years, because the members opposite very smartly have put some dates within the

constitutional changes, which won't take place until after they're out of government, so they've done that very smartly and avoided the problem. The next government's going to be faced with that.

But let me tell the members opposite why their bid to sell this resolution is going to fail. We were told the very same thing when the federal bilingual bill was passed by the federal House, that really it's not very much, it's just going to apply a little bit to Quebec. We were told by the Federal Government when the metric bill passed, for instance, that really it's going to be done sort of in tandem with the United States, we're not going to move very quickly. Mr. Speaker, the people out there do not believe the pamphlet that the members opposite are sending out because they have had dealings with governments previous, with regard to this particular issue and many others. They are concerned about this resolution.

The reason for asking the Legislature to hold intersessional committees is manifold. I know the Attorney-General and the Premier called in the 29 or 30 affected municipalities - they had them in the other day. But you know, Mr. Speaker, I have had calls from councillors, from people in these affected municipalities, who said what does this mean? We have been designated. We weren't asked whether we should be designated but we have been designated by the province. Are we going to get assistance? What services are we going to have to provide? Well, until the pressure started building, the First Minister and the Attorney-General who is responsible for the resolution, didn't meet with them until the other day. There has not been any information given to the designated municipalities until yesterday or the day before and we're supposed to sit down and make rational decisions with regard to a resolution of this magnitude?

Mr. Speaker, I suggest to you that if the government wants to ram this through, in a matter of a week or two weeks or a month, that they are doing this province and the people of this province a great disservice - a great disservice. Because there just is not enough information available and no amount of advertising, no amount of spending of taxpayers' money on sending brochures and literature out, is going to be able to go ahead and convince the population.

I have to say to members opposite one of the reasons, even at public hearings, that they are going to have a false sense of security with regard to this, is that the average person on the street is as concerned as everybody else who speaks on this issue that he or she, when making any comment whether it be constructive or otherwise - and I would clarify that - a constructive comment voicing legitimate concerns, will automatically be branded a bigot. That's the problem we've had. That's a problem we all have when we deal with any minority groups. I'm not just talking about dealing with this particular resolution when we talk about anything.

We had a resolution before the House brought in by the Member for Thompson, which talked about bigotry and racism and everything. But what we have right now is that the average person on the street will not appear in front of hearings, will not appear before a committee of this Legislature when this resolution is referred to the Legislature because, Mr. Speaker, they know the type of smear campaign that can be carried on by both sides of the issue with regard to this resolution.

I say to the members opposite, the underlying feeling over there is one which will, as I have said before, serve to not bind this Manitoba of ours into a province where we all can live better shoulder to shoulder, but will indeed be a divisive one. I ask the Minister, I ask the government, I implore members opposite to rethink their position and hold this over for at least until the next Session comes to let the information flow properly to the people, not in a hurried-up \$150,000 ad campaign showing the Premier looking 20 years younger than he is right now. That isn't the way you are going to sell this thing.

You people, in introducing this resolution, have done more to tear apart the fabric of this province than any other government has. I was pleased to hear the Attorney-General the other day when he spoke to the resolution in laying on the record the documents which go back to the previous administration, to the Lyon Government, showing the initiative taken to try and further the French language cause in this province. I was part of that government. I'm proud of the position we took, and we were moving forward in a systematic, organized fashion. This government should have continued that.

For reasons which only they know, and I have to impute political motives with regard to this, they have decided to take this path. They will, Mr. Speaker, suffer the consequences; but unfortunately it's the Francophone community, the German community, the Ukrainian community, the Anglo community, the Icelandic community in this province that will in the final analysis suffer because of this government's action.

It is not a resolution which helps bind the fabric of this province. It will serve to cause more division, and these gentlemen and ladies of the government of today will go down in history as having been the people that, instead of trying to bind this province together, have served to do it a disservice and are tearing it apart.

Thank you, Mr. Speaker.

**MR. DEPUTY SPEAKER, P. EYLER:** The Member for Pembina.

**MR. D. ORCHARD:** Thank you, Mr. Deputy Speaker. I wish to speak to the method of handling of the bilingual resolution that is being proposed by the Attorney-General. I don't wish to debate the substance of the amendments to The Manitoba Act at this stage. We'll have an opportunity to do that at a later date.

The resolution, as originally proposed by the Attorney-General, proceeded along quite nicely, but I have to tell you, Mr. Deputy Speaker, and I have to tell the Attorney-General and members of the government that the amendment proposed by my colleague, the MLA for Fort Garry, makes this a resolution that is truly worthy of passage in this House.

The resolution, as originally written by the Attorney-General and introduced by him, was good, proper, fair and equitable within its first three sections, but did not meet the purpose of this important debate and of this important issue with the last two lines of that resolution. That is why I say, Sir, that the amendment, as proposed by my colleague, that the last line be struck and amended to enable sittings of this committee intersessionally to listen to the people of Manitoba and

to report to the next Session of the Legislature is proper and fair and will give this government the much-needed image that indeed they are willing to listen to the people of Manitoba, and that they are not going to ram this amendment down the throats of all Manitobans. That amendment was well thought-out and it deserves passage in this House by the government, and it certainly will have the support of every member of the opposition.

This debate and this issue does not deserve the kind of hasty time frame that the government has negotiated and placed itself in. This issue and this proposed amendment deserves the kind of intersessional hearing process to listen to the people of Manitoba more than any other issue that we had placed before the people of Manitoba and before the Legislature of the Province of Manitoba; certainly in the time that I have been elected as an MLA to represent Pembina constituency, in my knowledge of the history of the Legislature of Manitoba, probably one of the more important issues, period, that deserves the proposition of intersessional hearings to allow Manitobans to speak to this issue.

Last week, we had an interesting question posed to the First Minister. I believe it was on Friday. The First Minister was making some quite interesting comments about placing public pressure on the Prime Minister of Canada and the Government of Canada in the hopes that they would reverse their decision to test the Cruise missile in northern Alberta. The Premier believed that public pressure on this issue could reverse the Government of Canada's course of action and the decision that they made.

Yet, the First Minister, the Attorney-General and most of the New Democratic caucus are not willing to listen to the people of Manitoba, and to bow to public pressure on the issue that they are putting before the people of Manitoba, that they are attempting to push through this Legislature with an artificial time limit of December 31, 1983. On the one hand, the First Minister will say that public opinion counts to pressure the Federal Government; and, on the other hand, they say that public opinion does not count to pressure us to do something and to listen to the people of Manitoba and to reflect their will and their opinion in this Legislature.

Well, the First Minister cannot have it both ways. If public pressure, public sentiment, public opinion is important in the testing of the Cruise missile to the Federal Government, then surely public opinion, public pressure is important to a New Democratic Government which professes to listen to the people. Surely, it is equally important to the Pawley Government, to the Attorney-General.

**HON. R. PENNER:** We're listening.

**MR. D. ORCHARD:** The Attorney-General says they are listening, but they are not going to listen; they are going to put an artificial time limit on the period within which they will listen to the people of Manitoba. They have set the deadlines for the debate, for the discussion, for the passage. They have indicated there is no chance of an amendment until a union came to them and said there are problems. This government listens to unions. They don't listen to anybody else but they will listen to a union. When unions come and say there is a

problem with this proposal, then all of a sudden they listen, Mr. Deputy Speaker; but to the average Manitoba citizen, they have said we are not prepared to change anything in our amendment to Section 23 of The Manitoba Act.

Maybe the voters of this province have to form the Manitoba Voter's Union and have a checkoff dues of union fees and then elect officers to come to the Attorney-General, to come to the Premier and say, as a union, we object . . .

**MR. H. ENNS:** Contributes to them politically.

**MR. D. ORCHARD:** And my colleague, the MLA for Lakeside, adds one more thing, yes, and maybe this Manitoba Voter's Union would have to contribute politically, political donations to the New Democratic Party. Then they would get the ear of this government, and this government would respond to their very legitimate and serious concerns about what the government is proposing to do.

So I simply ask the Attorney-General, the Premier and the group of people in the New Democratic Government Caucus who are supporting the time frame and the substance of this amendment: Where is your semblance of principle on this issue? The Premier will say public pressure will make the Prime Minister change his mind, but it won't make me change my mind. Where is the principle involved there? Where's the sense of integrity in this government? They say they want to listen to the people of Manitoba, but they set an artificial time limit within which they will listen selectively to the people of Manitoba. Wherein is the integrity of this government in proceeding along that line?

Where is the honesty in this government when a letter goes out from the Premier to every reeve and mayor in the Province of Manitoba with "a typographical error" that substitutes the word "those" and replaces it with "official." People in Manitoba ask where is the honesty in this government which would allow that kind of a major error to go out in an official letter from the Premier, explaining government policy on so important an issue?

Where is the trust that the people of Manitoba can place in this government? Can they trust this government when they say that this is a limited agreement? How can they trust them when this government is placing the artificial time limits on the debate on the issue? What kind of an enhancement of trust between the people and the government stems from this kind of action?

Well, I suspect, Mr. Deputy Speaker, none; none whatsoever, and therein lies the problem this government has with this issue. Their handling of it is not based on principle that they expouse on other issues. It is not based on the integrity of a government to deal with an issue of this importance. It has not been dealt with honestly by the government, and it does not engender the trust of the people of Manitoba.

Well, I suppose at this time, Mr. Deputy Speaker, we should consider the process that this House can offer to the people of Manitoba to voice what their opinion is. What is the long-standing process in this House on legislation? We regularly allow the people of Manitoba to come to committee, whether it be Law Amendments,

Agriculture, Statutory Regulations and Orders, any one of the committees to which a bill passed in second reading in this House is referred to, the people of Manitoba have the opportunity to come there and speak to the legislation in support of or against that legislation. The people of Manitoba can suggest amendments to that legislation at the committee stage. That is an admirable tradition that is part of the legislative process of Manitoba and has been for a number of years. It's good that we do that. I don't think any member in this House would object to that process being continued on and allowing the people their fair say.

We accept that those committee hearings should be held in this building while the Session is sitting to deal with legislation. We accept that. We would not consider taking a committee hearing on a bill referred during Session out of this building to speak to the people of Manitoba in Brandon, in Dauphin, in The Pas, in Thompson, in Morden, in Boissevain, in Steinbach. No, that has never been done; that has never been the tradition.

The people of Manitoba have come to expect that when the House is in Session, committees will be called and they can speak to legislation. Those committee hearings, Mr. Deputy Speaker, give the people of the opposition, whether they be New Democrats some two years ago or three years ago, to listen to the people of Manitoba and to determine whether the legislative proposals meet with the approval of the majority of Manitobans.

Just last night, we sat until three in the morning dealing with Bill 90, The Cattle Producers Act. There were two people that supported that bill. There was something like 19 or 20, and most of them were representing major organizations in the agricultural community of Manitoba, were opposed to that. Now, the government, through its majority, insisted on ramrodding Bill 90 through last night, and that's their prerogative.

But, Mr. Deputy Speaker, we in the opposition heard what the agricultural community, the cattle producing community in Manitoba want, and come next election when we are government, we can bring them what they want, because what this government is removing from them is done within the halls of this Chamber and we can reverse it next election. We can bring back the type of legislation that allows the Cattle Producers Association to exist and work on behalf of both producers and consumers in the Province of Manitoba.

But, Mr. Deputy Speaker, not so with this proposal, because this proposal when it leaves this Chamber goes to the federal Parliament. This proposal cannot be changed to reflect the opinion of the people of Manitoba after it has been enshrined in law. The likelihood of that is very very remote. So what this government is doing is ramming something through that shall be written in stone, and therein lies the problem with not listening to the people of Manitoba and giving them adequate time to express their views towards the proposal made by this government.

What are some special circumstances of committee hearings, Mr. Deputy Speaker? I think that should be important to consider right now. I can think of two cases that have come up in the time of this government, in the 18 months that this New Democratic Government has been in office in the Province of Manitoba.

Municipal assessment is the first issue. Our government commissioned former Premier Weir to study assessment and to report to the government. That report came in, it was reviewed by the New Democratic Government, it was summarized by the New Democratic Government and what did they do? They considered the issue important enough to Manitobans to hold intersessional hearings and take the Municipal Affairs Committee to Souris, to Grandview, to The Pas, and to Winnipeg. And under pressure from the opposition and the reeves, and mayors, and councillors throughout south-central and southeastern Manitoba they were forced into calling a fifth hearing in Morris. Intersessional hearings on a matter that was entirely within the jurisdiction of the Provincial Government of Manitoba, that did not need to be referred to the federal Parliament. This government held intersessional hearings to listen to the people of Manitoba.

The Minister of Municipal Affairs, the man I call "Perfect Peter" has indicated that they don't want to be railroaded and rushed in making assessment changes because it's such an important issue. They want to take their time to consider the amendments that are suggested in the Weir Report and to very cautiously move on changing the assessment system. How can the Minister of Municipal Affairs stand for the headlong rush that has been imposed upon his government by the Attorney-General on so fundamentally an important issue as the bilingual amendment that he is proposing.

On the one case they say they have to proceed cautiously. On the other hand they are willing to ram this through on a deadline that they have imposed on themselves.

I refer back to one of my questions, Mr. Deputy Speaker, where is the principle involved in this amendment given to us by this government that obviously has not principles on which they base their decisions and their actions?

The Minister of Education, as a second example, has undertaken a review of education financing in the Province of Manitoba. What has happened there? Well there hasn't been a formally struck committee to tour the province but there have been a series of meetings at which people have been invited by letter by the Chairman of that review committee. The people of Manitoba have been allowed to come to those meetings, express their views, question Dr. Nicholls, and not be restricted to a five-minute attempt at getting answers out of the Attorney-General as his public meetings on this issue have restricted the voice of Manitobans to.

Once again educational financing, they go to the people, and it is again, Mr. Speaker, a matter that is solely within the legislative mandate of the Provincial Government. They are listening to the people. They are proceeding cautiously. They are not rushing headlong into making changes to the education financing that will be detrimental to the people of Manitoba. But here the Attorney-General and the Premier, and his supporters on the front bench and other benches of the government are ramming this amendment through without adequate consultation with the people of Manitoba.

I ask again, Mr. Speaker, where is the principle involved? There is no principle that this government uses in such decisions. Where is the integrity? It is non-



existent. Where is the honesty? It is lacking. Where is the trust to be engendered in the people of Manitoba where issues of municipal assessment and taxation, issues of education financing are referred extensively to the people of Manitoba over a prolonged period of time and this issue is not? Interesting question that the government is going to have to answer.

The most baffling example that I can bring to this Assembly for their consideration and for members in the government to consider - we had, on two occasions, this government attempt to consult with the people of Manitoba on the issue of the Crow freight rates, the statutory freight rates for hauling grain.

On the first issue the Minister went out with a series of public meetings. He didn't get anything near the response to the Crow rate changes at his travelling meetings in the summer of 1982 in support, or in opposition, of what the Federal Government was doing, that the Attorney-General has got in his four meetings in which he took his bilingual issue to the people of Manitoba.

Bearing that in mind, the Minister of Transportation and the Premier decided it was necessary to go back to the people of Manitoba, while this Session was sitting, and hold seven hearings with the Agricultural Committee throughout the Province of Manitoba to hear further representation. I say that - this was done having engendered absolutely minimal support to the government's position on the Crow rate issue when they held their public information meetings and the Minister toured the province.

Contrast that starkly, Mr. Speaker, with the kind of reaction the Attorney-General has gotten from the people of Manitoba on his bilingual proposal. The Minister of Transportation goes back with a committee to tour the province. The Attorney-General says - no, we will not do that. Where is the principle involved there, Mr. Speaker? It is non-existent.

A further problem comes up in this issue of the Crow rate. That, Mr. Speaker, is an issue that we have absolutely no legislative authority to deal with in the Province of Manitoba. But this government has seen fit to have a Minister tour the province in 1982, and to have the Agricultural Committee tour the province in 1983, to hear the people of Manitoba on an issue that they have absolutely no legislative mandate to modify the change or to pass. They refuse to hold intersessional hearings to allow the people of Manitoba to speak to such an important issue within their jurisdiction affecting all Manitobans namely the bilingual amendment, that the Attorney-General and the Premier are proposing. — (Interjection) —

My colleague says - it doesn't make sense. My colleague is correct, and Manitobans are correct when they say it doesn't make sense. If you think that Manitobans aren't fully aware of the railroad tactics that the Attorney-General is using on this amendment of his, I can assure you that they are.

There was a Crow rate hearing in Morden to hear the views of the farm community in Morden. There won't be any intersessional or any committee hearing going to Morden to hear their views on bilingualism as proposed by the Attorney-General. There will not be any hearing in Dauphin; in Swan River; in Brandon; in Arborg; in Anola; to hear the people of Manitoba on a constitutional amendment which is entirely within the jurisdiction of this province.

The people of Manitoba recognize that this government is attempting to railroad them into something they do not wish, they do not desire, and, furthermore, this government never won an election promising to bring to the people of Manitoba. They recognize a railroad job; they recognize that this government does not want to listen to the people of Manitoba. The people of Manitoba recognize that this government is wrong in what they are doing; that this government has broken faith with the people of Manitoba; that they have broken their trust with the people of Manitoba by not taking this issue to an intersessional committee which would travel throughout the province as other committees have done to hear Manitobans.

The intersessional hearings that are proposed by the amendment placed on this resolution by my colleague, the MLA for Fort Garry, deserves serious consideration by the government. I would make some suggestions to them, because this government constantly says they don't hear any positive suggestions from members of the opposition, that all we do is criticize. I would suggest to the government that they hold 10 to 12 hearings in various locations in the Province of Manitoba. They should go to Winnipeg. They should go to Lac du Bonnet, Steinbach, Morden, Boissevain, Brandon, Dauphin, Swan River, The Pas, Thompson, Roblin, Arborg and, of course, Winnipeg.

They would hear from the constituents of the MLA for The Pas exactly what they think about this constitutional amendment, and they wouldn't have to rely on the abject silence of the MLA for The Pas who will not represent his people in this House on this issue. — (Interjection) — The Attorney-General says the mayor for The Pas supports this. Then why is he afraid to go up in The Pas and hear the other people in The Pas then? Why are you afraid to go to The Pas? Why are you afraid to go to Thompson?

**HON. R. PENNER:** I'm not afraid to go anywhere.

**MR. D. ORCHARD:** Oh, you're not? Well, the Attorney-General says he's not afraid to go anywhere, but he isn't going to go anywhere. Does that demonstrate that he is not afraid of taking this issue to the people of Manitoba in an intersessional committee?

**HON. R. PENNER:** Logic, Donny, is not your strong point.

**MR. D. ORCHARD:** Mr. Speaker, the Attorney-General says logic is not my strong point. I suggest to the Attorney-General that integrity is not one of his, because he is not taking this issue to the people of Manitoba. Honesty is not one of the fortes of the Attorney-General, because he won't take this issue honestly and openly to the people of Manitoba. Endearing the trust of the people of Manitoba is not a forte of the Attorney-General or the Premier, because they will not trust their beliefs to the scrutiny of the people of Manitoba.

They certainly won't, because I predict that they will use their majority to defeat this amendment which would call for intersessional hearings after the prorogation of this Session and report to the next sitting of the Legislature. They will defeat that with their government

majority. There's no question about that. They are afraid to listen to the people of Manitoba on such a fundamentally important issue as the bilingual amendment to the Constitution of Manitoba, whilst they have listened to Manitobans on the Crow Rate, municipal assessment, education financing through various committees travelling the province. It hardly makes for a situation in which the people of Manitoba can trust these people.

I will make a further suggestion to the government, to the Attorney-General, that this committee should be one of the committees of the Legislature composed of New Democrats, Progressive Conservatives and maybe some Independents. Lord knows how many of them we're going to have before this is finished.

**MR. H. ENNS:** We'll have a number. We've got three now.

**MR. D. ORCHARD:** Mr. Speaker, I suggest that because this issue is going to have to go from this Legislative Assembly to the Federal Parliament, that we include Manitoba MPs and Senators from all sides of the political spectrum federally to be part and parcel of this committee so that they can hear first-hand what Manitobans think about this constitutional amendment so that they can better represent the views of the electorate and the constituency they represent in Manitoba in the debate in the Federal Parliament, should this resolution ever reach the Federal Parliament.

So, Mr. Speaker, I lay those suggestions out to the Attorney-General, to the First Minister and to others in the government. I think I have demonstrated that there is precedent for what I am suggesting. This government has struck intersessional committees to hear the people of Manitoba on other issues. This government purports to listen to the people of Manitoba.

That has been one of their major replies in question period, that they listen to the people of Manitoba. Then they should listen on this issue. They should not hide from it if they believe they are correct and can explain it to the people of Manitoba. They shouldn't hide behind it with the power of their majority in this House to ram it through. If they have the faith in their convictions that they are right, they should trust the people and go to the people and let the people talk to them and let the people make proposals to them. After all, they claim they're a government of the people, but that is fast falling into disrepute as this government crashes headlong into ramming things through this Legislature.

The First Minister the other day, as I've said earlier, said that public opinion is important. Public opinion can make the Prime Minister of this country change his mind on testing of the Cruise missile, but yet he's not willing to listen to public opinion on this fundamentally important issue from the people of Manitoba.

There is no semblance of principle involved in the government's action in dealing with this bilingual amendment. There is no semblance of integrity with what they are doing. There is no semblance of honesty in what they are doing, and we can add more examples of the lack of honesty in the presentation of this issue to the people of Manitoba, and we will in the debate on the subject matter of the resolution. There certainly

is no trust that the people of Manitoba are placing in this government to do what is right, fair, correct and proper for the people of Manitoba on the bilingual issue. There is absolutely no trust in that regard.

The Premier has not become known as Pastor Pawley throughout this province without very legitimate cause, Mr. Speaker, because people of Manitoba have listened to him preach on different issues and then see him reverse his position, change his position, modify his position. They are, once again, listening to the Premier preach on this issue in a self-righteous way and, at the same time, deny Manitobans an access to allow their views to be heard in an intersessional committee which should travel throughout the length and breadth of this province, holding meetings to listen to the legitimate concerns of Manitoba.

If what they are doing is correct, then they should be able to explain away and allay all the fears of the people of Manitoba on this issue. If they are correct, they should be able to justify their position in a public forum, in a committee at which questions can be asked and answers can be responded to. The longer this issue is debated in the public forum, the longer it is questioned in the public forum, the better the understanding will be and if it is good for the people of Manitoba, if it is correct, and it is the right way for the government to proceed, then that will become abundantly clear to the people of Manitoba.

So I ask the Attorney-General, why are you avoiding the golden opportunity to vindicate your position with the people of Manitoba? Why are you not trusting the people of Manitoba to listen to what you're saying in an intersessional committee, and if what you are saying is correct, the people of Manitoba will agree with what you're saying.

But, Mr. Speaker, this government no longer believes in what they are doing. They come out with a position in this House that there shall be no changes, that we are going to pass this by December 31st, and they are going to ram it through and they are going to dam the torpedoes, full speed ahead. They aren't going to listen to the people. — (Interjection) — Mr. Speaker, do I hear some chattering from the MLA for Springfield who isn't even in his seat?

Mr. Speaker, this government has not demonstrated that they are willing to deal with this issue honestly, with integrity, or with the trust of the people of Manitoba. They are afraid of the understanding that Manitobans have of this issue. They know they cannot justify their position to the people of Manitoba in an open public forum and therefore, they are willing to hide from the people of Manitoba, by ramming this resolution through the House with their majority now and defeat the amendment; and furthermore, to ram their Section 23 amendment through this House with their majority, whether it takes one month, two months, or three months.

They are willing to ram it through this Session without trusting the people of Manitoba to express their views and certainly without listening to the people of Manitoba, who have a far greater understanding of what this government is doing wrong on this issue, than this government is willing to give the people of Manitoba credit for.

Therefore, Mr. Speaker, I fully support this amendment as proposed by the Member for Fort Garry and I would

hope that some members opposite would have the courage, the honesty and the integrity to support that resolution, that amendment to the resolution as well, and allow Manitobans their fair opportunity to be heard by this government.

Thank you, Mr. Speaker.

**MR. SPEAKER, Hon. J. Walding:** Are you ready for the question?

The Honourable Member for Roblin-Russell.

**MR. W. MCKENZIE:** Thank you, Mr. Speaker. I welcome the opportunity to address the subject matter before us, the amendment as proposed by the Honourable Member for Fort Garry, to the resolution that's been proposed by the government of this province to amend Section 23 of The Manitoba Act, etc., etc.

Mr. Speaker, I daresay in all the years that I've been in this Legislature, this is likely the most important issue this House has ever dealt with in the years I've been here. I suspect it is, without doubt, the most important issue that has ever been on our desks since I've been here and I think, Mr. Speaker, it's not only an insult to this Assembly, it's an insult to the people of this province, to see the manner - the selfish manner - with which this government has seen fit to deal with this matter, the most important, in my opinion, subject that has ever been dealt with in this province.

So I rise today, Mr. Speaker, and I hope that my brief remarks, in support of the amendment proposed by the Honourable Member for Fort Garry, can convince - at least some of the members opposite - to take another look at what you're doing and how you're destroying the confidence of the people in this province. And one only has to look at the headlines of the Sun today, why the NDP are losers and here's another reason why you're losing the confidence of the people of this province, because of the bullheaded manner in which you're handling the most important issue, as I say, that's ever been before the people in this Chamber since I've been here.

Mr. Speaker, I did take the time on the weekend to visit several of my NDP friends in Roblin-Russell constituency and ask them where did this government get the mandate to carry on this way, to bring these changes forth and to handle them in this shoddy manner? I tell you, they are shocked - staunch supporters of the members opposite, all across this province - are standing up and expressing great concern and great anxiety re the manner in which the government's dealing with this matter, the most important matter that we have had since I've been here, Mr. Speaker.

I just ask for the members opposite to stand up and support the amendment that's been proposed by the Honourable Member for Fort Garry, so at least if the members opposite don't want the committee to go into their constituencies, I certainly want them to come into Roblin-Russell constituency and explain to the people what you mean by all this propaganda and this literature that's going out.

Mr. Speaker, I don't think I have ever seen more confusion on any issue for a long long time, than I've seen on the issue that's being proposed by the government on these proposed amendments to Section

23 of The Manitoba Act. Confusion, anxiety, concern, is evidenced all across my constituency on this issue.

The Municipality of Grandview sends their concerns into the First Minister of the province. What does he do? He sends back a letter and misleads them. He said it was a typographical error. I don't think Mr. Speaker, that the Municipality of Grandview or the Town of Grandview or anybody in this province deserves that kind of treatment on a matter as important to - not only the people that are living here today, but the people that are unborn - on the changes to our constitution.

Why can't we take it over when the crop is off and the farm community and the children are back in schools in the fall, why can't we take the committee around this province and listen to the people on this matter? Have I heard one just reason from any member opposite, Mr. Speaker? I find it strange. I thought they'd all be rising in their places today, Mr. Speaker, and defending their government's position on that, but I don't think they have that kind of support over there - the solid ministerial and backbench support on this issue that they lead us to believe. Because if they did, they wouldn't have to be sending this kind of propaganda around the province, coloured brochures.

If this issue will stand on its own two feet, you don't have to send that kind of stuff out. You don't have to put pictures in the paper, such as you have your Premier today with a new hairstyle, all groomed up, a brand new guy - never saw that man before and they say no, it's Howard, but once I saw the signature at the bottom - you know, that's the same signature we got on that propaganda package, exactly the same, so it's got to be the same guy. But when I saw that picture this morning, Mr. Speaker, I was shocked. I said, it can't be Howard. It can't be Howard. — (Interjection) — Well, I wondered, Mr. Speaker, what Peter Warren was talking about - Mr. Warren must have seen it because he calls him Pastor Pawley in his column this morning. He calls it "Pastor Pawley's Parade."

So, I dare say that Howard would maybe not have much problem getting into the clergy with that kind of a picture that he put in the paper today, Mr. Speaker. He looks as if he has committed no sins; that if he's sincere about listening to the wishes of the people, then, Mr. Speaker, if he's going to put those kind of pictures in the paper and look like a saint, I hope that he'd act like a saint and take this committee around the province and listen to the people.

Let's listen to the little guy that's standing on the street corner; let's listen to the high school students. Let's go out and take this and let's just listen.

I suspect, Mr. Speaker, if it's the same across the province as I'm hearing in my constituency, I don't think we should pass these changes in their present form. I don't think we should pass them. I suspect deep down, Mr. Speaker, that's the reason they don't want to go out to the country. That is the reason. There's something hanky-panky going on. There's some kind of a deal they've made in a back room; there's something that's fishy about this whole thing, because if it'll stand on its own two feet, I'll support it.

But until this government, Mr. Speaker, can assure me and assure the people in my constituency that they're going to have a chance and they have a right to deal and discuss this matter, then I'm standing up and supporting the resolution as proposed by the

Honourable Member for Fort Garry, and pleading with the father in the backbench there, a man of the cloth, who should give us his support in this resolution and let us go around in this province and deal with this matter.

Let's go and talk to the Polish people and I've got a lot of Polish people in my constituency. God bless them, they are the salt of the earth, the Polish people. They don't want these changes in the Constitution and the Honourable Member for St. Johns knows that. He knows it, absolutely. Let them be heard, Mr. Speaker, but they're not going to do it that way.

Mr. Speaker, I wonder how we're going to deal with the municipalities in our province. How are we going to deal if we carry on this - is it possible that we cannot continue with the negotiations with the Union of Municipalities on this extremely important matter until it's resolved to the satisfaction of all? I suspect not, Mr. Speaker, the way this gang is carrying on. The municipalities are going to be told where to go and how to get there on this issue.

They're not prepared to wait, they're not prepared to listen and I don't know how many meetings they've had already with the Union of Municipalities in this province. I suspect there's been three and the municipalities still don't like what's going on. Isn't that another reason why we should delay it for another 12 months or 15 months or another two years until we get agreement in this province on this issue, Mr. Speaker? I say it is. I say the municipalities must be satisfied on this issue before we proceed any further and whether it takes intersessional hearings after this House adjourns this fall, or whether we carry on next year on the subject matter, because it is that important to me and it's that important to the people in the Roblin-Russell constituency that this thing be slowed down, that we get a better consensus of it than we have at the present time, and that we listen to the Honourable Member for Fort Garry in his resolution to delay it. Slow it down, let's go and talk to the people on it.

Mr. Speaker, is there anything wrong with using our democratic principles that we all believe and taking a committee of this House and touring the province on this issue? Let's give every constituency a chance. That'll be 57 meetings. So what, if it takes a year!

I suspect by the money they're spending on this propaganda, by the Premier's picture in the paper, we could send the committee around this province twice for the savings that we're getting from the brochures and the ads on the radio and the ads on television and the quarter page that we have of the Premier today in our newspapers trying to make him look like a saint. Mr. Speaker, he wouldn't be a saint if he carries on with this matter the way it is being dealt with at the present time.

Mr. Speaker, I ask again, I asked the Attorney-General, I asked the government and I asked the backbenchers, what's all the hurry? That's my first question.

My second question, why do we have to implement these changes in The Manitoba Act so quick? I'm told that the Supreme Court won't wait. I don't buy that; I don't accept that. The courts of this province are the servants of the people, Mr. Speaker, so I don't buy that argument. Why the big advertising program? If this thing is needed and the wishes of the people are behind

it, we don't need that big advertising program that the government's propping it up with. Why the big sell in the newspaper? Why the big sell of trying to prop the Premier up on this issue, Mr. Speaker? Why the coloured brochures? Why the waste of taxpayers' dollars in this advertising program?

Mr. Speaker, all we have to do is to set up the Committee of Statutory Rules and Regulations in this House, let them tour the 57 constituencies in this province, come back with a consensus; and if the consensus of the majority of the people are such that they want these changes, then let us do it in this Legislature. But until we get that support and that consensus - I'm like the Honourable Member for Elmwood, Mr. Speaker, I'm a very doubtful MLA that the government has a mandate to carry on this way; and secondly, they don't have the right to treat the people in such a shoddy manner on such an important issue - until I get that assurance, I'm going to be supporting the resolution proposed by the Honourable Member for Fort Garry.

I sincerely hope that at least some of the backbenchers over there will recognize what you're doing to not only to your own political party, but what you're doing to fabric and the integrity and the honesty of this province and its people. They don't deserve this kind of treatment, but of course I suppose that's the way socialists like to deal with matters such as this.

We, on this bench, Mr. Speaker, don't appreciate the way the government's handling this matter. I'll be supporting the amendment as proposed by the Honourable Member for Fort Garry and pleading again within all my power, slow it down, let's wait, if it takes 15 months, 18 months, two years, and let's do it the way it should be done.

Thank you, Mr. Speaker.

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

**MR. H. GRAHAM:** Thank you very much, Mr. Speaker.  
I beg to move, seconded by the Honourable Member for Tuxedo, that debate be adjourned.

**QUESTION put, MOTION defeated.**

**HON. S. LYON:** Yeas and Nays, Mr. Speaker.

**MR. SPEAKER:** Call in the members.  
The Honourable Minister of Natural Resources on a point of order.

**HON. A. MACKLING:** Mr. Speaker, I would on a point of order indicate there was a misunderstanding on my part. Certainly we will be voting for the motion, so it would be unanimous. If you want to formally take the count, that's agreeable, but if you want to save time, I indicate that we are in support of the motion. My opposition on this side was based on a misunderstanding.

**MR. SPEAKER:** Order please. I don't believe that's a point of order, it may be an explanation.

The question before the House is, moved by the Honourable Member for Virden, and seconded by the

Honourable Member for Tuxedo, that debate be adjourned.

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

**YEAS**

Adam, Anstett, Banman, Cowan, Dolin, Driedger, Enns, Evans, Eyer, Filmon, Fox, Graham, Hammond, Harapiak, Hyde, Kostyra, Kovnats, Lecuyer, Lyon, Mackling, Malinowski, Manness, McKenzie, Nordman,

Oleson, Orchard, Parasiuk, Pawley, Penner, Phillips, Plohman, Ransom, Santos, Schroeder, Scott, Sherman, Smith, Storie, Uruski

**MR. CLERK:** Yeas, 39; Nays, 0.

**MR. SPEAKER:** The motion is accordingly carried. The adjournment will stand in the name of the Honourable Member for Virden.

The time of adjournment having arrived, this House is adjourned and will stand adjourned until 2:00 p.m.