

## LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, 8 July, 1985.

Time — 2:00 p.m.

**OPENING PRAYER by Mr. Speaker.**

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

### PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

**MR. SPEAKER:** The Honourable Member for River East.

**MR. P. EYLER:** Mr. Speaker, I beg to present the First Report of the Committee on Privileges and Elections.

**MR. CLERK, W. Remnant:** Your Committee met on Thursday, July 4, 1985 and Monday, July 8, 1985 at 10:00 a.m. in Room 255 of the Legislative Building and heard representations with respect to Bill No. 12 - The Child and Family Services Act; Loi sur les services à l'enfant et à la famille.

Representations on Bill No. 12 were made as follows:

Thursday, July 4, 1985 at 10:00 a.m.

Mr. Craig Posner, Private Citizen;  
Ms. Deborah Shelton, Messrs. Albert Gazan and Arnie Peltz,  
Child in Care Alumni Incorporated;  
Ms. Lisa Fainstein, Manitoba Association for Rights and Liberties;  
Mr. Paul Swartz, Family Subsection of the Canadian Bar (Manitoba Branch);  
Mr. Richard Folster, Southeast Child and Family Services;  
Mr Vic Savino, Dakota Ojibway Child and Family Services;

Monday, July 8, 1985 at 10:00 a.m.

Mr. Don Lugtig, Manitoba Association of Social Workers;  
Ms. Donna Lucas, Charter of Rights Coalition;  
Ms. Susan Devine, Northwest Child and Family Services Agency;  
Mr. Ken Murdoch, Social Planning Council of Winnipeg;  
Miss Sharon Taylor-Henley, The School of Social Work,  
University of Manitoba;  
Chief Jim Bear, Southeast Resource Development Council;  
Chief Rodney Spence, Chairman, and Mr. Ovide Mercredi, Legal Advisor,  
Awasis Agency of Northern Manitoba.

Your Committee has considered:

Bill (No. 12) - The Child and Family Services Act; Loi sur les services à l'enfant et à la famille.

And has agreed to report the same with certain amendments.

**MR. P. EYLER:** Mr. Speaker, I move, seconded by the Member for Wolseley, that the Report of the Committee be received.

**MOTION presented and carried.**

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

**MS. M. PHILLIPS:** Mr. Speaker, I beg to present the First Report of the Committee on Industrial Relations.

**MR. CLERK:** Your Committee met on Monday, July 8, 1985 at 10:00 a.m. in Room 254 of the Legislative Building.

Your Committee has considered:

Bill No. 75 - An Act to amend The Payment of Wages Act and Other Acts of the Legislature; Loi modifiant la loi sur le paiement des salaires et d'autres lois de la législature;

Bill No. 76 - An Act to amend The Pension Benefits Act; Loi modifiant la loi sur la pension de retraite;

Bill No. 77 - An Act to amend The Employment Standards Act; Loi modifiant la loi sur les normes d'emploi.

And has agreed to report the same without amendment.

**MS. M. PHILLIPS:** Mr. Speaker, I move, seconded by the Honourable Member for River East, that the Report of the Committee be received.

**MOTION presented and carried.**

**MR. SPEAKER:** Ministerial Statements and Tabling of Reports . . .

### RETURN TO ORDER NO. 1

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

**HON. A. ANSTETT:** Thank you, Mr. Speaker.

I have Return to Order of the House, No. 1, on the motion of the Honourable Member for Minnedosa, dated March 20, 1985.

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

### INTRODUCTION OF BILLS

**HON. A. MACKLING** introduced, by leave, on behalf of the Honourable Minister of Co-operatives, Bill No.

99, The Credit Unions and Caisses Populaires Act; Loi sur les caisses populaires et les credit unions. (Recommended by Her Honour the Lieutenant-Governor)

## ORAL QUESTIONS

### Strikes - greater settlements

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

**MR. G. FILMON:** Thank you, Mr. Speaker.

My question is for the Premier. In view of the fact that the Public Service Alliance of Canada workers at Deer Lodge Hospital settled for 2 percent more than the MGEA settlement which was agreed upon by this administration just a few months ago, does this mean that unions in an election year, as we get closer to an election, when they go on strike, will receive greater settlements than did the MGEA through negotiations with this administration?

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

**HON. H. PAWLEY:** Mr. Speaker, unfortunately, the question is premised upon faulty information and I would ask the Minister of Finance to properly inform the Leader of the Opposition as to the accurate information.

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

**HON. V. SCHROEDER:** Thank you, Mr. Speaker.

The settlement arrived at with the PSAC people in dollar terms was exactly to the very penny, what they had been offered before they went on strike. There was not one more penny put on the table as a result of that strike, Mr. Speaker, and let's make that very clear.

Let's also understand, Mr. Speaker, that in that particular case, there was a dollar settlement put into place for the first year which does not add on to the second year; that is, there was a cash settlement for the first year; in year two of that agreement people working at PSAC will get 3 percent more than they received last year. It's exactly what happened with the MGEA.

In the case of the MGEA, the MGEA calculated their benefits in the first year; the holiday benefit at 2 percent. — (Interjection) — What I said, Mr. Speaker, was the MGEA calculated their benefit at 2 percent; that's 6/10 of 1 percent per dollar value; 6/10 of 1 percent because that's what it would cost us for the replacement.

What members opposite must understand is that in the case of the hospitals if we were to provide the same one-week benefit, the cost would be far greater than in the case of MGEA because in many of the instances we're dealing with there, we would be required to put in total replacement. So they get 2 percent more time off; it means 2 percent more cost in replacements in many instances; so that the cost over there would be far higher.

Mr. Speaker, what we have done is in no way an indication that if you're on strike, you get a better deal.

The offer made was exactly the same for dollars as what they received after the strike.

**MR. G. FILMON:** Mr. Speaker, in view of the fact that the settlement reached at with the MGEA - this is to the Premier - called for a first-year increase of only 6/10 of 1 percent according to the Minister of Finance, and the settlement with the Public Service Alliance of Canada at Deer Lodge was 2 percent in the first year, does this indicate that the government has now changed the guidelines that they're giving to hospitals for settlement with their unions and their employees?

**HON. V. SCHROEDER:** Well, Mr. Speaker, I hear some comments from across the way. I point out that I'm the chairman of the Compensation Committee of this government and in that capacity, I think it's appropriate to be answering questions with respect to compensation for people working in the public sector. On this team, we work as one team, not like the people in the Opposition who vote along the lines of leadership candidates, that's not the way we work. We divide up our responsibilities and we have confidence in what the people doing those responsibilities have.

Mr. Speaker, we have not changed the guidelines. There are always, in any set of negotiations, some differences that come up. Just for one example, Mr. Speaker, the nurses received a settlement which is different from that received by either PSAC or the Manitoba Government Employees' Association and we have guidelines that are not a rule. They're not a law.

Mr. Speaker, we still have collective bargaining in this province and we believe in collective bargaining. We believe in free collective bargaining. We believe in strong bargaining on behalf of the taxpayers and the people of this province. We believe in fair bargaining, but we believe in bargaining and that means we will not always have identical settlements from one union to another.

### Settlement for hospital workers - guidelines with respect to

**MR. G. FILMON:** Mr. Speaker, in view of the fact that the Minister of Finance is now acknowledging that they have changed their guidelines with respect to settlements for workers at the hospitals, my question to the Premier is, what are the new guidelines for settlement with the workers at the hospitals in Manitoba?

**HON. H. PAWLEY:** Mr. Speaker, unfortunately the Leader of the Opposition appears to be seriously confused today. I think what has happened, probably the Leader of the Opposition can recall the two-digit settlement that was paid out to the operating engineers within a few months of the November, 1981 election - I think it was a 17 or 18 percent increase two or three months before the 1981 election - Mr. Speaker, this government is maintaining, as the Minister of Finance has indicated, a consistent approach through the collective bargaining process; the settlement regarding the Public Service Alliance is consistent with the settlement with MGEA. There are no new guidelines, contrary to what the Leader of the Opposition is

suggesting. The Leader of the Opposition, unfortunately, has invented some sort of fairyland for his comments this morning, that do not relate to the situation as properly described by the Minister of Finance.

**MR. G. FILMON:** Mr. Speaker, in view of the fact that the Premier is talking about it being morning, I'm sure that he's a little more confused than I am. But this afternoon, Mr. Speaker, my question to the Premier is: since he is since that the guidelines haven't changed - they have not changed he says - and yet the guidelines are 0 percent for the hospitals, they settled at 2 percent, does this mean that the strong bargaining that the Minister of Finance is talking about is not very strong at all?

**HON. H. PAWLEY:** Mr. Speaker, again, I guess we have to advise the Leader of the Opposition that the cash settlement - and I asked the Minister of Finance if it is not correct - was 0 percent the first year of the contract. I don't know where the Leader of the Opposition keeps pulling out a settlement of 0 percent. The settlements have been consistent from area to area within the general nature of collective bargaining that takes place throughout the province. There has been a consistent pattern, a consistent principle insofar as all our collective bargaining is concerned.

**MR. G. FILMON:** Is the Premier indicating that the amount of money that has been given to the Public Service Alliance of Canada at Deer Lodge Hospital for the first year of their contract settlement is not in the amount of 2 percent increase over what they were getting in previous years?

**HON. V. SCHROEDER:** Mr. Speaker, the offer made to PSAC and the offer made before the strike and the offer accepted after the strike was over amounted to a one-shot payment that does not increase - it's not a 2 percent wage increase because that would be rolled into their pay cheques and they are not getting a 2 percent pay increase. If the Leader of the Opposition doesn't understand that, maybe he should check with some labour relations people to understand how it operated.

As I said before, Mr. Speaker, next year — (Interjection) — No, I said an expert, I thought. Next year, they will receive 3 percent more than they received in 1984; that is, in 1986, 3 percent more than in 1984. To suggest that somehow - and that's with a 3 percent increase in that year - so for this year there is a 0 percent increase, a signing bonus. For next year, there's a 3 percent increase, and there is also the cost-of-living increase in the third year.

The signing bonus is in lieu of the holiday pay for the extra holiday for this particular year. That is something we put on the table before the beginning of the strike, so it is totally inaccurate, Mr. Speaker, to suggest that, as a result of the strike, they got something that the MGEA did not get.

Not only that, but had we paid the same holiday costs for this year to PSAC that we gave to MGEA, the cost would have been roughly the same as the signing bonus, which is something that the Leader of the Opposition should keep in mind.

**MR. G. FILMON:** Mr. Speaker, is the Premier denying that the amount of the signing bonus, if that's what they want to term it as, is 2 percent of the pay that the workers are getting in the PSAC at Deer Lodge?

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

**HON. H. PAWLEY:** The Minister of Finance very clearly explained that to the Leader of the Opposition and to members of this House. The amount of the signing bonus is consistent and roughly equivalent to the amount which the MGEA received in respect to the additional days that they were allotted in regard to holidays. So it is consistent from one group to another, the signing bonus, not worked into the base amount of the agreement.

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

**MR. G. FILMON:** Mr. Speaker, I'm glad to hear then that the equivalent settlement in both cases is 2 percent of the payroll costs of those workers, because that's exactly what it is . . .

**MR. SPEAKER:** Question.

**MR. G. FILMON:** . . . and that's what the MGEA said it was. Finally, we're getting some honest answers from this side of the House.

Mr. Speaker, my question to the Minister of Health . . .

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

**MR. SPEAKER:** Order please.

**MR. G. FILMON:** Mr. Speaker, the Minister of Industry, Trade and Technology is a little exercised. He hasn't been getting enough attention today, so we'll turn to him in a few minutes.

But, Mr. Speaker, my question for the Minister of Health . . .

**A MEMBER:** I heard that.

### **Emergency services agreement - re engineers strike**

**MR. G. FILMON:** Nobody else on your side has heard it.

My question to the Minister of Health is: does he have an emergency services agreement with the International Union of Operating Engineers who are now threatening to go on strike in eight health care institutions in the province?

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

**HON. V. SCHROEDER:** Thank you, Mr. Speaker.

I'll be dealing with the preamble. The preamble, I want to make very clear to the people of the province, was a total inaccuracy, Mr. Speaker. The man does not seem to understand . . .

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

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

The Honourable Member for Lakeside on a point of order.

**MR. H. ENNS:** Mr. Speaker, I and all 56 other members of this Chamber heard my leader ask the Minister of Health a question. I would ask you to consider if that was the question.

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

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

A questioner cannot dictate who will answer any specific question asked.

The Honourable Minister of Finance.

**HON. V. SCHROEDER:** Thank you, Mr. Speaker.

It's always a neat trick to throw a shot at one Minister, and then ask another Minister a question, leaving that kind of a thing on the record.

The Leader of the Opposition, maybe I can give him a little more of an explanation he might understand. Although the overall cost to the government of the MGEA settlement for year one, on the holiday issue, was approximately 6/10 of 1 percent. When it came to shift-workers, for instance, in our prisons, the cost was closer to approximately 2 percent because when we were dealing with jail guards, they all get the week off and they all have to be replaced. We're working on a very thin schedule there and we've had to bring in extra help in order to make up for that. So in that instance it did cost us 2 percent.

That means that in many other areas it cost us less than 6/10 of 1 percent. The cost to government was 6/10 of 1 percent in the MGEA instance; the cost to government in the PSAC settlement was the amount that we paid to each individual worker. But in neither case, Mr. Speaker, can it be said that there was a wage increase. The wage increase was 0 percent.

### **Settlement for hospital workers - overall cost**

**MR. G. FILMON:** Mr. Speaker, then my simple question to the Minister of Finance is: what was the overall cost to the Government of Manitoba of the signing bonus to PSAC in this settlement?

**HON. V. SCHROEDER:** Mr. Speaker, the cost was \$300 per worker; it's easy for the member to figure out the percentages.

**MR. G. FILMON:** Mr. Speaker, will the Minister then confirm that that's 2 percent of payroll cost?

**HON. V. SCHROEDER:** No.

**MR. G. FILMON:** Mr. Speaker, then will the Minister tell us - he must have some figures, surely he doesn't go into these negotiations without having these figures; that would be totally ignorant of the Minister not to have that figure - what is the percent of payroll

represented by that signing bonus settlement with PSAC?

**HON. V. SCHROEDER:** Clearly, it varies. What the Leader of the Opposition must understand is that it does not add on to the base rate of pay. The increase in the base rate of pay is zero; and for the second year it is 3 percent over what it was two years ago. That's why it was negotiated in that fashion. I think it's fair; it's fair to the PSAC people who are among the lower paid public servants and it's fair to the taxpayers because the alternative of paying the week's holiday would have cost far more there than it would have cost with the MGEA and I think the taxpayers understand that. I hope that after half an hour's discussion the Leader of the Opposition will understand, that over there the cost would have been higher as they are in the prison system, which is MGEA.

**MR. G. FILMON:** Well, Mr. Speaker, if the Minister of Finance thinks that the people of Manitoba will believe, that by paying the members of PSAC \$300 each as a signed bonus, that the cost . . .

**MR. SPEAKER:** Order please, order please. Order please. If the honourable member has a question seeking information, would he pose it?

The Honourable Leader of the Opposition.

**MR. G. FILMON:** Mr. Speaker, is the Minister of Finance trying to persuade the people of Manitoba that by paying the PSAC members \$300 per year signing bonus there's no cost to the government?

**HON. V. SCHROEDER:** No, Mr. Speaker. How would anyone attempt to do that or want to do that? — (Interjection) — No, I didn't, no, I didn't. I said that just as with the MGEA settlement, there's a 0 percent increase in wages in the first year. There are other one-time benefits.

With the MGEA they deal with the holidays; with PSAC it deals with a cash bonus. Is the Leader of the Opposition saying that it is an unreasonable settlement? Is the Leader of the Opposition saying that in this day and age, with our inflation rate, with the growth rate of the economy, that that is an unfair settlement to the PSAC workers? We don't think it is. We think it's fair to them; we think it's fair to the taxpayers. We think it was a well-negotiated agreement.

**MR. G. FILMON:** Mr. Speaker, I wonder if the Premier could indicate whether or not he knows what the overall cost to the Government of Manitoba is of the signing bonus that is being paid to PSAC in the Deer Lodge settlement as a percentage of payroll costs. Can he tell us what it is?

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

**HON. H. PAWLEY:** Mr. Speaker, we have dealt with this matter now for about 20-25 minutes. The first point that the Leader of the Opposition doesn't understand - he can work out the calculations himself - the amount of cost re the PSAC contract is consistent, approximately equivalent to that which has been worked

out with the Manitoba Government Employees' Association, that is point No. 1.

Point No. 2, Mr. Speaker, the extent of the settlement during this year being as it is, some \$300 per signing per employee, is a very small percentage indeed. What I'd like to know from the Leader of the Opposition, where does the Leader of the Opposition stand? Is he in disagreement with this settlement, or is he in agreement with this settlement? He can't have it both ways. Where does the Leader of the Opposition stand?

**MR. G. FILMON:** Mr. Speaker, I am astounded that the Premier doesn't know what the settlement with the PSAC will cost the taxpayers of Manitoba as a percentage of its payroll. I am astounded at his lack of understanding.

My question to the Minister of Health is: do we have an emergency services agreement with the International Union of Operating Engineers, who are threatening to strike eight health care institutions in this province at the present time?

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

**HON. L. DESJARDINS:** Thank you, Mr. Speaker.

I thought there was a question there for me. I already agreed with the Leader of the Opposition that I would give all the information as to — (Interjection) — No, I know, and I haven't got it either. It's pretty hard for you to get it before we finish . . . The situation is that we will give you all the unions, because we have to deal with all different unions and different hospitals.

Mr. Speaker, my honourable friend seems to want to suggest that we should have central bargaining and this is not the case in this — (Interjection) — province. Well, then you can't have it both ways. You've been talking about . . .

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

**MR. SPEAKER:** Order please.

**HON. L. DESJARDINS:** My honourable friend, Mr. Speaker, has been talking about collective bargaining and he's suggesting that we shouldn't have any collective bargaining at all.

**MR. G. FILMON:** I'm asking questions; I'm not making suggestions.

**HON. L. DESJARDINS:** Well, you made a hell of a lot of speeches and I'd like to respond to that speech.

Mr. Speaker, we do have collective bargaining here and we cannot respond, or we should not respond the same way and have a uniform contract for all the employees in the health field. We don't intend to do that. There are certain areas that it is pretty well the equivalent because it is collective bargaining; and we are in touch with those who are negotiating. We gave you all this information during the Estimates. You haven't mentioned the 2 percent for the doctors; in fact, that's not enough, that's 2 percent also.

Now, the point we want to make is that it is not 2 percent added to the base of these people at Deer Lodge.

**MR. G. FILMON:** But they're getting it.

**HON. L. DESJARDINS:** Well, of course, they're getting \$300, and we haven't started printing our money yet. It's going to cost something.

Now, the 2 percent or 3 percent or 1 percent, you figure it out, but the point is it's a signing program. It's a one-shot deal, and it is not part of the base at all, but it is the equivalent on a three-year contract as what we give the other people — (Interjection) — Oh, yes, it is. It is very close. We haven't got a uniform program across the thing. Money-wise, it is the same.

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

**MR. SPEAKER:** Order please.

The Honourable Leader of the Opposition.

**MR. G. FILMON:** . . . have the candour of the Minister of Health telling us that it is indeed 2 percent.

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

**MR. SPEAKER:** Question.

**MR. G. FILMON:** Mr. Speaker, my question to the Minister of Health is: do we have an emergency services agreement with the International Union of Operating Engineers who are threatening to strike eight health care institutions in this province at the present time?

**HON. L. DESJARDINS:** I never said it was 2 percent. Let's get that straight. Here, you want to borrow this. If you'll return it, you figure it out. I'm not interested in figuring it out.

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

**MR. SPEAKER:** Order please.

**HON. L. DESJARDINS:** If you don't know what \$300 is, if you don't think they're more interested in the money than the percentage - and the other question . . .

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

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

I am trying to hear the Honourable Minister's answer. The Honourable Minister of Health.

**HON. L. DESJARDINS:** All right. I knew you were blind, but I didn't know you were deaf.

Mr. Speaker, nobody is trying to keep anything away from the public. It's \$300 for each member of that union for a signing bonus. It has nothing to do with the base; \$300, figure out how many employees - I think it was in the newspaper. I'll lend you this if you want to multiply, and then you announce. What you're trying to do with 2 percent is try to mislead the public like you've done so many times, and give them the idea that it's an increase in the base. That's a very important point. — (Interjection) — All right, then we've got it straight. It's going to cost \$300 per employee.

**MR. G. FILMON:** How much is that as a percentage?

**HON. L. DESJARDINS:** Why the percentage? You said how much it costs. You know, you can multiply by feet and then divide by heads and so on. It doesn't mean a damn thing. It is \$300 per employee; that's what it is, so you can figure it out what you want.

Now, the other question - I know you haven't got too many questions, and you would like to repeat them three or four times. The same answer as I told you two minutes ago - as soon as I get that, I'll give it to you.

**MR. G. FILMON:** Mr. Speaker, it's not we on this side who are trying to mislead . . .

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

**MR. SPEAKER:** Order please, order please.  
The Honourable Leader of the Opposition.

**MR. G. FILMON:** Thank you, Mr. Speaker.  
It is not we who are trying to mislead the public . . .

**MR. SPEAKER:** Question.

**MR. G. FILMON:** . . . it is these Ministers who are trying to say that \$300 doesn't cost anything to the people of Manitoba.

Mr. Speaker, if the Minister doesn't know whether or not we have an emergency services agreement with the International Union of Operating Engineers, what emergency plans are being made to cover the services in eight health care institutions which are threatened with strike by that union at the present time?

**HON. L. DESJARDINS:** Mr. Speaker, I like your intent at uniting this province, and telling us what we're going to do if there is a strike. If that's not inviting a strike, I don't know what is.

We will be ready; we'll give you the information. I have told you before, last week, that our responsibility is to look at the welfare of the patient, and we will. But we're not going to threaten people or any union or any group and say go ahead and challenge them to walk out because we're ready. We have our responsibility. If that happens, we will take care of that at the time.

### **Limestone Generating Station - halt to ads re positions**

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

**MR. R. DOERN:** Mr. Speaker, I would like to direct a question to the First Minister or the person directly responsible for this. Given that there are 7,000 to 8,000 applications or expressions of interest in some 380 Limestone positions, isn't it time to halt the ads which are raising false expectations among job seekers?

**MR. SPEAKER:** Order please.

The question is plainly argumentative. Would the honourable member wish to ask a question seeking information?

**MR. R. DOERN:** Mr. Speaker, I would ask the Minister, given the fact - well, I'll ask him simply this: are the 7,000 to 8,000 applicants for jobs on Limestone, or people who have expressed interest in working there, being informed that there are only 380 positions available this year?

**MR. SPEAKER:** The Honourable Minister of Energy and Mines.

**HON. W. PARASIUK:** We have said that all along. We have said that there are 400 in the first year, and that it builds up to about 1,000 in the second year. We also said that there were a lot of spinoff jobs that will occur as a result of the Limestone development. The key thing there, Mr. Speaker, is to ensure that there is the greatest Manitoba content possible.

We are very pleased. In the general civil contract that was awarded, the Manitoba content was in the order of 80 percent. That's an increase from Manitoba content, I guess, back in the '70s of some 55 percent. Given that we are getting more Manitoban content and more Manitoba spinoffs, we expect that the ultimate impact on the Manitoba economy will be an increase of some \$400 million to \$600 million to the Manitoba economy.

We think that's a pretty good investment, Mr. Speaker, because the jobs take place not only on the construction site, but here with draftspeople who are involved in the project, with people involved in the food industry, with people involved in the clothing industry. We want to make sure that Limestone does, in fact, create as many spinoffs as possible. That's why we launched a consultation process with the people of Manitoba; that's why we've been working with them. They have been working in a very co-operative, positive way. Mr. Speaker, we expect that information will be an important part of that, and we will tailor it to the needs of the people to ensure the greatest spinoffs.

**MR. R. DOERN:** Mr. Speaker, I thank the Minister for that bit of stump oratory. I would also ask him whether applicants are being informed that, in addition to only 380 positions available, that preference is being given to Northerners, to Natives and to women, which means that the average applicant would have little or no chance of obtaining a position?

**HON. W. PARASIUK:** Obviously, the Member for Elmwood doesn't have the same type of confidence in the ability of Manitobans to take fullest advantage of the Limestone development. There will be opportunities because of a fair employment policy on the part of this government which frankly, Mr. Speaker, only augments fair employment policies of other governments regarding a Northern preference.

That Northern preference was in existence in a form in 1972; it has been improved upon. I didn't hear the Member for Elmwood complaining about it in 1972 when he was a member of the Treasury Bench. In fact, talking about campaign stumpings, it was in 1977 that the Member for Elmwood was going around saying that Limestone would be the greatest thing for Manitoba. He seems to have changed his tune right now, Mr. Speaker.

So we on this side feel very confident in the ability of Limestone to provide job opportunities, not all the job opportunities, but there will be further job opportunities through the spinoffs that take place throughout the province. We're talking about 6,000 construction jobs. We're talking about something in the order of 13,000 spinoff jobs, and it is important that all Manitobans to the fullest extent possible do take advantage of those opportunities.

**MR. R. DOERN:** Mr. Speaker, I would then ask the Minister whether the government intends to continue to spend taxpayers dollars on advertising this project when they're getting a return of 20 people applying for one position? Is it worth the continuation of spending thousands upon thousands of dollars to build something up and mislead people in the process?

**HON. W. PARASIUK:** Mr. Speaker, I have said in the House many times, when I was questioned in the Public Utilities Committee, when I was questioned in my Estimates on this matter, I said that we will be continuing with the consultative process, with business, labour and community leaders to ensure that we do disseminate as much information as possible about this project over the life of the project, to ensure that people do take advantage of the opportunities and the opportunities aren't just employment opportunities. The opportunities are business opportunities, Mr. Speaker, and we would like to ensure that businesses in Manitoba do bid on those jobs, that they are competitive, that they know the timing of when some of those tenders might be called so that they will be in a position to take greater advantage of that development than has ever happened before.

I must say to date, Mr. Speaker, this government's efforts are succeeding in that respect.

### **Forest fires in B.C.- assistance from Manitoba**

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

**MR. H. ENNS:** Thank you, Mr. Speaker.

I direct a question to the Minister of Natural Resources or perhaps Government Services. Over the weekend, reports indicate that the Provinces of Alberta, Saskatchewan and Ontario came to the assistance of British Columbia in the very serious outbreak of forest fires that are currently ravaging that province. Was Manitoba asked to be of assistance, and if so, is there any particular reason why we were not able to be of some help to our sister province?

**MR. SPEAKER:** The Honourable Minister of Natural Resources.

**HON. S. USKIW:** Mr. Speaker, there are limitations within which we must function. In trying to reciprocate on an arrangement that is, I think, a long-standing one as between the provinces - certainly in all of the provinces across the country as a matter of fact, not only Western Canada - and British Columbia did not lend itself for water-bomber use, that is, not the CL-215 because of the steep mountains and so on. They

have to use helicopters and other kinds of craft. So they do not utilize the CL-215 in that region. So that is not a question before us at the moment.

What they did want as I understand it, is hose and ground supplies, which we have in limited supply here in Manitoba and which we think will be utilized here in Manitoba fairly soon. The wisdom was that we could not afford to allow these to be taken away at this point in time. But it is monitored on a current basis, on a day-to-day basis, and should they become available, of course, we are prepared to extend that support.

**MR. H. ENNS:** Mr. Speaker, I have some difficulty in appreciating the rugged terrain of Saskatchewan and the kind of equipment that they use to fight forest fires in that province as being more suitable than ours, but I would hope that the inclination not to be of assistance was not ideological.

### **Vestfold Complex - proposed waterfowl reclamation area**

Mr. Speaker, I have a further question to the Honourable Minister of Natural Resources. It has to do with the proposed Ducks Unlimited Project in the North Shoal Lake area of the Interlake. I believe the project is called the Vestfold Complex. Is the government currently involved with Ducks Unlimited in proposing a substantial waterfowl reclamation area in that general area?

**HON. S. USKIW:** Mr. Speaker, there have been discussions with Ducks Unlimited and indeed with the farm community in the area. As the member would fully appreciate, there is always a difference of view and conflict between those two uses in the marsh areas of the province and that is not any different in this case, but we are trying to alleviate, as much as possible, any discomfort that may arise out of any project that is put together. These discussions have been under way for three years now, Mr. Speaker.

**MR. H. ENNS:** I thank the Minister for that information.

My final supplementary simply is, has any final agreement been signed or arrived at with Ducks Unlimited and the land users in question?

**HON. S. USKIW:** As of this date I don't believe there is a final position, Mr. Speaker, other than they are trying to develop a program that is acceptable to all sides.

### **Genstar - actual tenders**

**MR. SPEAKER:** The Honourable Minister of Energy and Mines.

**HON. W. PARASIUK:** Mr. Speaker, last week the Member for Lakeside asked me if I would look into whether in fact the cement tenders would be tabled. I've had discussions with Hydro on it, and I'm informed that the basis upon which Manitoba Hydro invites competitive submissions for the purchase of goods and services is that all tenders and quotations will be confidential and the tenderers are informed of that.

Because of the characteristics of the Limestone Cement tender, that is two bids only, I'm not prepared to make the tenders available, but I am prepared to make available a summary of prices tendered from both firms. I can either give that to him or put it into the record if he'd like that now.

The Canada Cement, cement-only tender, was for \$13,197,500; the Genstar, cement-only tender, was for \$13,032,500, which was a difference in Genstar's favour of \$165,000.00.

With respect to the transportation component, Canada Cement was going to ship by truck and their costs were going to be \$6,758,695; Genstar would be shipping by rail and their rail costs were going to be \$7,668,695, which means that there was an advantage for the truck transportation of some \$9,000 or \$10,000.00. The sales tax was going to be \$1,631,211 for Canada Cement; for Genstar it was going to be \$1,610,817, which was a \$20,394 advantage for Genstar.

The total tender, taking into account cement, transportation and sales taxes for Canada Cement, was \$21,587,406; for Genstar taking into account cement, transportation and sales tax, it was \$22,312,012 with a difference of \$724,000.00.

A major consideration taken into account when looking at a transportation difference is that Hydro does have an obligation to provide extra maintenance on roads so that what might be saved with respect to the road aspect would have been picked up by extra maintenance costs by Hydro and the Hydro Board took that to detailed account.

### **The Builders' Lien Act - re Manitoba Hydro contracts**

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

**MR. G. MERCIER:** Mr. Speaker, to the Minister of Energy and Mines. Could he explain why, in The Statute Law Amendment Act just distributed, The Builders' Lien Act is not to apply to Manitoba Hydro contracts?

**HON. W. PARASIUK:** Mr. Speaker, that's a matter that is up for debate and we will certainly provide the explanation at the appropriate time.

### **Health budget - additional costs re strike settlement**

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

**MR. D. ORCHARD:** Thank you, Mr. Speaker.

My question is for the Minister of Health and follows on questioning already this afternoon. Could the Minister of Health indicate - he didn't have the information at his disposal last Friday - as to whether the departmental Estimates that we passed in this Session have sufficient budget available for the Deer Lodge centre to cover the additional costs of this most recent settlement to the PSAC union?

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

**HON. L. DESJARDINS:** Mr. Speaker, I'll have to get that information for my honourable friend. I think that

during the Estimates, I made it clear that whatever any agreement that we're running for the second year, that was included. There was no way that we could or that we should incorporate or have the funds in the Estimates at this time. At times it has been done in different ways. At times they've had a certain amount of money and if you debated and had the amount of money during the Estimates, what purpose would there be in having collective bargaining and so on.

I will check this. I would suspect that all of the amount is not there, but I will check on this and try to give the information this week, as soon as possible anyway.

**MR. SPEAKER:** Order please.

The time for Oral Questions has expired.

### **ORDERS OF THE DAY**

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

**HON. A. ANSTETT:** Thank you Mr. Speaker.

Mr. Speaker, it was our intention to call Second Readings and then Debate on Second Readings; but, Sir, before I do that, I would ask for leave of the House to bring bills up-to-date that have been reprinted by leave. Some bills have just been distributed today, Bill No. 84, Bill No. 87, Bill No. 92, and Bill No. 94. I would ask leave, Sir, to move all of those to the position they were prior to the reprinting.

**MR. SPEAKER:** Is there leave to move those bills forward?

Leave has been granted.

### **SECOND READING**

#### **BILL 84 - THE PUBLIC SCHOOLS FINANCE BOARD ACT; LA LOI SUR LA COMMISSION DES FINANCES DES ÉCOLES PUBLIQUES**

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

**HON. A. ANSTETT:** Thank you, Mr. Speaker.

The first bill is Bill No. 84. I wish to advise members that that bill had been referred to committee in its previous form as Bill 45.

Mr. Speaker, I move, by leave, on behalf of the Minister of Education, and seconded by the Minister of Health, that Bill No. 84, An Act to amend The Public Schools Finance Board Act, be now read a second time.

**MOTION presented and carried.**

#### **BILL 87 - AN ACT TO INCORPORATE "FIRST PRESBYTERIAN CHURCH FOUNDATION"; LA LOI CONSTITUANT EN CORPORATION LA "FIRST PRESBYTERIAN CHURCH FOUNDATION"**

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



**HON. A. ANSTETT:** Thank you, Mr. Speaker.

The next bill is Bill No. 87 which had also been referred to committee.

I would move, Sir, by leave, on behalf of the Honourable Member for Concordia, and seconded by the Minister of Health, that Bill No. 87, An Act to amend an Act to incorporate "First Presbyterian Church Foundation", be now read a second time.

**MOTION presented and carried.**

**BILL 92 - THE ARCHITECTS ACT;  
LA SOI SUR LES ARCHITECTES ACT**

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

**HON. A. ANSTETT:** Thank you, Mr. Speaker.

The next bill, Bill No. 92, had been adjourned on second reading and was standing in the name of the Honourable Member for Virden, for the information of members.

Mr. Speaker, I move, by leave, on behalf of the Honourable Member for River East, and seconded by the Minister of Health, that Bill No. 92, An Act to amend The Architects Act, be now read a second time.

**MOTION presented.**

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

**MR. H. GRAHAM:** Thank you very much, Mr. Speaker.

When this act first appeared before, I took the adjournment, basically, I hope to have the opportunity of taking a look at it and I had some concerns about the limited liability clause that appears in the act. It left an impression with me that there may be some concern in the insurance industry about the ease with which architects would be able to get adequate coverage for jobs. I've been assured since then that that is not the case, that the professional liability of the individual architect remains the same as it was before and while there may be some limits on the company if architects do form a Limited Company, there may be some protection for the other partners in that Limited Company, but the professional liability of the architect remains as complete as it ever was before.

So having had that assurance from outside advice, Mr. Speaker, I have no objection to allowing this bill to go to committee where we may get some public representation on some issues that we haven't had an opportunity to look at.

**QUESTION put, MOTION carried.**

**BILL 94 - THE HOUSING AND  
RENEWAL CORPORATION ACT;  
LA LOI SUR LA SOCIÉTÉ  
D'HABITATION ET DE RÉNOVATION**

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

**HON. A. ANSTETT:** Thank you, Mr. Speaker.

Mr. Speaker, the next bill, Bill 94, was adjourned on second reading and standing in the name of the Honourable Member for Assiniboia.

Mr. Speaker, I beg to move, by leave, on behalf of the Minister of Housing, and seconded by the Honourable Minister of Health, that Bill No. 94, An Act to amend The Housing and Renewal Corporation Act, be now read a second time.

**MOTION presented.**

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

**MR. R. NORDMAN:** I move, seconded by the Member for La Verendrye, that debate be adjourned.

**MOTION presented and carried.**

**HOUSE BUSINESS**

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

**HON. A. ANSTETT:** Thank you, Mr. Speaker.

Mr. Speaker, to expedite the business of the House and avoid the necessity of a calling of the meeting of the Standing Committee on Agriculture, I would ask for waiver of Notice of Motion and leave to introduce a withdrawal and referral motion for Bill No. 70, An Act to amend The Agricultural Credit Corporation Act, to refer it to the Standing Committee on Statutory Regulations and Orders.

**MR. SPEAKER:** Is there leave for such action? Leave having been granted, the Honourable Government House Leader.

**HON. A. ANSTETT:** Thank you, Mr. Speaker. I move, seconded by the Honourable Minister of Health, that Bill No. 70, An Act to amend The Agricultural Credit Corporation Act, be withdrawn from the Standing Committee on Agriculture and transferred to the Standing Committee on Statutory Regulations and Orders.

**MR. SPEAKER:** One moment please.

Order please. It is probably an administrative matter, but this resolution is not in the normal form that the House has agreed that motions would be put to the House. In order for the matter to conform with the accepted parliamentary procedure, I would suggest that the motion be redrafted and presented again to the House later this afternoon or whenever it's ready.

**MR. H. ENNS:** Why didn't you ask me, Andy? I would have helped you.

**HON. A. ANSTETT:** I didn't know the Opposition House Leader could translate; maybe he can be of assistance to the Clerk.

Mr. Speaker, I wish to advise honourable members that it would be our intention to deal tomorrow, immediately following question period, with the

condolence motion for the late Judge John Roman Solomon.

**HON. A. ANSTETT:** Mr. Speaker, would you please call, for Second Reading, Bills 81 and 90 on Page 3 of our Order Paper?

## SECOND READING

### BILL 81 - THE CO-OPERATIVES ACT; LA LOI SUR LES CO-OPERATIVES

**HON. J. COWAN** presented, by leave, Bill No. 81, An Act to amend the Co-operatives Act; Loi modifiant la loi sur les co-operatives, for Second Reading.

#### MOTION presented.

**MR. SPEAKER:** The Honourable Minister of Co-operative Development.

**HON. J. COWAN:** Mr. Speaker, the bill which I have just introduced is primarily a technical bill which arises from requests by some members in leadership within the co-operative movement to undertake two specific changes to the act.

I have here some speaking notes which I will forward over to members opposite so that they can have an opportunity to review the detail of the specific changes as proposed. In order to expedite the time of the House today, I will touch very briefly on them and attempt to answer any questions that the opposition may have either today or during the course of the passage of this bill through the number of readings required by the House and the committee meetings.

The overall purpose of the bill is to clarify two issues of specific concern to the co-operative sector. The first is to provide specific authority for the purchase of insurance for directors and officers on the same basis as directors and officers under The Corporations Act and The Canada Business Corporations Act can purchase similar insurance. This is important in that it provides the same language for all the acts in regard to the purchase of such insurance.

It was not a concern that arises out of specific instances in the past but primarily a question as to how the provisions in The Co-operatives Act might be interpreted by courts or other parties in the future. So what we are attempting to do with this particular bill is to remove the concern about those possible interpretations and make certain that the language that is contained within The Co-operatives Act is the same as the language that is contained within The Corporations Act and The Canada Business Corporations Act.

We have to remember that directors and officers of co-operatives - that includes credit unions and caisses populaires - are volunteers, by and large, and that they are committing their service to their organization on that basis. We believe that they should be provided the same protection as others who are operating on a somewhat different basis but providing similar services to corporations and other entities.

The second part of the bill clarifies and simplifies administrative provisions for the distribution of property

of a co-operative when it is being liquidated or dissolved. Now that's not a situation that we like to see all that often but, in fact, it does happen from time to time. Sometimes it happens when the co-operative has served a particular purpose and is financially sound and in fact is dissolving for reasons other than financial reasons. In those instances, and in other instances, some of the provisions in the past, particularly the language that deals with the dissolution of a co-operative, has been considered too restrictive by those persons and the membership of those co-operatives who are attempting to resolve their dissolution and their liquidation in as an acceptable manner as possible to the membership.

So the amendments which are being brought forward provide for dealing with those sorts of circumstances and addressing their specific concerns which revolved really around the way in which the time of the dissolving of the co-operative was defined - was it the last year that the co-operative did business in, or was it the last active year in which a co-operative did business? - and there were some questions concerning that. We believe that the legislation which is brought forward provides answers to those particular questions.

It also deals with the distribution of property of community service co-operatives. In the past, by charter by-law, community service co-operatives were required to distribute their property back to other co-operatives. What we have now is they've put in the legislation that there is to be no distribution of property back to the members of the co-operative; instead it must be distributed to another co-operative operating entirely for the purposes of community services - and that's defined in the act - or to a registered Canadian charity or a registered Canadian amateur athletic association, to the Co-operative Promotion Board or to such other person or entity as the regulations may prescribe. We provide a definition of what a community service co-operative is to be, by legislation.

So we believe these amendments, while technical in nature, will deal with some specific concerns that have been expressed to us and will enable the co-operative movement to deal more ably with difficult circumstances that surround liquidation or dissolving of co-operatives.

I would be pleased to attempt to answer any questions that members opposite might have. In some conversations with them of a very preliminary nature, they have indicated they may have some questions concerning this and, of course, look forward to any questions, and the answers we can provide during the discussion of this at the committee stage or in third reading.

**MR. SPEAKER:** Are you ready for the question?  
The Honourable Member for Roblin-Russell.

**MR. W. MCKENZIE:** Thank you, Mr. Speaker.

I thank the Honourable Minister for sending his speaking notes over to me so I can address the legislation that's before us this afternoon and attempt to put some comments in the record as to my own personal feelings. I have sent the bill out to some of the credit unions and, unfortunately it was the weekend and they're not back. Their boards meet bi-monthly and weekly, so I doubt if we'll get any comments back

from the credit unions in the short interval from when the bill arrived on Friday until today.

But, Mr. Speaker, basically I have no concerns with the first section of the amendments to the act. The section regarding the distribution of property, Mr. Speaker, is new and it changes the wording regarding the distribution or the disposition of co-operative property.

Now while I went through the bill, whether these speaking notes or not are helpful, I thought the bill needed some clarification regarding the manner in which members can vote on the distribution or disposition of the assets. I think, Mr. Speaker, maybe the legislation needed some clarification or - could I say - confirmation as to how these options will be carried out at the time of the distribution of the property. The bill doesn't spell it out as to how it will be carried out.

The other part it mentions in the bill there: ". . . to such persons as the regulations may prescribe" and that, of course, is not a new section in the legislation, but I think at this time with this bill that's before us today, Bill No. 81, this section I think needs clarification or at least a copy of the regulations so that we know what we're talking about. It refers to the regulations but unless we see the regulations, it's pretty difficult to comment. So I would also like to ask maybe the Minister if the regulations will override the decision that the members might make amongst themselves. Or will the regulations provide another option that's not even mentioned in the legislation?

So I would hope that the Minister, either in closing debate today or at committee stage, will spell out the proposed regulations that he intends to attach to this legislation.

With those few comments, Mr. Speaker, we're prepared to have the bill move on to committee.

**MR. SPEAKER:** Are you ready for the question?

The Honourable Minister of Co-operative Development will be closing debate.

**HON. J. COWAN:** Thank you, Mr. Speaker.

Very briefly, I'll attempt to deal with the questions that I can address at the present time, and will answer the others or have the answers ready for the others, and we'll answer them during the clause-by-clause discussion of this during the committee discussion on it.

In respect to how the members vote on the distribution of the property, I believe that is a matter that is up to the membership as a whole within the overall framework of co-operative principles. There are certain principles which, in fact, give direction as to how votes should be taken - one member, one vote is an example of one - but there are other sorts of principles that would impact upon the way in which that vote would be taken. I would assume that the co-operative itself would have by-laws that are in keeping with the legislation and the regulations that would determine how they would vote on an issue such as this. So I would see that as being a matter that would be dealt with at the co-operative level as long as it is in keeping with the legislation, the regulations and the general principles.

In respect to how the options will be carried out, how the property will be distributed, all I can undertake

to the member is that the legislation that we have before us says in very broad terms as to where the property can flow. How it is distributed I think again, is a matter that should rest in the hands of the co-operative membership to the extent that it is in keeping again with the overriding legislation, the framework and the regulation as well as the membership wishes, and the general principles of co-operation.

So I would not see a co-operative dealing with where it can go outside of the parameters which are provided for in this legislation, but rather how does it get there - in what manner is it distributed, at what time, etc.? So I think that would be a matter for the co-operative to take up at the local level, and determine exactly how it is to be distributed in keeping with the options that are provided for in the legislation.

The item regarding the clause in distribution of property that provides for regulations to prescribe other manners by which the property may be distributed is a standard item, as the member inferred in his own comments. The regulations are existing now for the legislation. I do not anticipate any new regulations being required immediately in this regard, but I believe what this allows for is an opportunity to set up a mechanism that had not been thought of specifically in the development of the legislation, but is in keeping with the intent of the legislation. So it allows you that bit of flexibility that will enable you to distribute the property in such a way that was not spelled out but might have been intended in the general framework. That's what regulations and those sort of clauses are for.

So what we can certainly do is provide to the member a copy of all the regulations that currently exist, and give him the assurance that this is a standard procedure in that regard and is one that is quite similar to clauses in other legislation and does not appear to have caused too many difficulties in the past.

One should also be clear that the regulations can't run counter to the intent of the legislation. So the member said, would a group make a decision that was in keeping with the provisions in the legislation and then come back to find out that these other regulations, which are not spelled out in here, prohibit them from doing so. I would not think that would be the case given that the regulations must certainly coincide and follow with the provisions that are outlined in the legislation and can't override them.

So I don't believe that the situation that the member suggested, it might be a concern where the regulations override a membership decision, would be a problem as long as the membership decision was in keeping with the legislation per se. For that reason, I would not think it to be a major problem, but if there are specific circumstances that the member can outline that should want to make us rethink this, then we'd certainly be prepared to discuss those at the committee stage and the discussion ensuing thereof on this particular legislation.

So I thank him for his suggestions. I think they are helpful. I look forward to the discussions at the committee stage and will try to answer those questions which I have not been able to answer in detail at that particular time.

**QUESTION put, MOTION carried.**

**BILL 90 - THE ECOLOGICAL RESERVES ACT; LA LOI SUR LES RÉSERVES ÉCOLOGIQUES**

**HON. S. USKIW** presented, by leave, Bill No. 90, An Act to amend The Ecological Reserves Act; Loi modifiant la loi sur les réserves écologiques, for Second Reading.

**MOTION presented.**

**MR. SPEAKER:** The Honourable Minister of Natural Resources.

**HON. S. USKIW:** Mr. Speaker, honourable members may be aware that ecological reserves programming was established some several years ago, in fact, in 1975, as a program of the department, and subsequently, in 1981, an act was passed, The Ecological Reserves Act. Since that period of time, we've had six ecological reserves involving some 15,500 hectares of land established in Manitoba.

**A MEMBER:** How many acres is that?

**HON. S. USKIW:** Well, 38,300 acres. The member wants to know how many acres that is - 38,300 acres.

The act, however, was silent with respect to who is to enforce the provisions of the act, and this amendment merely redresses that omission. Provisions essentially are the enforcement provisions.

Thank you, Mr. Speaker.

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

**MR. H. ENNS:** Mr. Speaker, my colleague, the Member for Emerson, would normally be responding to this, and I will have somebody take the adjournment to the act.

But it is with some pleasure that I respond at this particular time, having had the privilege of moving into this Chamber the act the Minister referred to, The Ecological Reserves Act, in 1981. I am pleased to note that it is a modest program and that we have some special areas in the province that deserve this kind of designation. I think there is no question that the opposition will support the bill. There is obviously need for clarity in terms of administration and enforcement under this act.

Mr. Speaker, it is important for us to note, particularly at a time such as this when we have problems; that is, when I say we the agricultural community has problems with land that is set aside for different kinds of public use, be it road allowances, be it wilderness areas, in this case ecological reserves, and that there isn't a clear and definitive policy in place that then can aggressively redress a problem that arises in certain years as we have this year with respect to grasshoppers.

It does little comfort to the municipalities and/or the individual farmers who are doing their best and very often from the best advice that the Department of Agriculture gives them with respect to control of a particular insect or something that is causing damage to the agricultural crop in question, unless there is a

fairly immediate and instant operation taking place on adjacent Crown lands or public lands of all descriptions.

Now, Mr. Speaker, this isn't only reserved to the current problem that is plaguing southwestern and other southern Manitoba farmers, namely grasshoppers. There are other forms of crop depredation that are suffered by farmers who happen to be living adjacent to some form of public lands. In some cases, it can be overpopulation of elk and deer herds. It can be overpopulation of beavers in the Riding Mountain National Park. It can be any number of situations that, because of the special status of land, are exempt from the normal practices that we from time to time have to employ to maintain some balance with respect to these problems to agriculture, they become real problems.

The former Minister of Agriculture, my colleague, the Member for Arthur, along with the Member for Virden and others have repeatedly pointed out the difficulty that we're facing this year with respect to grasshoppers. So much of their problem stems from land that is set aside from some, albeit good and appropriate public use, but these are — (Interjection) — no they're not, but here we're talking about another 38,000 hectares of land that are public land. You add that to the wilderness areas, you add that to the park areas, you add that to the road allowance, you add that to Crown lands of some other undesignated proportion and we have a problem, Mr. Speaker.

Mr. Speaker, with those few comments, I'm satisfied that the Minister will take them into consideration and that those who are authorized with the responsibility of administering these kinds of land will have to in the future work far more closely with the Ministry of Agriculture in seeing to it that they don't present a problem on their own.

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

**MR. J. DOWNEY:** Mr. Speaker, I move, seconded by the Member for Lakeside, that debate be adjourned.

**MOTION presented and carried.**

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

**HON. A. ANSTETT:** Thank you, Mr. Speaker.

I would ask for leave of the House to proceed with second reading on Bill No. 98, An Act to Validate an Expropriation Under The Expropriation Act; Loi validant une expropriation effectuée en vertu de la loi sur L'expropriation. The bill was distributed earlier today, Mr. Speaker.

**MR. SPEAKER:** Is there leave to introduce Bill 98 for second reading? Leave has been granted.

**BILL 98 - AN ACT TO VALIDATE AN EXPROPRIATION UNDER THE EXPROPRIATION ACT; LOI VALIDANT UNE EXPROPRIATION EFFECTUÉE EN VERTU DE LA LOI SUR L'EXPROPRIATION**

**HON. R. PENNER** presented, by leave, Bill No. 98, An Act to Validate an Expropriation Under The

Expropriation Act; Loi validant une expropriation effectuée en vertu de la loi sur L'expropriation, for Second Reading.

**MOTION presented.**

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

**HON. R. PENNER:** Thank you, Mr. Speaker.

The purpose of Bill 98, an Act to Validate an Expropriation under The Expropriation Act is to remove as much as possible, any uncertainty concerning the redevelopment of the area North of Portage and to ensure that the development will not be delayed by reason of technicalities.

This property was expropriated as of June 3, 1981, so it's not as if something is happening all of a sudden. No action has been taken to date to my knowledge in any court to challenge the expropriation. The law officers of the Crown have provided me with their opinion, that the expropriation as presently constituted, is valid. They have, however, also advised me that a question has arisen with respect to a technical irregularity. As most of the members of the House are aware, the North Portage Development Corporation is anxious to proceed with the development of the area in order to remove as much as possible any risk of delay of the project. Again, I say on account of mere technicalities, this act is being introduced.

Mr. Speaker, it's essentially in the same form as the act passed in this House in June of last year to validate the more recent North Portage expropriations. As I indicated at that time, because the province is committed to the project and because it is important that the project proceed as expeditiously as possible to meet its goals of redevelopment and stimulation of job creation and employment in the area, we are introducing this legislation to remove any uncertainty and avoid prolonged litigation on that account.

In addition, I should note that this legislation was requested by the North Portage Development Corporation as necessary to allow the development to proceed. As most members of this House are aware, that corporation has representatives on it from all three levels of government.

In the same vein and for the same reasons, Mr. Speaker, in order to remove any uncertainty, we are validating a City of Winnipeg by-law which closes certain streets and lanes in the area. The by-law was passed very recently. It is our opinion that both the expropriation and the street and lane closings are within the jurisdiction of the province and the city respectively, and the effect of this legislation is primarily to ensure that the project is not delayed by any technical irregularities. Specifically, one section of the bill validates, ratifies and legalizes the various expropriation documents and prevents a challenge to their validity. There may, for example, have been a slight misdescription in terms of land as between the original expropriation order and the confirming order.

Section 2 of the bill ratifies and legalizes the street and lane closing by-law and prohibits a challenge to the by-law. Another part of the bill is meant to ensure that extra interest costs are not incurred by reason of a delay in filing any documents. Another section of the

bill makes it clear that the act applies to any litigation pending at the time the act is passed and finally, the bill makes the act retroactive to September 30, 1981, the date of registration of the declaration in the Winnipeg Land Titles Office.

Finally, Sir, I wish to reiterate that we are not in any doubt about the government's power to expropriate the land, that has not been questioned. The purpose of this bill is to avoid prolonged litigation on technicalities. And again in closing, I want to stress as I have stressed before, that the landowners in question still have the full right to go through all of the machinery that is provided in the act, and including into court, to have the question of compensation decided under The Expropriation Act. That has not been taken away in any way. So if the issue is one of compensation, then there is the forum for adjudicating that.

The way in which expropriation compensation is best handled is not by relying on mere technicalities, but by getting down to the substance, fair-market value, loss of use, dislocation, all of those factors which traditionally go into assessing the quantum of compensation when land is expropriated.

And so I commend this bill to the House.

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

**MR. G. MERCIER:** Thank you, Mr. Speaker.

I appreciate the objective of the Attorney-General and of the government, but I do want to place on the record concerns which I have and I think many people in our province will have with the process that we are involved in here.

Mr. Speaker, first of all it should be recollected that initially the proposal was to expropriate the whole parking lot of the Winnipeg Free Press property. That was the position taken by the Federal Minister at the time, Mr. Axworthy, and by the mayor of the city.

Mr. Speaker, whilst I was Minister of Urban Affairs, in reviewing that proposal, we then retained a noted Winnipeg architect, Mr. Michener, to review that proposal to determine if less than that amount of property was necessary. He came back with a report which recommended that the original proposal could be reduced to this 50- or 55-foot piece of property to the west of the Winnipeg Free Press parking lot, and the expropriation proceeded on that basis; the objective or the purpose in mind being that that would be access to the proposed park on Portage Avenue.

The purpose of the use of the property is now changed from its original use and raises in my mind, and many others I'm sure, the question whether, when an expropriating authority proceeds to expropriate property for one purpose and then that purpose is changed to another use, is that a moral use of that power of expropriation, Mr. Speaker?

Secondly, the power of expropriation itself is an enormous power and one that is used, I hope, and would continue to hope that it is used rarely by government only after negotiations have not carried through or not able to come to a conclusion and should be used only where it is clearly in the public interest.

Here we not only have, Mr. Speaker, the use of expropriation power, but now a piece of legislation that

attempts to validate what may be - I use the word "may" because that's certainly not clear at this point that there was something wrong in the procedure that would negate the expropriation process - so it's an even greater use of government authority to make regular what may have been irregular in the expropriation process. Again, if expropriation itself is a power that should only be used in limited circumstances, then government legislation to validate what may have been an irregular process is something that should be used in much more limited circumstances.

Mr. Speaker, one must be concerned at the same time, too, with the intentions expressed by the owners of the property that this expropriation in itself may cause, in the future, the owner to relocate outside of the downtown area. Certainly, the purpose of the objective of the core area initiative is to encourage and enhance development and employment in the downtown. Whilst expropriation is attempting to develop a piece of property by this action, it may itself be driving an employer of some 600 to 700 employees out of the downtown area and, certainly, that wouldn't be advantageous or consistent with the objectives of the development of the core area.

These, Mr. Speaker, are some of the concerns that we have on this side with the proposed bill. It's a bill, I hope, that will have been circulated to the people affected, who may very well, I am sure, want to make representations to committee; and it's a concern that we will want to deal with at committee, and concerns that we want to put to those persons who will be making representations at committee in order that we can clarify and determine how valid our concerns are.

One question that must be asked in my mind, Mr. Speaker, is when you have a three-block long development, how necessary is it that you have an additional 50 feet? It just seems to me, from a practical point of view, that the North of Portage Corporation could say to the architects we are going to have a development here of three blocks, include 50 feet that we are going to use on the Winnipeg Free Press property, include it within the three-block long development.

It seems to me, Mr. Speaker, that architects could accomplish that if they were given those instructions. That seems to me a very practical solution to this particular problem, and I would certainly like to hear from the Attorney-General or other Ministers who will, no doubt, be more familiar with the development as to why the use of the 50 feet cannot be done within the three-block long development.

So, Mr. Speaker, those are some of the concerns that we have on this side and, hopefully, those concerns will be answered and clarified when this bill reaches committee level.

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

**MR. H. GRAHAM:** Will the Honourable Minister permit a question?

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

**MR. H. GRAHAM:** I realize that perhaps the information I am seeking should be in the form of an Order for Return, but I wasn't aware this bill was coming up.

Could the Minister indicate to the House, and to the committee when this bill goes to committee, how many orders for expropriation exceeding 12 months of duration without any action being taken, how many of two years duration, how many of three years duration, how many of four years duration?

Because it seems to me, Mr. Speaker, that we have expropriation orders that sit there for several years and no action taken, but all of a sudden . . .

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

**MR. H. GRAHAM:** I am asking the Minister if he can give . . .

**MR. SPEAKER:** Order please, order please. Questions for clarification should come at the end of a member's remarks in case there is a need for clarification on the part of some members as to the remarks that were made at that time. I would think it irregular for such questions to come at any other time, and they certainly should not be a reason for making a speech on the matter. If there is something requiring clarification in the Minister's remarks, perhaps the honourable member would wish to seek clarification of that.

**MR. H. GRAHAM:** Mr. Speaker, I recognize; I maybe got carried away. This refers to expropriation orders.

I ask the Minister: how many expropriation orders there have been of various durations over the last five years?

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

**HON. R. PENNER:** I don't know if that information is readily available. I will undertake to at least attempt to have an answer on that by the time the bill reaches committee.

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

**MR. R. DOERN:** Mr. Speaker, I wanted to just make a few comments in regard to the bill to expropriate part of the Free Press property and also, in so doing, raise a number of concerns with the Minister.

I suppose the greatest concern, as a consequence of this bill, is the danger that the Free Press might feel somewhat constricted or restricted in its activities and in its expansion plans, and, as a consequence, decide to move out of the core area.

It's ironic that one of the goals, of course, of this whole north Portage development is to in fact increase the density and the population of the downtown area. We have seen already that Kennedy Street, which was a viable strip of retail merchandising, including a theatre and a number of boutiques and stores, has now in effect been lost and will shortly be demolished. Now we have the major newspaper in our city, and in our province, being told that they are going to lose a 50-foot strip which they claim is essential to their operation.

I would not like to see the ultimate fall-out or consequence of this government action to be that the Press feels somewhat strangled or restricted or constricted and then would make a decision five or ten

years down the road to pull out and move into the Inkster Industrial Park or some kind of location far from the downtown area. Because it wasn't very long ago, Mr. Speaker, that we had both the Winnipeg Tribune and the Winnipeg Free Press downtown. Then, of course, the Sun replaced the Tribune and then the Sun was downtown on Garry Street near Portage and then they decided, I guess for reasons of economy, not very handy for advertisers or people wanting to do business downtown with the paper, but they decided to go out into the Inkster Industrial Park area.

Mr. Speaker, I say this in a general context that, to date, I have not been impressed with this federal-provincial-city proposal. I think we will all have to take a look at the plan as it unfolds. But ideas such as closing Portage Avenue and rerouting it and glass enclosures, etc., etc., I think could in fact, rather than stimulate the downtown area, be damaging to the downtown area. There was a time . . .

**HON. R. PENNER:** That was abandoned a long time ago.

**MR. R. DOERN:** Well, the Minister says it was abandoned a long time ago. The area, of course, from Eaton's to The Bay and the area to Broadway, etc., is fairly successful, and the north side of Portage, of course, is the problem. But, I think like other people in this Chamber, I very much enjoy walking up and down Portage Avenue going to the YMCA, shopping at Eaton's and The Bay, etc. Some of us are probably more suburban-oriented, and some of us are core type of people in the sense that we've enjoyed being downtown and shopping downtown, eating downtown — (Interjection) — no, we weren't speaking of pornography here, we're speaking of geography.

So I am simply saying, Mr. Chairman, that I don't know about the good effects of this proposal, whether it's going to draw people downtown, whether it's going to restimulate the downtown area. All I know for the moment is that some of the decisions being taken by the corporation and by the three levels of government have, in my judgment, been disastrous and I want to give you a couple of examples. Well, here's the Minister of Urban Affairs.

Mr. Speaker, some of the decisions of the city are very hard to fathom and with the support of the other levels of government, harder still to fathom. I'm just thinking recently that some of the parks that they've developed outside the core have been rather attractive, but downtown in front of the Free Press we have two of the ugliest parks anywhere in North America. We have a park in front of the Free Press or a supposed park which I call Gravel Park which is that area with a few park benches and a lot of — (Interjection) — I must have misunderstood my honourable friend. He said that they were nothing in comparison to the Woodsworth Building. Of course, I agree with that.

Mr. Speaker, the Gravel Park now is something I have never been able to grasp. Now beside it, we have beside Air Canada as part of a deal with Air Canada, Flamingo Park. I mean, we have there one of the oddest looking buildings, one of the oddest looking designs that a person, of course, could see. When one is told - and I find this hard to fathom - that piece of property may

have cost \$5 million, then it is completely unfathomable, Mr. Speaker.

There you have a ceramic wall in pink which doesn't match with anything, two old pillars from a building in isolation standing there. I mean, the concept was good. The concept, I'm sure, was let's take some of Manitoba's history and Winnipeg's history and use it. Rather than ignore it or keep it in some sort of a warehouse, let's utilize it.

But when you just put two old columns in the middle of nowhere, you don't have anything. Then a silver pillar in the middle, repainted silver and then a fountain which isn't bad, and then this design which to me is somewhat reminiscent of the famous bear pit at Corydon and Osborne, which was probably a great idea, probably looked terrific when somebody designed it, but nobody uses it. It's just a concrete jungle that is totally ignored.

So now in front of the Free Press and on Portage Avenue you have this Gravel Park, thanks to Mr. Axworthy the last of the big-time spenders, and then beside it you have Flamingo Park, which is quite a disaster in my judgment, Mr. Speaker.

So the point I am attempting to make to the Minister is the fact that there have been a series of what I would regard as questionable decisions and disastrous decisions being taken by the North Portage Development group. That is the fact that they're gambling on a design and gambling on a relocation of Portage Avenue and a rerouting - which I think may have an adverse effect - I'm very nervous about moving the avenue in any way. I'm not certain of the effects of the greenhouse where people will be shopping indoors because, although it is true that we have a harsh climate in Manitoba that is very cold in December and January and February, when you get into March and April and you go through the summer and you get into September, October and November, it's outdoor time; it's walking time. People do walk outside and do deliberately seek fresh air and sunshine, etc. In January and February, it's another story.

So I'm saying, there are those big gambles in this project. Then there are those poor decisions in regard to the parks, in regard to closing Kennedy, and now in regard to taking a piece of the property from the Free Press.

Now the other point, Mr. Speaker, is that plan has changed a number of times. It has already and it may still change. Another idea they had was extending Central Park from where it presently is, all the way up to Portage Avenue. I don't know whether that called for the demolition of the Free Press or not, or whether it was just supposed to go around the Free Press - and the Press was supposed to be in the middle of a park - but the original proposal was for a large park going up to Portage Avenue.

Mr. Speaker, I have always had a lot of concern about parks on Portage Avenue and on North Portage Avenue in particular, because one might assume that the citizens of Winnipeg in the afternoons and evenings would stroll in the park. There are parks like that, although nobody in their right mind other than tourists stroll in Central Park in New York. I have been to New York about a dozen times. I have never yet been inside Central Park even in the daytime, but no New Yorker would ever dare go into that park in the evening with all the muggers and all the weird types that hang out there. So if we

have a park in the downtown area, the assumption is that people will utilize it. Well, Mr. Speaker, that's a theory.

Another theory is that a lot of drifters and characters will hang around in the park and throw beer bottles and beer cans around, and accost anybody in the area

**A MEMBER:** Then we'll build a washroom.

**MR. R. DOERN:** Well, washrooms are necessary, even for the Minister. I'm sure he has one at home as well.

Mr. Speaker, I am simply saying that given the past record of North Portage development in terms of a series of decisions, given some of the gambling that they're doing with taxpayers' money, and given that by taking a strip from the Free Press it could - and this is my greatest fear - it could lead to the eventual move of the newspaper from the downtown area into the suburbs, I am not in favour of this bill at this time.

**QUESTION put, MOTION carried.**

**MR. DEPUTY SPEAKER, P. EYLER:** The Honourable Government House Leader.

**HON. A. ANSTETT:** Yes, Mr. Speaker, I would ask for leave, now that we have the explanatory notes for our Statute Law Amendment Act to proceed with introduction on second reading on Bill No. 60.

**MR. DEPUTY SPEAKER:** Does the Minister have leave? (Agreed)

**BILL 60 - THE STATUTE LAW  
AMENDMENT ACT, (1985);  
LOI DE 1985 MODIFIANT LE DROIT  
STATUTAIRE**

**HON. R. PENNER** presented, by leave, Bill No. 60, The Statute Law Amendment Act, (1985); Loi de 1985 modifiant le droit statutaire, for Second Reading.

**MOTION presented.**

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

**HON. R. PENNER:** Mr. Speaker, in keeping with past practice I don't intend to really speak on it, just draw the attention of members to the obvious fact that explanatory notes have been circulated. I think it is the kind of bill that can best be dealt with in committee when members have had an opportunity to peruse the various sections. We'll make sure, of course, at committee, that the Ministers are there. Some questions have already been asked and perhaps belying my own words, I'll just say a word about a couple of sections.

With respect to The Bee Act from time to time when a new species of bee has been introduced creating problems, then the act has had to be amended. Well, we're amending the act with respect to one species and now giving power by regulation to add other species as that becomes a problem.

A question was asked about The Builder's Lien Act. At the time that the amendments to The Builder's Lien Act were last passed, exemptions were made with respect to the construction of airports and highways and by oversight, that was not extended to Hydro. Hydro has a mechanism for protecting people in quite the same way that The Builders' Lien Act does, so it is not a question of denying anyone protection. However, there is, in fact, and this is very specific, a \$4 million saving to be made by allowing the Hydro mechanism to operate rather than the builders' lien mechanism to operate in this type of construction.

I would draw the attention of members to the top of Page 2 - and this comes by way of a request from the Chief Justice of Manitoba - to be an increase in the number of appellate judges by one. I should draw attention to the House to the fact that the Federal Government in passing amendments to The Judges' Act has created a number of positions, one of them specifically for Manitoba, but the Court of Appeal position will be drawn from what is called the pool.

It was hoped that the decision with respect to a number of judicial appointments in Manitoba would have been made on Saturday, but Federal Cabinet did not get around to it and sometime in the next few weeks a number of decisions will be made including the one that is referred to here and a new Chief Justice for the Court of Queen's Bench and a senior Associate Chief Justice and a judge for Brandon.

I would like to just note that the small claims limit is being raised from \$1,000 to \$3,000.00. I would like to give credit where credit is due. This comes at the suggestion in part from the Member for St. Norbert, and I was pleased to be able to include that suggestion in the act as some of the amendments are consequential upon the amalgamation of the two divisions at the federal level - the Queen's Bench and the County Court. Some, of course, would clearly be identified as being merely technical. For example, under The Fisheries Act, we are just acknowledging what is a change in market conditions by changing the aggregate in terms of loans to fishermen from \$4 million to \$6 million. I think perhaps I would leave it at that and respond to any questions and deal with the rest at committee.

At the bottom of Page 4, a change to The Provincial Police Act. The act presently suggests that the commission membership is five, and this would not really change that necessarily, but it would allow the board to be somewhat larger. The reason for that is that we're not sure of what the workload of the commission will be. A considerable part of this jurisdiction is now transferred over to Law Enforcement Review Agency and it may be that it is quite able to get along with the five, it's nominal membership now. Although it's down, we have to make a couple of appointments. But if its workload gets too heavy, it may be that we would want to have a rota as we do with The Law Enforcement Review Act.

The change to The Snowmobile Act is important. This permits the issuance of validation stickers instead of new number plates with the 1985 snowmobile registration renewal. This results in a fairly substantial saving of some \$35,000.00.

The Summary Convictions Act amendment is part and parcel of amendments which were introduced to or at least related to amendments which were



introduced to The Highway Traffic Act to take into account administrative and program changes that had to be made consequent upon the decision that Mr. Justice Ferg.

Those then are some of the highlights of the proposals in The Statute Law Amendment Act and, as I say, we'll make sure that all of the Ministers concerned are available at committee. It would be helpful if the opposition were to advise me where they would like additional explanation so some of those may be furnished in advance of committee.

**MR. DEPUTY SPEAKER:** The Member for St. Norbert.

**MR. G. MERCIER:** Thank you, Mr. Speaker.

Firstly, I would like to make a few comments on the bill and then others may wish to comment on individual sections or perhaps even wish to adjourn debate on the bill for a day or so in order to have an opportunity to examine it further.

I would point out to the Attorney-General, it has been the practice in the past, certainly when Mr. Tallin as Legislative Counsel was here, to note those sections in the explanations which referred to bills that may have been of some significance rather than purely procedural amendments and has not been done in this explanation. It has always been helpful to members in the past because this bill is always introduced, of necessity, late in the Session. So I would hope that in future years, legislative counsel would continue that practice.

Mr. Speaker, there is of course an amendment to this section that is interesting, that happens to come up on the same day when the Minister responsible for Energy and Mines is talking about tenders to Manitoba Hydro. There is an amendment in this Statute Law Amendment Act which makes The Builders Lien Act inapplicable, Mr. Speaker, to Manitoba Hydro projects. There is an explanation contained in the notes which would appear to indicate there is a cost saving to Manitoba Hydro if this is done. But certainly the Minister should give some assurance that everyone will be protected even if this is done.

I would ask, Mr. Speaker, the Attorney-General or the Minister of Urban Affairs to comment in committee about the exemption from municipal taxation for the Royal Winnipeg Ballet's new quarters at Graham and Edmonton - I believe it has been concurred with by the city - but I would like to be assured of that when the bill is in committee.

It is interesting, Mr. Speaker, to note that there is an amendment in this act which was supposed to be done concurrently with The Prejudgment Interest Act. We know now that this government does not intend to proceed with that bill, regrettably. I take it that the Attorney-General will be withdrawing this section from the bill. Unfortunately, I think Manitobans would be better off if a bill of that nature were passed at this Session of the Legislature.

Mr. Speaker, with respect to the amendment to the Small Claims Court increasing the limit to \$3,000 from \$1,000 — (Interjection) — That does sound familiar, as the Opposition House Leader indicates, because it is essentially what I proposed in a bill on the Small Claims Court a year or two ago.

Mr. Speaker, I think that is an amendment that is long due. A \$1,000 limit for the Small Claims Court was set I believe back in 1976. When one applies inflation from a monetary value established in 1976, you're going to be pretty close to this figure of \$3,000.00. Mr. Speaker, with legal fees continually on the rise, I think this is a very justifiable action to allow individuals in Manitoba to have their claims settled without the particular need of a lawyer in an informal hearing for matters up to a limit of \$3,000.00.

I think in the very near future there is going to have to be some further consideration given to an expansion of that figure and to a reorganization of the Small Claims Court because, as the Attorney-General is well aware, there are some concerns. Some attention will have to be paid to Small Claims Court, because with the amalgamation of the Court of Queen's Bench and the County Court, that historical role of an informal forum for the settlement of claims is not available other than through the Small Claims Court. So this is a good amendment, Mr. Speaker. In fact, it should have been passed years ago when I introduced a Private Member's bill that would have done the very same thing.

Mr. Speaker, there are a number of other matters that should be looked at right at the very end. I believe, Mr. Speaker, the amendments to the Workers Compensation Boards which increase the disability payments is a very significant amendment. I believe that the Attorney-General or the Minister responsible for that act should have some detailed information before the committee on the cost of implementation of that increase in disability payments.

The last amendment referred to in the notes with respect to The Municipal Affairs Administration Act, of course, is one that would appear to be necessary as a result of the decision in changing the financing of police services, Mr. Speaker.

Those are generally the concerns I have with respect to The Statute Law Amendment Act, but there may be other members with concerns that will wish to speak.

**MR. SPEAKER, Hon. J. Walding:** The Honourable Member for Lakeside.

**MR. H. ENNS:** Mr. Speaker, I beg to move, seconded by the Leader of the Opposition, that debate be adjourned.

**MOTION presented and carried.**

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

**HON. A. ANSTETT:** Thank you, Mr. Speaker.

I would ask the House additionally for leave to proceed with the introduction on second reading to Bill No. 58, An Act to amend The Mortgage Act, which was also distributed this afternoon.

**MR. SPEAKER:** Is there leave to introduce Bill No. 58 for second reading? Leave having been granted, the Honourable Attorney-General.

**HON. R. PENNER:** Mr. Speaker, in the fullness of time, I'll find the motion paper. Here it is.

**BILL 58 - THE MORTGAGE ACT;  
LA LOI SUR LES HYPOTHÈQUES**

**HON. R. PENNER** presented, by leave, Bill No. 58, An Act to amend The Mortgage Act; Loi modifiant la loi sur les hypothèques, for Second Reading.

**MOTION presented.**

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

**HON. R. PENNER:** Mr. Speaker, this amendment is a consequential amendment. The amendment to The Mortgage Act is a companion bill to 36, The Mortgage Dealers Act. The Mortgage Brokers and Mortgage Dealers Act, which is to be replaced with the Mortgage Dealers Act by virtue of Bill 36, currently provides for a disclosure document which is not contained in Bill 36. It was thought that it ought to be in The Mortgage Act. It is my intention, therefore, to have the requirements for disclosure as to the cost of interest - basically that's what we are talking about - contained within The Mortgage Act which I think is the more appropriate act.

At present, the disclosure document applies in a limited number of cases since banks, credit union, caisses populaires, trust companies and insurance companies are exempt. It is my intention to remove these exemptions to ensure that a basic, minimum level of disclosure is provided prior to the consumer being bound to a mortgage or other credit instrument. Mortgagees in general currently provide the information that is contemplated by this bill through a variety of vehicles. Therefore, it is not my intention to mandate a particular form to be used, but rather to mandate what must be disclosed prior to a binding of the parties and leave it up to the various lenders, granters of credit and so on, mortgagees to find the way of developing the form that is suitable to their particular enterprise, so long as it meets the minimum requirements of the bill in terms of what must be disclosed.

So I recommend this bill.

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

**MR. G. MERCIER:** Mr. Speaker, I want to make a brief comment on this bill, and then the Member for Fort Garry will deal with it.

The issue that I want to raise with respect to The Mortgage Act, Mr. Speaker, is the cost of obtaining a discharge of mortgage. Presently, there are firms which charge as much as \$85 to obtain a discharge of mortgage, which is a relatively simple form. Certainly there are some administrative costs in obtaining a discharge of mortgage from a lender, but when a lender charges as much as \$85 and refuses to provide that discharge to an individual homeowner when the mortgage is paid off or, in fact, when the homeowner may be refinancing elsewhere, it seems to me that is almost usurious and unconscionable.

I suppose the difficulty that we have to deal with, some of the lenders may be under federal jurisdiction. But I would ask the Attorney-General - perhaps I may be asking too much with just what would appear to be

a few days remaining in the Session - but if he could have his department quickly look at that situation and review it, maybe determine what other provinces do, because I don't think that individuals, homeowners in Manitoba, should be compelled to pay a fee of as much as \$85 for obtaining a simple discharge of mortgage when they're paying off their mortgage or refinancing it.

If something could be done on this bill to set a reasonable figure - certainly the area of \$25 to \$40, where the vast majority of the fees that are charged seem to be in that range - I think that would be fairly appropriate, but when it gets up into this other area, I think it's unconscionable.

**MR. SPEAKER:** The Honourable Member for Fort Garry.

**MR. C. BIRT:** Thank you, Mr. Speaker.

I move, seconded by the Member for Assiniboia, that debate on this bill be adjourned.

**MOTION presented and carried.**

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

**HON. A. ANSTETT:** Mr. Speaker, would you please call the bills on the Order Paper for Debate on Second Reading in the order in which they appear, except Bill 63, Mr. Speaker.

**ADJOURNED DEBATE  
ON SECOND READING**

**BILL 53 - THE PAY EQUITY ACT;  
LOI SUR L'ÉGALITÉ DES SALAIRES**

**MR. SPEAKER:** On the proposed motion of the Honourable Minister of Labour, Bill No. 53 - the Honourable Member for Fort Garry.

**MR. C. BIRT:** Thank you, Mr. Speaker.

I took the adjournment of this in the name of the Leader of the Opposition and, therefore, I'm waiving my opportunity to speak on this matter.

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

**MR. G. FILMON:** Thank you, Mr. Speaker.

I am pleased to address a few remarks with respect to Bill 53, The Pay Equity Act and in so doing, Mr. Speaker, I want to place on the record once more as I have in the past, that we on this side of the Chamber support the principle of pay equity and we agree very strongly that there is a need to ensure that men and women have, not only social equality, not only equality of rights, but economic equality in today's society.

Mr. Speaker, in saying that I also confirm that we believe that the time is now for governments to indicate their support for the assurance that men and women performing equal tasks are compensated equally for their endeavours and nothing that we do in society works against the opportunity for women to achieve equal status in an economic sense with men.

Mr. Speaker, people have said that the marketplace will take care of the inequities with respect to women receiving proper compensation for the responsibilities which they have in society today. People have given statistics that indicate the progress that has been made in the last decade, for instance, towards that equity in pay that they so rightfully deserve. But those statistics, Mr. Speaker, I think only confirm that we are moving relatively slowly towards those objectives and that there needs to be some additional commitment on the part of government to ensure that we move at a faster pace to ensure that women achieve that economic equality that all of us desire.

Mr. Speaker, I'm concerned about some aspects of the legislation. I'm concerned about the fact that the legislation appears to follow the normal pattern of New Democratic legislation in setting up a new bureaucracy - setting up a new bureaucracy despite the fact that there is the power within government to achieve all of the objectives given that the bill very clearly says that this act applies only to the Crown, in right of Manitoba, the Civil Service, and every Crown entity and external agency - therefore it is totally limited to employees of the Government of Manitoba and their Crown agencies.

Mr. Speaker, under those circumstances, that effect, that purpose, that objective of achieving pay equity within those people who are employed by the Government of Manitoba and its Crown corporations could have been achieved without this legislation therefore, Mr. Speaker, this legislation really is the kind of sloganeering that the NDP is used to. It's no more than window dressing, because, in effect, it's a desperate attempt at the end of a term of office for the NDP to be able to say to its supporters, to those who it went out to court in the 1981 election campaign, look, we've achieved our objective; we've done what we said to you in our promise.

In fact, Mr. Speaker, they went forward with legislation to accomplish something that they could have done by government policy, by simply dealing through the collective bargaining process with the unions with which they must deal, by setting forth their objectives as they have, Mr. Speaker, with respect to affirmative action and they've said this is what we want to do. They've had the MGEA agree to it; sign the agreement and they have worked together to accomplish their goals on affirmative action by that method. No legislation required. Simply good government intentions being translated into firm policies the way that a government can, if it has the will to act.

Mr. Speaker, this government seems to be far more concerned with the window dressing and perceptions that it creates by saying we are the first to implement this legislation. We have done so before everybody else. But then when you come right down to it, you see that there is no need for any of this legislation because all of what is being done by this act is within the power of the government to do. Mr. Speaker, I question that kind of action where the sincerity of purpose seems to be belied by the manner of moving on an issue of this nature, because we have said, as our federal party has said, that we believe in the principle of pay equity and we're prepared as a government to work towards that objective as quickly and as effectively as we can.

Mr. Speaker, Judge Rosalie Abella, coined the term pay equity and she gave a blueprint of action to us in

the report that was tabled in the Federal Parliament last fall; a blueprint of action that can lead governments to the kind of initiatives that should be undertaken in order to achieve the economic equality that we are looking for in society today.

So, Mr. Speaker, I really question the motives of this administration in bringing this forward as an act of the Legislature when they simply could have proceeded by government policy to implement all of what is here. Mr. Speaker, I question as well the commitment of this administration to do anything that isn't forced into doing by people, special interest groups, whatever, supporters of it, when it appears as though they have been reluctant to take the actions that have been available to them in their four years of administration.

We learned earlier this Session, in the course of review of Estimates, that we have not made in the four years of this government any progress whatsoever towards reducing the differential between men and women in senior positions in the inequities that exist in our Civil Service. The figures were put forward in the course of various departmental Estimates, particularly those of the Minister of Labour, that this government has made no progress towards closing the gap in pay equity during its four years of office.

Further, Mr. Speaker, all you have to do is look at what this administration is doing in the area over which it has total control, and that is the appointment of people who serve this administration, who serve directly with the Ministers of this administration as executive assistants and special assistants. The figures indicate precisely that although this government talks in impressive slogans about wanting to treat women equally with men in an economic sense, they don't carry out that talk in any firm action that should impress anybody, that should make anybody feel that they are working towards pay equity or equality of economic opportunity for the women that they employ.

Let's take a look at the list of people who are employed as executive assistants, and the figures are similar for special assistants. The fact of the matter is that this government persists in paying women less than they pay men doing the same jobs in the Civil Service on their appointed positions working directly for Ministers of this government.

For instance, here are the figures on executive assistants. In the lowest category of pay rate for executive assistants, there are six people: two of them are male and four of them are female. So in the lowest category of pay, there are twice as many females as males. When we get then to the highest two categories of pay of the status of executive assistants, we find in the highest two categories seven are male and two are female, totally the reverse. So it works all the way through the categories of pay that they pay their executive assistants, they pay the males higher than they pay the females. The same thing is true in the special assistant category. Those are the appointed positions over which they have virtually total control, and they are paying the men more than they are paying the women to be their executive assistants and special assistants.

I say to you, Mr. Speaker, that this is an example of how their actions belie their words. Over and over and over again, the hypocrisy of standing up on platforms with empty sloganeering, with empty commitments, with

window-dressing legislation, but with no action that means anything to anybody of this province epitomizes this whole Session of the Legislature. That epitomizes four years of NDP Government inaction in this province, Mr. Speaker.

Mr. Speaker, we have heard it said that maybe the reason why we need this legislation is because this government, although it trusts the private sector - and in introducing this legislation, the Minister of Labour said that they weren't introducing it to include the private sector because the private sector he felt could be trusted to move very very rapidly towards this objective of pay equity. He felt that the private sector would understand the need for this move towards equality of economic opportunity, and that they could be trusted to move towards that. But the government, who has the total control and jurisdiction to ensure that government employees are moved towards a more equitable position, presumably couldn't be trusted without legislation. The legislation had to be passed in order to force this government to do what a good administration would have done, what a good government should do by policy and by firm decisions that are totally within its control.

It appears, Mr. Speaker, that the marketplace hasn't achieved the kind of progress towards pay equity over the past decade that it should have. The government, in its four years of administration, hasn't made one move towards it, in fact, has perpetuated and exacerbated the inequities in pay between women and men within the Civil Service within positions totally under its control and jurisdiction.

So we now see why this type of window-dressing legislation had to be brought in, to force this administration, kicking and screaming, into pay equity which they were apparently unwilling to do by policy. Now they could say to their supporters, well, we had to do it, because the legislation called us to do it. Now they have apparently an excuse upon which they can rest their case, Mr. Speaker.

I say this further, that this legislation with the kind of bureau that is being set up, the authority and the responsibility will really rest to the greatest extent with the Government Employees' Association. In other words, the union which bargains on behalf of the employees will have the greatest role and responsibility in the way in which this pay equity is implemented and carried out in the Civil Service. Maybe that's as it should be.

But also, Mr. Speaker, since there is such a great overlap between the responsibilities of unions negotiating on behalf of their membership, there is no question that the unions, particularly in this case MGEA, would want to ensure that their role was not usurped by any legislation. The way in which this is set up ensures that MGEA will have the hammer in all of the final determination of how this works.

There is no question in my mind, Mr. Speaker, that this legislation as it was ultimately drafted was drafted in a manner that MGEA wanted it to be drafted, so that they could ensure that they had the final say in how pay equity would be introduced and implemented in the Civil Service in Manitoba.

Having said all that it becomes quite apparent, Mr. Speaker, that the government is carrying out a perfunctory kind of commitment, the commitment being

to ensure that they could say that their promise in the 1981 election campaign was kept. Even though they could have carried out that promise without this legislation, they have brought it forward and they intend to pass it as a kind of symbolic act to say, look what we've done; this is what we've promised; and here is the proof of the pudding.

Mr. Speaker, nobody needs to be confused or misled by that. The fact of the matter is that this administration has always found it more important to bring forth symbolic gestures, as the Premier said with respect to the resolution that he introduced on a nuclear weapons-free zone, that the importance of it was that it was a symbolic gesture. Well this kind of legislation, Mr. Speaker, which is intended merely to take the place of good government policy action is another of those symbolic gestures.

So, Mr. Speaker, so far as it goes, the legislation gives an indication that the government certainly is prepared to carry out pay equity. It apparently hasn't done anything, although it's been within its jurisdiction to do many things during the past four years. But as its final gasp as a dying administration, it has put this legislation forward to say here now, after four years, everything has changed in this province; everything has changed with respect to pay equity because now we've carried forward the first act in a Provincial Legislature on pay equity.

Mr. Speaker, other jurisdictions looking at it are going to shake their heads and say, why did they pass the act? What in this was not within their jurisdiction and control before? Of course, they'll come to the conclusion that nothing within this act could not have been done by a government with the will and the courage to act.

So, Mr. Speaker, as far as it goes, certainly we as a party that is committed to the principle of pay equity aren't going to vote against a pay equity act. But we wanted to be absolutely clear and on the record that this is window dressing; it's hypocrisy by a dying administration that wants to be on the record as supporting something that presumably it has supported for the last four years, but has done nothing about.

Thank you, Mr. Speaker.

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

**MR. R. DOERN:** Mr. Speaker, before this proceeds to committee, I wanted to say a few words. I think that it really is going to be very interesting indeed to listen to the submissions of the general public and the organizations that come before the Law Amendments Committee in this regard because, Mr. Speaker, the problem here is I think the average person assumes that there is no difference whatsoever between this bill and the concept of equal pay for equal work. There is a considerable difference in these two concepts but because the two are so similar sounding, I think there has been a great deal of confusion.

What is really happening here is that instead of an organic approach, what we are getting is what is called in the universities a mechanistic approach. A group of people are going to sit down and work out a little formula, and then attempt to determine the value of certain things. This really is, I think, a revolutionary

approach. It is the kind of approach that is ideal after a revolution where someone might want to completely restructure society and ignore all the experiences that have gone on before to start with a clean slate, and to go back to Square One and decide who should get what for what kind of work, and then try to give points for certain socially beneficial groups and so on.

This is extremely hard to do because some of us, I think, would give very high value to teachers as to the most important role in our society. But others would completely disagree, and say well teachers are just people who can't cut it in the real world and their job is given to study and to transmit book learning, etc., etc. Others would argue that doctors are the most important people in our society because of the role of health and the importance of life and death and disease, etc. Others would say that once somebody like that is paid more than \$50,000 or \$60,000 or \$70,000, that is in fact too much money.

Not many would argue, but I would argue that public representatives, people who sit in this Chamber and in the House of Commons and even on City Council, people who make decisions on behalf of all the people that they have an extremely important role to play in our society. Others would argue that the military is important. Others, of course, hate the military, but of course in wartime or depending on the state of affairs, certain occupations or certain trades go up in value.

Still others might argue that perhaps people in the entertainment industry who are paid exorbitant amounts of money . . .

**MR. SPEAKER:** Order please. The time being 4:30 p.m. and Private Members' Hour, when this bill is next before the House, the honourable member will have 37 minutes remaining.

The Honourable Government House Leader.

**HON. A. ANSTETT:** Mr. Speaker, on a point of order, I believe there may be a predisposition to dispense with Private Members' Hour today so the member may proceed with his remarks.

**MR. SPEAKER:** Is there leave to dispense with Private Members' Hour today? Leave having been granted, we will continue with Bill 53.

The Honourable Member for Elmwood.

**MR. R. DOERN:** Thank you, Mr. Speaker.

Mr. Speaker, I am simply saying that it is extremely difficult and perhaps not a matter of opinion but opinion does play a very large role in attempting to determine the value of various occupations in our society. Now it's quite simple to say that here is an occupation that a man is filling and he does such and such a task and, if a woman does the same type of task or something very comparable, that those two wages should be the same. That's easy. But when you start complicating the formula and getting further removed from that, then it becomes very difficult to equate equal pay for work of equal value, because then the value factor comes in and the value thing is based upon judgment, it is based upon morals, it is based upon principles, and it is based upon opinion to a certain extent.

Mr. Speaker, it is I think also very easy for the government on this particular bill to simply smear

anybody who opposes this bill with the broad brush of anti-women. We know that the government, of course, has a particular ability and facility and inclination to do that. We know that from the language fight; and we know that in regard to the Limestone proposal; and we know here again that anybody who dares question or dares challenge anything in connection with this bill will immediately be attacked on that particular ground.

Mr. Speaker, the costs of this program, of course, are I think unknown and we hear numbers being thrown around - I think the Minister of Labour talked about \$16 million over the next four years but Mr. Doer of the MGEA calculated \$60 million - so there is some difference of opinion as to the actual costs of the program. But we know this, that if wages are raised for thousands of employees then taxes, of course, will have to be raised to pay for it, and there will be another round of inflation as a result.

Mr. Speaker, sometimes the good intentions of legislators go awry as do the consequences of programs that are developed in private industry and in government. I found it very interesting to hear somebody on the radio not too long ago, a few days ago, say that when you get into this particular area and you start reclassifying and you start introducing new terminology and new pay scales, etc., that there are sometimes effects that can't be anticipated.

For instance, years ago I recall working at Building Products - and I'm now thinking back to about 1950 and before the Member for Inkster was born - I remember a lot of the people in that particular plant drove fork lift trucks. In those days, it was only men who did that job. Now I'm told that women, of course, discover that they can do that job too so there are a lot of fork lift truck operators who are women; and as a result, men now no longer will take that occupation. So you've gone from a situation where you had "men only" to women now being involved in that particular business or trade to a situation where men now say that's women's work and they won't have any part of it, and they won't take that job at all.

Mr. Speaker, I'm hearing from the Member for Inkster, which is usually nothing more than noise, and I would say that he should get up and speak on this bill. I would be interested to hear what he has to say. He is one of the patsies of the women's movement. He's somebody who immediately bows down to everything that comes from the woman's wing of the party, so I would be very interested to hear what he has to say, because I know what he'll say. Whatever they want, we will give them. No matter what the request is, I will support it. No matter how absurd the suggestion, I will second it. So I know what the Member for Inkster will say.

Mr. Speaker, he also believes that he beat Sid Green in an election. Everybody knows that that is not the case; that it was a case of an electoral swing; it had nothing to do with the comparative merits of the two people because if that were the case, we would be listening to the Member for Inkster who could make a real contribution to this Chamber instead of sitting in a chair, screaming and yelling - (Interjection) - and interrupting other members who are trying to participate in the debate.

Mr. Speaker, I did in fact say that in my book. I did say the Member for Inkster was a political genius, and I assure you that nobody will ever accuse you of being that.

Mr. Speaker, I simply say in conclusion to the Member for Inkster that heckling isn't yelling out comments. Heckling might have wisdom or points or humour, but it just isn't shouting out remarks.

The other point is, Mr. Speaker, I also heard somebody discussing this question the other day - this was on the radio and I believe the point they made was that it was really education and retraining which is the key to an equal pay structure - it isn't the simple legislation of equal pay for work of equal value. It was really a longer term thing, and it was really a question of education and retraining, rather than legislation.

Mr. Speaker, we know that one of the weaknesses of the government is to legislate. I mean it is a proper function of a government and a political party to legislate, but this is an obsession on the part of the members of the present government. It goes back a long way, that the simple legislation will rectify problems. We know, of course, that sometime legislation compounds problems indeed.

So, Mr. Speaker, I would simply say that I think a very important point was made by the Leader of the Official Opposition that although labour may on the first hand be enthusiastic about this legislation, thinking that it'll help their women members, they may be in for a rude awakening when they discover that they are losing and giving up some of their rights to collective bargaining. That's going to take a little longer to hit. But, when that hits, it's going to be something like compulsory arbitration that they're getting instead of an extension of collective bargaining. That is something I think should be drawn to the attention of organized labour, that they may be going along on what seems like a good idea but, when it's executed and when it's implemented, they may find that it is exactly opposite to what they want.

So, Mr. Speaker, I would simply conclude by saying that this is I think, a radical proposal. It may even be a revolutionary proposal. It is confused with equal pay for equal work. I think that it is going to be very interesting indeed to listen to the public submissions in this regard, because I think the government may once again be going off half cocked in this particular case, and may be introducing legislation that they will find does not have the desired effect and has an effect that they did not intend. Some of their supporters and some of the people in the general public and in the business community may feel that this was not the great dramatic social advance that it is being trumpeted to be, but is simply going to prove to be a costly bureaucratic nightmare.

**MR. SPEAKER:** Are you ready for the question?

The Honourable Minister of Labour will be closing debate.

**HON. A. MACKLING:** Mr. Speaker, I am delighted to say a few more words in . . .

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

**MR. SPEAKER:** Order please.

**HON. A. MACKLING:** Mr. Speaker, I can see that the honourable members of the opposition are in a feisty

mood, and I will be happy to accommodate them and speak at some length about their intemperance. But I appeal to the honourable members to recognize the historic moment that we are now enjoying in debating this legislation, because it is an historic moment.

I want to briefly say to those who have spoken on the bill that I appreciate some of the constructive things that they have said. It's not that I ignore the destructive comments that they have made, but I really feel that much of that really wasn't worth responding to.

The Leader of the Opposition was concerned about whether or not this initiative could not have been followed simply on the matter of policy. I want to cite, for example, that within the bill - if members had read, they will note - there are provisions within the bill for resolving the differences that will, no doubt, exist in working out and negotiating the pay equity principles or the pay equity techniques that will be involved in establishing pay equity. So it's not that the legislation is unnecessary, Mr. Speaker. It is a commitment on the part of government, and it spells out in detail how that commitment is to be met.

Mr. Speaker, the Leader of the Opposition, critical of the government, that's his role. I have never said - no, I don't think anyone in government has said that any government is perfect; any society of humans is perfect; certainly the society of "men" that is so commonly referred to has demonstrated to be far from perfect. I am avowedly a feminist today. I believe that the language we use has to be respectful of the concerns of both men and women in society, and I think that the legislation goes a long way to satisfy and to correct an historic wrong.

Mr. Speaker, I would like to take a couple of moments, because it isn't a lengthy extract, but I had in my earlier remarks referred to some information given to me by a Manitoba businessman who had travelled to the old country and observed a workplace there. I would like to read from his letter - I haven't got the name on the letter - but I think this is something that members would like to have on the record.

He says: "In 1980 while on a business trip to the United Kingdom, I had occasion to spend some time studying a manufacturing process relating to a licence to manufacture products in Canada. This included visits to a factory located in very old weaving sheds in the Stoke-on-Trent area south of Manchester.

"While there, I was shown something regarding employee conditions that was profoundly shocking. The 300-year old mill had the original owner's house built into the complex of weaving sheds. The employees' entrance was adjacent to this structure. This entrance consisted of a small anteroom off which a corridor led to the work areas. There were a couple of rough wooden benches in this room. A wooden plank floor separated the waiting room from the corridor. It was this door that my host somewhat hesitatingly showed me.

"The door had an oval hole cut in its rough plank construction. This hole was perhaps six inches wide by eight inches high, and was located about four feet from floor level. I was asked if I could imagine what the possible purpose of the hole might have been. When I could not, it was explained to me this way.

"At the early stages of the industrialization of Britain, it was very common, as we are all aware, for people of all ages to work long, hard hours under terrible

conditions. This we have grown to accept and come to terms with. The hole in the door has to do with the matter of pregnancy and child care, a point many don't necessarily consider in context of that historic time.

"Pregnant women apparently worked until the last possible moment before delivery, were allowed minimal two or three days off for delivery and recovery, and were required to go promptly back to work. Children too young to work or no longer productive, elderly relatives attended to the newborn infant. Feeding of the infant, however, posed a problem in this pre-formula era.

"The matter was handled this way. The old grandmother would carry the infant to the workplace several times a day. Probably several infants were gathered together in the anteroom on a regular timetable. At prescribed times, the mother was allowed to leave her workplace for a minimal period of time to breastfeed her child. However, in the interests of efficiency and minimal absence from work, this process was grossly dehumanized by forcing the mother to approach the closed door, place her breast through the hole. The infant was held up to the other side of the door, and thus fed.

"I was tremendously shaken by this story, the door being physical proof in front of my eyes. Even today, I feel uncomfortable relating this story. No medieval torture chamber could have had more impact. My host displayed equal discomfort even after numerous disclosures, confessed embarrassment even though, of course, innocent of any involvement. This door and the inhumanity it so clearly portrayed was a sobering moment in that land historically renowned for democratic freedoms. We must never take the quality of work conditions we presently enjoy for granted."

Mr. Speaker, I very much appreciated the story that Manitoba businessmen related to me, and I believe that the historic reference to the inhumanity that existed in other times and the deplorable working conditions, the dehumanizing of all by that kind of system, cannot be tolerated.

So, Mr. Speaker, at long last in Manitoba and in Canada, we are taking a significant initiative in respect to true equality of women in society, and I commend this legislation to all members of the House.

**MR. SPEAKER:** Order please. The question before the House is the proposed second reading of Bill 53.

**QUESTION put, MOTION carried.**

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

**HON. A. ANSTETT:** Yeas and nays, Mr. Speaker.

**MR. SPEAKER:** Call in the members. Order please. The question before the House is the proposed second reading of Bill 53. Those in favour, please rise.

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

#### **YEAS**

Adam, Anstett, Ashton, Banman, Birt, Brown, Bucklaschuk, Corrin, Cowan, Desjardins, Doern,

Downey, Enns, Evans, Eyler, Filmon, Gourlay, Hammond, Harapiak, Harper, Hemphill, Johnston, Kostyra, Kovnats, Lecuyer, Mackling, McKenzie, Mercier, Nordman, Oleson, Parasiuk, Pawley, Penner, Phillips, Plohman, Santos, Schroeder, Scott, Smith, Steen, Storie, Uruski, Uskiw.

**MR. CLERK, W. Remnant:** Yeas, 43; Nays, 0.

**MR. SPEAKER:** The motion is accordingly carried.  
The Honourable Government House Leader.

#### **HOUSE BUSINESS**

**HON. A. ANSTETT:** Thank you, Mr. Speaker. I wish to advise honourable members that the Standing Committee on Industrial Relations will meet tomorrow evening at 8:00 p.m. to consider Bill 53, which we have just passed.

Mr. Speaker, would you please call Bills No. 62, 74, 83 and 85 for second reading?

#### **BILL 62 - THE CHARTER COMPLIANCE STATUTE AMENDMENT ACT; LOI MODIFIANT DIVERSES DISPOSITIONS LÉGISLATIVES AFIN D'ASSURER LE RESPECT DE LA CHARTE**

**MR. SPEAKER:** On the proposed motion of the Honourable Attorney-General, Bill No. 62 - the Honourable Member for St. Norbert.

**MR. G. MERCIER:** Mr. Speaker, we are prepared to pass this bill on to committee.

**QUESTION put, MOTION carried.**

#### **BILL 74 - THE EQUAL RIGHTS STATUTE AMENDMENT ACT; LE DROIT STATUTAIRE AFIN DE FAVORISER LÉGALITÉ DES DROITS**

**MR. SPEAKER:** On the proposed motion of the Honourable Attorney-General, Bill No. 74, the Honourable Member for St. Norbert.

**MR. G. MERCIER:** Thank you, Mr. Speaker.

This is a difficult bill to deal with in debate in the House, because of the large number of sections that are in the bill and the number of acts affected, but I will propose to deal with a number of them and deal with the balance in detail in the committee.

The first point I want to make to the Attorney-General is, I think, more of a practical one and I will refer, as an example, to Section 13 of the bill, dealing with an amendment to The Dower Act, which makes the acknowledgement requirement equally applicable to the husband as it presently is to the wife where a wife gives a dower release, Mr. Speaker.

If the bill comes into effect upon Royal Assent, I would point out to the Attorney-General, which could be a matter of a few days, Mr. Speaker, but the bill itself will not be distributed to practitioners for some time. The practice in the past has been that bills have

not been distributed to the legal profession and to the judiciary until some time late in the fall. Mr. Speaker, if the bill is going to come into effect upon Royal Assent, let's say, some time before the end of this week, there are going to be a large number of dower releases executed by husbands improperly under this provision.

So I think it would be prudent if the Attorney-General could have legislative counsel review the whole act, because I think he should consider postponing the implementation of a number of these sections which have very practical effects on the practice of law, and postpone them until perhaps January 1, 1986, so that there will be an opportunity for the profession to become fully acquainted with the individual amendments like this which will necessitate a change in practice and documentation. Otherwise, there are going to be a great deal of errors committed unwittingly by lawyers in the practice of law as a result of these kinds of changes.

Mr. Speaker, with respect to a section that was commented on Friday by a number of my colleagues, the paternity leave section, Mr. Speaker, I would point out to the Attorney-General that with respect to the drafting of this particular section, it makes it very wide open as to the manner in which it could be used.

First of all, Mr. Speaker, it refers to a "... male employee who has become the natural father of a child. Does the Attorney-General and the government wish to extend this paternity leave to unmarried fathers? Because that's certainly the interpretation that could be given to this section with respect to paternity leave.

The section also, Mr. Speaker, on maternity leave requires the mother to provide her employer with a certificate from a doctor certifying she is pregnant and estimating the delivery date. The section with respect to paternity leave, of course, makes no such reference and no such restriction, so that it would be open under this section for a male employee who became the father of a child out of marriage 16 years ago to apply for paternity leave. It is possible under the wording, it may be that some other amendments could be made to restrict the use to a common-sense application of paternity leave if it is indeed going to be amended, Mr. Speaker.

The other point I make, Mr. Speaker, with respect to adoption leave, and I find that much more acceptable than the paternity leave requirement because it's frankly difficult to equate the paternity leave to maternity leave because obviously there's quite a difference in what happens. I have my own doubts, Mr. Speaker, that the Charter of Rights could extend the concept of maternity leave to paternity leave which is the basis upon which we are being asked to accept it. But with respect to adoption leave for a mother, and, of course, I find a discrepancy which is an unjust discrepancy, Mr. Speaker. A mother who has a natural child is entitled to 17 weeks; a mother who has an adopted child is only entitled to 6 weeks.

Mr. Speaker, I suggest that a mother who adopts, particularly an infant, a child under one year, that the bonding that the health experts talk to us about as being so important, and I accept that advice that it is that important, that a mother in that situation should be entitled to the same amount of leave as a natural mother. If a natural mother is entitled to 17 weeks leave, then I submit at least for the mother of an infant child, infant adopted child, that she is entitled, as a matter

of public policy, to the same amount of leave, Mr. Speaker, because I believe it's just as important for the adopted mother to establish bonding with the infant child as it is for the natural mother to establish that bonding.

I hope, Mr. Speaker, that on that point, the Attorney-General would consider making an amendment. Certainly, we all recognize it's on the basis that it's unpaid leave and there are obviously practical reasons why natural mothers or mothers of adopted children will not be able to exercise all of those rights, but where they are able I believe they're entitled to the same amount of leave if they are able to.

Mr. Speaker, with respect to another section of The Employment Standards Act which amends Section 36(1) of The Employment Standards Act with respect to a weekly day of rest, I'm somewhat concerned because when we talked in this House a number of months ago about the Supreme Court decision on the Lord's Day Act that emanated from the Province of Alberta. The Attorney-General, I believe - and I stand to be corrected and I'll accept his correction if he's able to - that he said in this House that there was no need to amend our statutes because of that decision. Mr. Speaker, what we have here is the government amending the section in The Employment Standards Act which provides for a weekly day of rest, amending it by deleting the words "and wherever possible, the rest period shall be on a Sunday".

Now, Mr. Speaker, this is an extremely important amendment I would suggest, because this will leave it open to employers to establish a weekly day of rest much more easily on a day other than Sunday in this province. Mr. Speaker, I submit that for many many reasons, one being that employees and unionized employees prefer Sunday as the best possible day of rest of the week. Secondly, for religious reasons, the vast majority of Manitobans prefer that Sunday be a considered and remain a weekly day of rest. For those reasons, Mr. Speaker, I would much prefer to see the Attorney-General, if he feels it's necessary, opt out of the Charter of Rights as the government is well able to do, by legislation rather than making this kind of amendment which can very well change the traditional way in which Sunday has been regarded by the people of this province and I think for very just reasons, Mr. Speaker.

Well, Mr. Speaker, in committee, we will want to discuss this proposed amendment at length to see if there's an alternative way of dealing with this, because I don't think again that labour wants to be required to work on Sunday, and that for religious reasons the vast majority of Manitobans want to maintain Sunday as a traditional day of rest and religion.

Mr. Speaker, again, without going into detail, there are other sections with regard to the evidence act again, under The Dower Act, that if they came into effect upon receiving Royal Assent sometime at the end of this week would cause a lot of problems in the practice of law because the profession would simply be unaware again of those changes. That applies to the number of sections in this bill. Mr. Speaker, I think those are all of the comments I wanted to make on this bill at this particular time. It's a detailed bill and we'll have to review it as such in committee.

Thank you, Mr. Speaker.



**MR. SPEAKER:** Are you ready for the question? Order please.

The Honourable Member for Elmwood.

**MR. R. DOERN:** Mr. Speaker, I move, seconded by the Honourable Member for Lakeside, that the debate be adjourned.

**MOTION presented and carried.**

**BILL 83 - THE MUNICIPAL ASSESSMENT ACT AND VARIOUS OTHER ACTS OF THE LEGISLATURE; LA LOI SUR L'ÉVALUATION MUNICIPALE ET D'AUTRES DISPOSITIONS STATUTAIRES**

**MR. SPEAKER:** On the proposed motion of the Honourable Minister of Municipal Affairs, Bill No. 83, the Honourable Member for Lakeside.

**MR. H. ENNS:** You're not calling 74?

**MR. SPEAKER:** 83.

**MR. H. ENNS:** I'm sorry, Mr. Speaker.

Mr. Speaker, we've had an opportunity to peruse the contents of this bill, and are prepared to pass it on to committee.

**QUESTION put, MOTION carried.**

**MR. SPEAKER:** On the proposed motion of the Honourable Minister of Health, Bill No. 85 - the Honourable Member for Lakeside.

**MR. H. ENNS:** Mr. Speaker, could we have this matter stand, please?

**MR. SPEAKER:** Stand.

**HOUSE BUSINESS**

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

**HON. A. ANSTETT:** Mr. Speaker, I wish to advise honourable members, with the passage of Bill 83, we have a committee meeting scheduled for Municipal Affairs tomorrow morning at which that bill and Bills 68 and 69 will be considered. We had reserved, Sir, sufficient time, if necessary, tomorrow evening. It is my expectation that will not be necessary, and the meeting of Industrial Relations scheduled for tomorrow morning will be in the committee room reserved for Municipal Affairs in anticipation that we'll be able to deal with that tomorrow morning.

Mr. Speaker, it would be my intention to move us into Committee of Supply. However, I believe the

Member for Inkster has some committee membership changes first.

**COMMITTEE CHANGES**

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

**MR. D. SCOTT:** Thank you, Mr. Speaker.

I have several committee changes. First, for the Standing Committee of Statutory Regulations and Orders, the Member for Seven Oaks will replace the Member for Concordia; the Member for Logan will replace the Member for Gimli.

On the Industrial Relations Committee, the Member for Thompson will replace the Member for Seven Oaks.

In the Municipal Affairs Committee, the Member for Radisson will replace the Member for Fort Rouge; and the Member for The Pas will replace the Member for Seven Oaks.

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

**MR. H. ENNS:** Mr. Speaker, just one further committee change, Hammond for Mercier on Industrial Relations.

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

**HON. A. ANSTETT:** M. le Président, avec la permission de cette Chambre, il est proposé que le projet de loi 70, intitulé la loi modifiant la loi sur la société du crédit agricole, soit retiré du Comité permanent de l'agriculture et soit transféré au Comité permanent des règlements et décrets d'application des lois.

(English translation)

I move, seconded by the Honourable Minister of Health, that Bill No. 70, An Act to amend The Agricultural Credit Corporation Act, be withdrawn from the Standing Committee on Agriculture, and transferred to the Standing Committee on Statutory Regulations and Orders.

**MOTION presented and carried.**

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

Is the honourable member intending to move into committee?

**HON. A. ANSTETT:** Mr. Speaker, I would expect that we may be doing that as the first item of business at eight o'clock.

I would ask, Sir, if we could call it 5:30.

**MR. SPEAKER:** Is it the pleasure of the House to call it 5:30? (Agreed)

The time being 5:30 p.m., I am leaving the Chair to return at 8:00 p.m. this evening.