



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

**DEBATES
and
PROCEEDINGS**

26 Elizabeth II

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



VOL. XXVI No. 86

10:00 a.m. Tuesday, July 11, 1978

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, July 11, 1978

Time: 10:00 a.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. Harry E. Graham (Birtle-Russell): Presenting Petitions . . . Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees.

M2NISTERIAL STATEMENTS AND TABLING OF REPORTS

MR. SPEAKER: The Honourable Minister of Finance.

HON. DONALD W. CRAIK (Riel): Mr. Speaker, I'd like to make a brief statement regarding the latest statistics on the Canada Labour Force Survey which was released in Ottawa this morning. According to Stats Canada, Manitoba's actual unemployment rate in June — the copies are on the way in, Mr. Speaker — according to the Stats Canada, Manitoba's actual unemployment rate in June went down for the fourth consecutive month, reaching a level of 5.5 percent compared to 6.2 percent in May. The seasonally adjusted rate improved slightly, declining from 6.7 in May to 6.6. Our position relative to the other provinces remained unchanged in June. In percentage terms we continued to have the third lowest unemployment rate in Canada. Nationally, last month the actual rate was 8.0 and the seasonally adjusted rate was unchanged at 8.6. In both cases, the national averages continued to be substantially higher than Manitoba's. The actual number of unemployed in Manitoba in June was 27,000, down 3,000 from 30,000 in the previous month. The seasonally adjusted total, which had been 32,000 in May was down 1,000.

Total employment in Manitoba reached 456,000 on an actual basis and 442,000, seasonally adjusted. These totals were 7,000 higher and 2,000 lower respectively than the May figures. On a year-over-year basis, the number of Manitobans with jobs in June, 1978, Mr. Speaker, which is significant, was up 10,000 over June of last year according to actual data, and it was up 11,000, using the seasonally adjusted statistics, year-over-year.

Mr. Speaker, also in this connection, the private sector Youth Employment Program which officially closed off Friday, July 7, and at noon of that day the figures for the private sector Youth Employment Program were that slightly over 4,600 job approvals had been processed.

MR. SPEAKER: Order please. Before I allow the reply to the statement, if you so desire you can wait until you get the copies that the Minister has promised, peruse them and make the statement at whatever time you wish.

The Honourable Leader of the Opposition.

MR. EDWARD SCHREYER (Rossmere): Thank you, Mr. Speaker, for your advice, and under normal circumstances it would be necessary to follow your advice, but with respect to the circumstance of Manitoba's economy and conditions of employment and unemployment, the statistics are so second nature to me by now that I feel I'm in a position to respond, principally by saying to the Minister of Finance that the seasonally-adjusted rate, which is the only rate of consequence, but if he wishes to take both the adjusted and unadjusted rate, it certainly demonstrates that for July of the year, that the unemployment rate in this province is the worst it has been for decades, literally decades. If, in June, the best that our economy can muster, coming into the prime season of our year in this climate, that it certainly bodes for the late autumn and winter, an unemployment rate that will obviously, by definition, scarcely be in a position to be much improved. Indeed, the probability is rather the opposite.

With respect to the contention that while on the other hand the good news is that the number of jobs created or generated in Manitoba's economy is in the order of 10,000 in number over the same period last year, I would say to my honourable friend that if he goes back for the past 10 years, he will not find a year in which there has been less than 10,000 jobs generated over the same month, 12 months earlier. Indeed, there have been years in the early and mid 1970s in which the number of jobs created one year in excess of the same month 12 months earlier, was in the

order of 15,000 and 18,000, so that there is a circumstance here which certainly should be cause for no complacency or comfort whatsoever.

The final point I should like to make is that the Minister makes some reference, and I believe he is not exaggerating and is quite right in doing so, namely that Manitoba's unemployment position is still the third lowest in Canada. There are a number of important indices in which Manitoba ranks about there, one of them being government spending per capita. My honourable friends studiously wish to avoid that point. If our unemployment is the third-lowest of all the provinces in Canada, then I say to them that they are relating to the prairie region where, not because of better government management, but because of oil and gas and potash and other resources that are in high demand these days, that they have the blessing, indeed it is, of having the lowest and second lowest unemployment in Canada. But in relation to those two other provinces in the prairie region, Manitoba's rate of unemployment is substantially higher, partly because we happen to be less well endowed with resources, particularly the high demand resources, energy and potash. My honourable friends really do have now to look with great care and concern to see whether their policies of leaving these kinds of problems to the invisible hand, so-called, is going to do anything for the future job prospects of Manitobans and especially the younger in the labour force, because it is my distinct understanding that while unemployment is quite high, it is doubly so with respect to those under the age of 25.

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

ORAL QUESTIONS

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SCHREYER: Mr. Speaker, I have before me here — and I address this question to the Minister responsible for the Telephone System — I have before me a 30-page document, which I assume has been put on the desk of every honourable member, and it purports to summarize why cable vision is a "hot issue". Now, my question, Sir, is that while much of what's in this document is valued judgment and argumentation, there are some sentences which undoubtedly must be a matter of ascertainable fact or fiction, and one of them is the contention that the Manitoba Telephone System is expropriating without compensation. I cannot believe that that would be true in this province under any government, be it Conservative, New Democrat, or Liberal, and therefore I ask the Honourable Minister whether he will undertake to deal with each of the contentions in this document, particularly the serious one that there is expropriation without compensation going on?

MR. SPEAKER: The Honourable Minister of Consumer Affairs.

HON. EDWARD MCGILL (Brandon West): Mr. Speaker, to the Honourable Leader of the Opposition, I am not sure to which document he refers. From his explanations, it appears that that document hasn't reached my desk.

MR. SCHREYER: Mr. Speaker, I apologize to the Honourable Minister. It's a document put out over the covering business card of Videon Cable. I will be happy to send it over to him on a short-term loan.

MR. MCGILL: Well, Mr. Speaker, I am unable to respond to the Leader of the Opposition until I have had an opportunity to read this document. Apparently the Leader of the Opposition attaches some value to this document, because he has asked me to return it to him as quickly as possible. I shall endeavour to do so.

MR. SCHREYER: Mr. Speaker, I attach value to it only because I find it to be so interestingly polemic and contentious in what it is suggesting, particularly against my honourable friend and the agency for which he reports.

MR. SPEAKER: The Honourable Member for Inkster.

MR. SIDNEY GREEN: Mr. Speaker, I have a question to direct to the Minister of Consumer Affairs. The other day he was talking about the relative number of mortgage sales. In view of the fact that my Land Titles Office source indicates that in the first six months of this year there have been 217 Orders for Sale, which is one of the final stages in foreclosure proceedings, as compared with a total of 172 for the full year of 1976 and a total of 280 for the full year of 1977, would the Minister say that almost a doubling of the rate means that the foreclosure situation in Manitoba has not

changed?

MR. SPEAKER: The Honourable Minister of Consumer Affairs.

MR. MCGILL: Mr. Speaker, to the Member for Inkster, I don't have the figures that he has announced. I was dealing with figures supplied to me by the Registrar of the Mortgage Brokers and Mortgage Dealers Act who had contacted a number of the major loan institutions in Winnipeg and my recollection is that of those contacted, more than half thought that there had been no measurable increase; others said that there had been some increase. If the member would supply me with his conflicting figures, I would be glad to have a further check on this.

MR. GREEN: Mr. Speaker, then would the Honourable Minister check these figures which I have from a person who has checked them in the Land Titles Office, that the only comparable year, Mr. Speaker, for the number of foreclosures, was 1965 when we had 455. In 1968, 252; in 1969, 207; in 1970, 269; in 1971, 235; in 1972, 245; in 1973, 260 — I'm sorry, I don't have 1974 and 1975. 1976, 172; 1977 —(Interjection)— I've given the source. Mr. Speaker, I've given the source, but for the benefit of my learned friend, it does not come from the mortgage brokers dealers, it comes from the Land Titles Office of the City of Winnipeg, Orders for Sale, which are quite available to the Minister for Consumer Affairs. 1977, 280, and in the first six months of 1978, 217. Now, Mr. Speaker, I am not giving these as gospel truth; I have a source who checked them with the Land Titles Office. The same source — the Land Titles Office is available to my honourable friend, and he can check them.

MR. SPEAKER: The Honourable Member for Brandon East.

MR. LEONARD S. EVANS: Thank you, Mr. Speaker. I'd like to address a question to the Honourable Minister of Consumer and Corporate Affairs with respect to the Westman Media Co-Operative, which, unfortunately, has been having some management difficulties. Will the Province of Manitoba, will the government be prepared to continue its financial support of Westman Media Co-Op and if necessary, provide additional financial support of that particular co-operative?

MR. SPEAKER: The Honourable Minister of Consumer Affairs.

MR. MCGILL: Mr. Speaker, I'm not sure that I got the total question from the Member for Brandon East. He is referring to Westman Media Co-Op's loan guarantee and the extension thereof, or increase thereof. I understand that Westman Media Co-Op have made a further submission to the Department of Co-Operative Development; this has not been dealt with by government as yet.

MR. EVANS: Mr. Speaker, I thank the Honourable Minister for his answer that the matter has not been dealt with by the government. I gather therefore that it is a matter that will be —(Interjection)— My question is —(Interjection)— Well, Mr. Speaker, I'd appreciate your advice on this and not the Member for Morris', or the Government House Leader's admonitions. I would submit, Sir, as a point of order, that the Government House Leader is out of order and the Member for Lakeside is out of order by interrupting me while I'm trying to ask a question.

MR. SPEAKER: The Honourable Government House Leader on a point of order.

MR. JORGENSON: It might be helpful, Sir, if you drew to the honourable gentleman's attention, Citation 171 of Beauchesne, so that he could understand how a question should be phrased in this Chamber.

MR. SPEAKER: The Honourable Member for Brandon East.

MR. EVANS: Mr. Speaker, on that point of order, perhaps I've been watching the Conservative members in the House of Commons too much on cablevision, and how they put their questions in Ottawa.

MR. SPEAKER: Order please.

MR. JORGENSON: The honourable member should be reminded that this is not the House of Commons.

MR. SPEAKER: Order please. Order please. May I point out to the honourable member that it

is highly improper to reflect on proceedings in another jurisdiction.

The Honourable Member for Brandon East.

MR. EVANS: I would like to place a question to the Minister of Co-operative Development and Consumer and Corporate Affairs. In view of the serious management and financial problems of that particular co-op and its particular timetables, will the government be able to reach a policy decision in the near future in the matter of continued financial support for the Westman Media Co-op?

MR. SPEAKER: The Honourable Minister of Consumer Affairs.

MR. MCGILL: Well, Mr. Speaker, in answering the member's first question, I indicated that I understood that an application had been received. It has not been dealt with yet, and when that decision has been made, it will be announced in the usual way.

MR. SPEAKER: A supplementary, Mr. Speaker. Would the Honourable Minister be able to indicate, in view of his responsibility with the Manitoba Telephone System, which is involved in this matter, could the Honourable Minister indicate whether the Westman Media Co-op will be operative on schedule, which I believe is for the fall of this year, 1978?

MR. MCGILL: Mr. Speaker, that is the hope of Westman Media Co-op, I believe, and the common carrier. I have no way or knowing, or no additional information other than they still intend to be on stream this fall.

MR. SPEAKER: The Honourable Member for Selkirk.

MR. HOWARD PAWLEY: Mr. Speaker, a question to the Attorney-General. This past Friday, the Acting Attorney-General, the Minister of Industry and Commerce, accepted as notice a question pertaining to whether or not a customer had been charged with assault as a result of an incident which occurred while attempting to cross a picket line involving Safeway employees. Does the Attorney-General have an answer for me in connection with this?

MR. SPEAKER: The Honourable Attorney-General.

MR. HON. GERALD W.J. MERCIER (Osborne): No, I don't, Mr. Speaker, but I'll enquire into that matter and obtain one as soon as possible.

MR. SPEAKER: To the The Honourable Member for Selkirk.

MR. PAWLEY: To the Minister of Labour. Some time back, the Minister of Labour accepted as notice a question from myself dealing with whether or not there was compensation payable to employees of government who, as a result of the transfer of their offices, now had to commute an additional 50 miles.

MR. SPEAKER: The Honourable Minister of Labour.

HON. NORMA L. PRICE: I believe my colleague, the Minister of Tourism, answered that question yesterday.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I just wish to make a clarification to the Minister of Consumer Affairs. I did not personally check with the Land Titles Office. Someone checked at the Land Titles Office and gave me those figures, so I just want there to be no misunderstanding. I believe them to be correct, but I did not make a check personally; the Minister is able to do that.

MR. SPEAKER: The Honourable Minister of Consumer Affairs.

MR. MCGILL: Mr. Speaker, acknowledging the further explanation of the Member for Inkster, would he then also confirm that these figures are relating to the eastern district and are not province-wide.

MR. GREEN: Mr. Speaker, I believe that they relate to the Winnipeg Land Titles Office. I presume if we checked it province-wide, we would find that the foreclosures would be on a similar vein

the province, but, Mr. Speaker, the Honourable Minister can check that speculation with the Land Titles Office, not with the Mortgage Brokers Exchange.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SCHREYER: I wonder if probably the most convenient way would be to ask the Government House Leader, and accordingly I ask him to share with us his intentions relative to House business for this morning and this afternoon.

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSON: The House will meet this morning and this afternoon. The Agriculture Committee and Statutory Regulations and Orders will meet tonight.

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

MR. LAURENT L. DESJARDINS: Mr. Speaker, my question is to the Minister of Health. I have repeatedly asked the Minister if he had any figures to tell us if the hospital during this fiscal year — that is from April 1st — if the hospital were living within that 2.2 percent increase, or if they had a deficit. I wonder if the Minister can tell us if we will get this information now, or if he is going to wait until the session is over.

MR. SPEAKER: The Honourable Minister of Health.

HON. L.R. (Bud) SHERMAN (Fort Garry): No, Mr. Speaker, it's not a matter of waiting until the session is over, it's a matter of trying to get the figures and the information. I cannot supply my honourable friend with monthly figures for the hospitals through May and June. It's physically impossible. I don't have the figures. I may, within a few days, be able to present him with a figure for the quarter, complete from April 1 until June 30, but that has not been compiled and audited yet.

While I'm on my feet, I would like to respond to his question about the deficit and/or the financial position of the Health Sciences Centre last year. The honourable member asked me for the figures for October and November, which I can't supply. I am advised that those records are not maintained and audited on a monthly basis, they are done on a quarterly basis. The last date for which I can give him a precise figure is September 30th, 1977. I had already supplied him with the Health Sciences Centre deficit for December 31st, 1977, and the 15 months ended March 31, 1978 so he has those figures. The deficit for the Health Sciences Centre for the nine months ended September 30th, 1977, was \$775,843.00.

However, Sir, we are into an area here of imprecision, when my honourable friend asks for figures of this kind, because that figure doesn't represent the actual operating position of the hospital for that period. It doesn't reflect final Commission-approved budgets and it doesn't reflect the hospital's final settlement with the union employees last year.

MR. DESJARDINS: Mr. Speaker, is it the government's intention to increase the amount to the hospital for their working budget, that is an increase over 2.2 or 2.9, or whatever he wants to figure on?

MR. SHERMAN: Mr. Speaker, as I announced in my Estimates, the 2.9 is an economic cost increase over the economic operating costs of the hospitals for the calendar year 1977. Over and above that, the hospitals are receiving adjustments to their base, adjustments for the period January 1 to March 31, 1978, when they got no cost increase while the switch-over for calendar year to fiscal year was taking place, and also receiving consideration of their deficits. In many cases, their deficits are being picked up virtually entirely.

So what is happening is there is a reckoning for past costs that is being met, but the economic cost increase is still 2.9 percent on a budget-to-budget basis.

MR. DESJARDINS: Mr. Speaker, is there any truth to the thought that the government is increasing the base — playing around with the base so that the hospital will in effect receive more money but that the Minister can say, "But we are staying within the 2.9." Is the base being increased at this time?

MR. SHERMAN: Mr. Speaker, the base is being adjusted at this time, and always has been. On an annual basis, the base has been adjusted. The honourable member well knows that there are

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certain costs that arise during the year, which then, on an annualized basis, create a different situation for those facilities. So the base has to be adjusted. There is no playing around with the base. It's the usual customary mid-term adjustment, which includes, this time, special consideration because of the change from a calendar to a fiscal year. So there was a three-month period at the beginning of this calendar year when there was no cost increase taken into account. The 2.9 percent applies in terms of the operating budget for 1978-79 as compared to the actual operating budget for the calendar year 1977. That figure is magnified by 2.9 percent but, yes, there is additional money available to the hospitals through the additional adjustments.

MR. DESJARDINS: Mr. Speaker, I wonder if the Minister could stop all this verbiage and tell me if the government is going to increase the amount of money to the hospitals this year.

MR. SPEAKER: Order, order please. Perhaps the Member for St. Boniface would care to rephrase his question.

MR. DESJARDINS: No, Mr. Speaker, I mean exactly what I said, and if they don't want to answer, that's fine.

MR. SPEAKER: Then I must rule the question out of order.

BUSINESS OF THE HOUSE

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSON: I would like to correct an impression; I think I misinformed the House when I said that the Agricultural Committee would be meeting tonight. It is not intended that the Agricultural Committee will meet until tomorrow night.

OL QUESTIONS (Cont'd)

MR. SPEAKER: The Honourable Member for Brandon East.

MR. EVANS: Thank you, Mr. Speaker. I'd like to address a question to the First Minister and ask the First Minister, in view of the fact that the rate of unemployment, according to Statistics Canada surveys for the month of June of this year is 10.1 percent, amounting to approximately 14,000 young people out of work, and in view of the fact that this is much higher than last year, when the rate was 8.7 percent, will the government be prepared now to introduce a meaningful employment program, including acceleration of Public Works?

MR. SPEAKER: The Honourable First Minister.

HON. STERLING R. LYON, Premier (Charleswood): Mr. Speaker, I think there are two parts to my honourable friend's inquiry. No. 1, is the government prepared, says he, to introduce a meaningful employment program? I suggest to my honourable friend that the program for youth employment that was introduced this year by this government was much more meaningful than the extra millions of dollars that my honourable friend wasted last year on a kind of jack-knife program that was hatched up in some bureaucrat's mind and cost the taxpayers of this province millions of dollars in excess of any good that was done.

Now, No. 2, Mr. Speaker, with respect to Public Works programs, the government has announced its program for the year, the capital programs and so on, for the year. If we were not saddled, Mr. Speaker, with a deficit of \$214 million imposed on us by the profligacy of the previous government, of which my honourable friend was a member, we might well be able to consider more Public Works expenditures. But to do so in the light of the burden that we have to bear because of eight years of profligacy on the other side of the House, would be sheer foolishness, Mr. Speaker, because, first of all, we have got to fight the battle of inflation and of unemployment, and the two are inextricably linked, and to do that we've got to make sure that this government, after eight long years, starts to live within its means, which means within the means of the taxpayers of Manitoba.

MR. SPEAKER: Order please, order please. I hope that the answers to questions are as short as the questions themselves.

MR. EVANS: Thank you, Mr. Speaker. I thank the First Minister for his lengthy answer. In view

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of his statement that the government of Manitoba now has a more meaningful — I think these were his words and he can correct me if I'm wrong — I thought I understood the First Minister to say that his government has a more meaningful employment program for the young people. Can he explain why it is that there are now 10.1 percent unemployment for the young people compared to only 8.7 percent last year? It is much higher now than it was last year, amounting to 14,000 persons.

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

MR. HARVEY BOSTROM: Thank you, Mr. Speaker. On the same line of questioning, I would like to ask the First Minister if he intends to, in any way, increase the amount of funds available for northern and native communities under the special Northern and Native Employment Program which was initiated by the New Democratic Government and which assisted many northern communities in establishing worthwhile economic development projects? In view of the fact that information I receive is this program seems to be withering on the vine with this government, I wonder if the First Minister can indicate his government's intentions with respect to that program.

MR. SPEAKER: The Honourable First Minister.

MR. LYON: Mr. Speaker, so far as I am aware, that program is still in existence. What is not in existence, and what we are trying to cut back on with respect to some of these make-work programs that my honourable friends were so good at devising, is the absolute profligate waste that went into so much of it. That's what we are trying to cut back on.

MR. BOSTROM: Mr. Speaker, I would like to rephrase the question slightly so that I would hopefully get a direct answer to it and that is, in view of the fact that this program appears to be drawing to a close, in spite of the First Minister's assurances that it appears to be still operating, my information is it is winding down. Can the Minister give us any indication if this program will be continuing and at what level of funding will it be continuing?

MR. LYON: Mr. Speaker, I believe that when we come to Supplementary Supply, there will be ample opportunity to debate that question because there is an item in Supplementary Supply on that point.

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

MR. A.R. (Pete) ADAM: Mr. Speaker, I have a question for the Honourable Minister of Labour. In view of the fact that many rural hotels may be forced to close within the next week or two because of the beer strike, I would wonder if the Minister could advise if there are any new developments in resolving the differences between the unions and the breweries.

MR. SPEAKER: The Honourable Minister of Labour.

MRS. PRICE: No, Mr. Speaker, there haven't been any new developments in the past week.

MR. SPEAKER: The Honourable Member for Selkirk.

MR. PAWLEY: Mr. Speaker, a supplementary to the Attorney-General. Last week the Attorney-General accepted as notice a number of questions which I posed to him pertaining to the strike and the importation of American beer. Does the Attorney-General have those answers now to provide the House.

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: No, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Burrows.

MR. BEN HANUSCHAK: Mr. Speaker, I wish to direct my question to the Honourable Minister of Consumer Affairs. In view of the fact that the Cattle Producers' Association bill has received second reading, would the Minister consider bringing in a bill to incorporate the consumers of Manitoba, granting them exactly the same rights and privileges for the same purposes and objectives, no greater and no less than those granted the cattle producers?

MR. SPEAKER: The Honourable Member for Brandon East.

MR. EVANS: Mr. Speaker, I would like to address a question to the First Minister which arises from one of his answers to a question I posed a minute ago on unemployment, and he talks about waste of employment programs and job creation programs. Would the Honourable First Minister, who is the Leader of this Government and who has the ultimate responsibility in the government, would he not agree that the ultimate waste, the absolute ultimate waste in our society are people, young and old, having to sit at home in idleness and frustration and not being able to find a job in this province?

MR. SPEAKER: Order please. I'm sorry I have to rule the question out of order.
The Honourable Member for Burrows.

MR. HANUSCHAK: Mr. Speaker, I have a supplementary to my earlier question to the Minister of Consumer Affairs. Could the Minister indicate to the House what distinction he makes between the rights granted producers and the rights granted consumers, at law?

ORDERS OF THE DAY

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSEN: Mr. Speaker, would you call Bill No. 65.

GOVERNMENT BILLS — SECOND READING

BILL NO. 65 — AN ACT TO AMEND THE HUMAN RIGHTS ACT(2)

MR. MERCIER presented Bill No. 65, An Act to amend The Human Rights Act(2) for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Attorney-General. .

MR. MERCIER: Mr. Speaker, this bill deals with a number of practical exceptions to the present legislation that have been recommended by the Manitoba Human Rights Commission, with the exception that an amendment to Subsection (3) dealing with automobile insurance contracts, which is being recommended by Autopac and the Minister responsible for Autopac, to make an exception with respect to those contracts, all of which, Mr. Speaker, are practical problems and the amendments deal with the solution to these particular practical problems. \$

MR. SPEAKER: The Honourable Member for Selkirk.

MR. PAWLEY: Would the Attorney-General advise whether or not, in view of the amendment pertaining to the Autopac provisions, if it is the intention for the government to follow on the footsteps of this legislation to not reduce the differential insofar as male and female drivers are concerned, on their driver's licences.

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, I suggest that that's a question that should be more appropriately put to the Minister responsible for Autopac at a later date. —(Interjection)—

MR. SPEAKER: Order please. Is the honourable member entering into debate? The Honourable Minister of Public Works.

HON. HARRY J. ENNS (Lakeside): I am very formally entering into the debate at this time. In response to the Honourable Member for Selkirk's question, that I could not help but intervene. As the Attorney-General has indicated, that it is probably more appropriately within the area of my jurisdiction, but it is the intention of the Autopac Corporation, MPIC, to continue to present policies with respect to their writing of insurance premiums based on actuarial experience that takes in the weighted factors of sex and of age into the driving experience of certain categories of drivers. In other words, the short

answer to the question is that there would be no change contemplated and what my colleague, the Attorney-General, is doing is making it abundantly clear that the Corporation can continue in this manner of writing insurance.

MR. SPEAKER: The Honourable Member for Selkirk.

MR. PAWLEY: Mr. Speaker, would the Minister of Highways entertain a question? (Agreed) I believe the Minister of Highways has entered into the debate and that you consider the last statement as an address to the House.

In view of the fact that the Minister of Highways has indicated that actuary experience will relate to the premiums charged, continued, too, and in view of the fact that actuary experience would indicate that the younger drivers, 18 and under, 21 and under, are causing per thousand accidents, probably twice or three times as many accidents as the older drivers, is the Minister of Highways then indicating that there would be an increase from the existing differential so that there would be a true reflection of actuary experience rather than the very narrow differential which presently exists?

MR. SPEAKER: The Honourable Minister of Highways.

MR. ENNS: Well, Mr. Speaker, I can't help but chuckle at the acknowledgment by the former Minister responsible for Autopac, indeed, at the time of its introduction, that there has in fact been a distortion of what true rates ought to have been and should be, according to actuarial experience — and I believe his words this morning demonstrate that, that in fact, I and he are heavily subsidizing the younger driver, as do the other middle-aged motorists in Manitoba; that heavily subsidizing the 25 and under —(Interjection)— Oh, yes; not all of them, but we are. We are speaking, to use the former Minister responsible for Autopac, we were using his words, the actuarial experience relative to that group. But, Mr. Speaker, my comments of a few moments ago remain. We contemplate no change, no change from the practice that he was part and parcel of, instituted in the province, and that it's now my responsibility of administrating.

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

MR. SAMUEL USKIW: Mr. Speaker, I wonder if the Minister in charge of Autopac could elaborate more fully for us what he means? Does he indicate to us that . . .

MR. SPEAKER: Order please. Is the Honourable Member for Lac du Bonnet entering the debate?

MR. USKIW: Well, no, Mr. Speaker. I was going to put a question to the Minister who just spoke, a point of clarification.

MR. SPEAKER: Order please. The Honourable Government House Leader.

MR. JORGENSON: My honourable friends are entering now into a debate that more properly takes place at the Committee stage, and if there are questions they want to ask on any particular aspect of this bill surely the proper time to do that is during the Committee hearings.

MR. SPEAKER: Order please. On the same point of order, the Honourable Member for Selkirk.

MR. PAWLEY: Mr. Speaker, I believe you accepted my question to the Minister of Highways, and I believe you accepted it correctly in that the Minister of Highways had just completed an address, and my question did request clarification of certain remarks that were made by the Minister of Highways in his address. It was a question addressed to clarification. I believe the Member for Lac du Bonnet was intending to do the very same thing, so I regret very much the House Leader suggesting that honourable members opposite are attempting to enter into debate. It's certainly not the intention; our intention was — and I think it's reflected by the question posed to the Minister of Highways — to attempt to elicit further information to clarify remarks which he made during his address.

MR. USKIW: Well, Mr. Speaker, if it's in order, I would like to pursue the question that I had in mind with respect to comments made by the Minister of Highways having to do with the actuarial rating system within Autopac. Is the Minister reinforcing the existing differentials that are there today, or is he suggesting that there will be emphasis on greater differentials in the rating system, based

on age?

MR. SPEAKER: The Honourable Minister of Highways.

MR. ENNS: Mr. Speaker, what I was attempting to indicate, that should there be any changes from the existing practice they will be announced in due course, but that in fact there are no changes contemplated. The question that was raised by the Honourable Member for Selkirk suggested that perhaps I was, in recognizing a subsidized area within the rates structuring, he asked whether changes would be made, and I think I made it abundantly clear that there were no changes being contemplated.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. LLOYD AXWORTHY: Mr. Speaker, I don't intend to ask a question, I intend to speak on the bill, if that's within the rules of the House.

Mr. Speaker, there were just two comments, really, that I wanted to raise. One deals particularly with the measures in the bill itself, as an amendment to the Section 6(6) which I think is one of the critical issues. But before doing so, Mr. Speaker, I wanted to raise another issue dealing with The Human Rights Act, the amendments to it, and really raise an issue with the Attorney-General and with the members of the government concerning an amendment that I introduced in this House about two months ago concerning amendments to The Human Rights Act dealing with the question of preventing discrimination in contracts that would be primarily applied to questions of economic boycott and economic discrimination. It was an amendment which I felt seriously about and I think that subsequent events as they transpired in this Legislature concerning the activities of the Manitoba Telephone System and a Bell contract indicate the need for it.

But Mr. Speaker, the bill was taken by adjournment by the Member for Pembina, and nothing has been heard from him since, which is a little unusual. Normally, the courtesy in the House is that at least when a bill is introduced there is some response to it and I think it is the only bill on the Order Paper on which a response has not been made. And because the amendment was not introduced, I think, as I tried to explain in my introduction of that bill, in any kind of partisan way, but simply because there was a serious omission in The Human Rights Act, and a requirement by this government to take some action in this area, that I would have assumed or have hoped that the Member for Pembina might have at least provided us with some suggestion as to what the government intended to do.

I had also hoped when these particular amendments to The Human Rights Act were introduced, that the government might have reached some conclusion, which I would have welcomed. I certainly would have appreciated the government of the day taking up that particular proposal and incorporating it as an amendment to its own bill. So far, Mr. Speaker, I have not seen that taking place. I have been given some, I guess, assurances that it was being looked at, some consideration was being given to it, but considering that we are now within perhaps days of the session coming to an end, unless something is done in the very immediate future to make an amendment dealing with the discrimination in economic contracts so as to outlaw and prohibit the kind of boycott arrangements that we have seen taking place, then a whole year will pass by without anything being done. And frankly, Mr. Speaker, I don't think that we can afford a whole year passing by.

It would be my intention therefore, Mr. Speaker, that unless something was forthcoming from the government to attempt to amend this bill further at Committee stage or in the Law Amendments Committee, to include or incorporate those particular amendments that I introduced in my Private Member's bill. Now Mr. Speaker, I don't know how — there may be some question of the rules of the House — and I would certainly look for guidance from those who are more knowledgeable in how one transfers the measures of a Private Member's Bill to amendment. I don't think there is anything that would necessarily contradict it.

I wanted to rise to my feet on this bill because I think that the issue that was raised at that time dealing with the question of human rights in the Province of Manitoba is all the more singularly, dramatically presented to us at a time, I guess, when we should be more aware, or particularly aware of the kind of concerns that are being raised, of the dimension that human rights almost has taken on an international scope. We have, just outside these buildings, across the street, a demonstration going on concerning the prohibition of human rights of Jews in the Soviet Union. We know, and we have seen through the repeated questioning in this House over the Bell Telephone contract, and the association with the Manitoba Telephone System, that there is protection required, and I, Mr. Speaker, have never had an opportunity in this House to make some comment on that, because we have been restricted so far, basically, to raising questions with the Minister of Consumer Affairs. I must confess to not being totally satisfied with the answers or responses that were received, because what was very clear to my mind, when you boiled down all the explanations, polite

that were provided, the Manitoba Telephone System was still associating itself very directly with the actions of the international Bell Telephone System who were very clearly engaging in forms of secondary economic discrimination against Canadian nationals or those doing business thereby, and that Bell Telephone itself had already agreed not to do business with any company, or with Israel itself, which comes very clearly under the distinction of a secondary boycott. What caused me some great concern and, I know, other Members of this House, is that we had a Crown corporation of the Province of Manitoba associating itself, implicating itself in that kind of activity which I don't think, Mr. Speaker, did any of us proud, that it was not the kind of thing that a Crown corporation of this province should have been involved with and it should have made very clear right from the outset that until the matter was very clearly resolved through the Human Rights Commission on the federal level, that it would have no part or parcel of any involvement with Bell Telephone in that particular instance. Now, that assurance has never been given and it has always been fudged and fuzzed over.

Mr. Speaker, I think that the amendments to The Human Rights Act that were introduced might have made it very clear not only to private businesses in this province, but also to our Crown corporations, that such activity and action should not be sanctioned, that while the amendments I introduced were not the complete and total answer to the issue, because I think it requires complementary legislation on the federal level, it would be sufficient warning and sufficient announcement that within the provincial jurisdiction, such activities would not be tolerated, though I think it would then make much clearer, much more well defined that we, at least in this province, were not prepared to accept that kind of implicit discrimination that does take place.

So, Mr. Speaker, in responding to this bill, I would simply ask the Attorney-General, very clearly to incorporate as part of the amendments to this Human Rights Act, the amendments that I introduced in my Private Member's Bill some two months ago when introduced in this House, or something of a similar nature. I'm not going to be picky about the details. I'm sure that the Attorney-General, with his own staff, might be able to even improve upon the wording or the description and I would be more than happy to see an improvement or an expansion of those kinds of protections. But, Mr. Speaker, I would like to see it done this session. I do not think that we should wait. I think it should be done this session and if we can't get that kind of agreement, then I would be prepared to move, in Committee stage, that the amendments that were contained in my Private Member's Bill be incorporated.

Mr. Speaker, in saying that, the only other question I would like to raise with the Attorney-General deals with the amendments that are contained in this bill dealing with exemptions for certain employment. In comparing that particular facet of the bill with the original bill, I notice that certain items are added, certain criteria such as race, religion and colour. It would provide certain exceptions for special employment.

The Attorney-General really didn't explain further as to why those particular sections were added, and because race, religion and colour, Mr. Speaker, can be used for those who wish to discriminate in a fairly subtle and overarching way, I would be concerned that the introduction within that section might be abused. It would seem to me that in order to protect against it, it might be well that the same kind of conditions that are put upon the use of special employment programs, such as having the Commission agree to such conditions, be also included in that particular section, 6(6), in order to ensure that the addition of race, religion and colour, as part of this bill, be accepted under certain circumstances where employment is required based upon those conditions, and I assume that if there is a particular organization, perhaps an ethnic organization, that wanted to hire somebody of that ethnic background, they might make some sense of that and they might want to advertise to that extent. But I would think that that should be sanctioned. Otherwise, Mr. Speaker, I think that if you include it in the bill as it is now written providing for those exceptions without providing for some review or monitoring or sanctioning of that particular exception, then it could lead to abuse in these areas and an employment could therefore once again be conditional upon one deciding what race, religion or colour you may happen to be.

Now, it could be that the Attorney-General has ways of protecting, within the Act, against that kind of abuse, but, Mr. Speaker, in my initial reading of the bill, I do not see any protection or any ability to monitor or observe that and therefore I think that the inclusion of that amendment could lead to some danger. I would like the Attorney-General to look at that particular clause of the bill and examine it to see if there is some guarantee or assurance that abuses could not take place within the purview of that particular section of the bill.

So, Mr. Speaker, my point in rising was to raise that point in particular, and particularly to bring to the Attorney-General's attention my concern about the question of economic discrimination that I introduced a few months ago and to ask him to consider including as part of the amendment, measures to this bill that would include those kinds of strictures that were included in the bill dealing with economic discrimination and boycott.

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

MR. SAUL CHERNIACK: Thank you, Mr. Speaker. I was going to apologize for being late and not having heard either the Minister introducing the bill, nor the Minister for Highways, but on the other hand, I know that the Attorney-General was up late last night like I was, but I guess I'm older and it takes longer to get down here.

Therefore, I want to make some comments on the bill without the benefit of having heard his introduction. Nevertheless, Mr. Speaker, I gather, especially from the speech of the Member for Fort Rouge, that the Minister did not really refer to the one section which I, too, marked as being of very great importance. Since there is a substantial variation in that section, I would have hoped that he would justify the decision to make the change, which he hasn't done and which, I suppose, now we will have to wait until he closes debate in order to hear it, unless he can delegate some other colleague of his to justify what they are doing.

They have removed the problem relating to physical handicap from this section of the statute as it now stands. They have included it in reference to adding it to Section 6, Subsection (4), but then they have added race, religion and colour and, Mr. Speaker, I have had difficulty understanding the justification for that, not that I'm so newborn or naive about it, but I'm trying to think in terms of fair employment practices and I can't quite decide what nature of occupation there would be that would be restricted by the race, religion or colour of a prospective employee. Now, the Member for Fort Rouge, who obviously as well groped for an explanation, said he understands there may be some religious institution which may wish to have people of their own religion working there, but I'm not sure that's right, Mr. Speaker. It seems to me that if they are going to have a Catholic school system, that that —(Interjection)— Mr. Speaker, the Minister of Highways, I think, has already made his speech but if he wants to ask a question. . .

MR. ENNS: Is the member permitting me a question?

MR. CHERNIACK: I will.

MR. ENNS: Well, my question simply is: Is it your belief that an agnostic ought to be the Dean of a faculty of Christian learning and teaching in any school? Is that what the honourable member is suggesting? That an agnostic, a non-believer, should be discriminated against in teaching Christian faith and Christian concepts at a school?

MR. SPEAKER: The Member for St. Johns.\$

MR. CHERNIACK: Mr. Speaker, did you hear the indignation with which the Minister of Highways spoke about this non-believer teaching religion? Mr. Speaker, I think it's absolutely foolish to expect a person to teach a religion unless that person believes, or is fully knowledgeable in that religion. Now, Mr. Speaker, it does not mean that he has to be a member of that religion to be able to teach it adequately and to the satisfaction of the employer that engages him, but Mr. Speaker, the Minister of Highways, for some reason or other, has been here for an hour and is already impatient to get out of here, or if not, to at least make speeches.

Mr. Speaker, let the Minister of Highways know that I met a gentleman, more than once, who was a professor at the Jewish Teachers Seminary in the United States, which is considered to be one of the top religious institutions for training educators. And this person was a Christian, and he was an acceptable member of the faculty in that they felt that he had a contribution to make. Mr. Speaker, I think it's foolish to employ a person to do something he is not competent to do, but it is dangerous to deny employment to a person because his religion is different. And you pick a person for his qualifications, and if it is essential that that person shall be a believer, of course, then you say, "I need a believer," but I don't necessarily need — I think the Minister of Highways referred to a Christian. I think that if you are going to teach religious doctrine, then you have to have someone who believes in the doctrine he is teaching, with enough conviction to be able to teach it, but not to say "We pick a person — we exclude people who are not of that religion," or say that we only want a person of that religion. What they ought to say is "We want a person who is a deep believer in what he's about to teach." That makes sense.

By the same token, it would be foolish to suggest that a religious institution, be it a school or be it a church or synagogue, must make sure that the caretaker shall be of their religion. I think that's unfair, and that's wrong. So, I am saying there may be some reason, but the Minister, the Attorney-General hasn't told us. The Minister of Highways brought out what I think is a sort of a prejudice or bias built into his question, without really — and he is an intelligent person, but he didn't think through what is a real need. It is not necessarily a Christian that teaches Christian religion well, it is the person who believes in what he is teaching and is knowledgeable in that area

who can do it best. And the word "non-believer" in itself is a pejorative word in the mouth of a believer, and already, I believe it shows a certain prejudice on the part of the Minister of Highways in terms of employment.

Now, religion is probably the most obvious of the three, Mr. Speaker, and maybe that's why he grabbed on religion; that's a justification: grab on religion as being an example. Does he want to ask me a question in relation to justifying race? —(Interjection)— Would the Minister care to ask me a question justifying colour? —(Interjection)— Now that the Minister has not accepted my invitation to ask me questions on race or colour, I will of course invite him to ask me the question he wants to ask about religion.

MR. SPEAKER: The Honourable Minister of Highways.

MR. ENNS: I am intrigued, and I don't ask the question with indignation, and I regret if that was the tenor in which I asked the original question in. But what the Honourable Member for St. Johns is suggesting, that organizations such as the United Church, or the Catholic Church, or the Mennonite Church, or the Jewish Church, should not be able to advertise, when they advertise — as they do, quite frequently — for pastors, for rabbis, for priests to enter the business on the basis of their belief and their faith and their commitment to that teaching. What the Member for St. Johns is saying is that the United Church should be happy with an agnostic, Communist minister, as long as he can teach well, as long as he can teach well, that's what he was saying. What he is saying is that the Jewish community should be happy with a rabbi that does not believe, as long as he can teach well. To use his own example, I mean, you know, the Jewish synagogue . . .

MR. SPEAKER: Order please. Would the Minister for Highways ask his question, please?

MR. ENNS: I am asking, that would be discriminatory, that would be, in the words of the Member for St. Johns, discriminatory, and I just want that understood, that what he is now suggesting, that the United Church not be able to allow them, in their hiring practices, to ask the person's religion, to ask whether he is a Christian. Or for a rabbi, or for a Jewish synagogue that seeks to hire a rabbi, to ask whether he is a believer. Or for a priest, to ask what . . .

MR. SPEAKER: Order please. Would the Honourable Minister of Highways complete his question as quickly as he can, please?

MR. ENNS: I simply ask that question.

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

MR. CHERNIACK: Mr. Speaker, I think I'd welcome indignation more than this friendly question that we heard from the Minister of Highways. I must note, Mr. Speaker, with interest, that Mr. Speaker himself permitted the greatest latitude to the Member for Fort Rouge, who really was debating another bill altogether which he himself brought in and which is before the House now, and was allowed to do so, and the Minister of Highways debated the question of religion and debated it for the second time in the same bill, but, that's all right, Mr. Speaker, as long as we're relaxed about it. I think it's fine. —(Interjection)— I wish the Attorney-General would ask me a question and thus be able to, in his question, justify the inclusion of race, religion or colour.

But I want to deal with the Minister of Highways. Mr. Speaker, I am a Jew. I will not state that I am a religious person. I know of Jews who are deeply religious people, and Mr. Speaker, they would not be hired as rabbis in the synagogue because they are not rabbis. I know Catholics who are deeply religious, believing Catholics, who would not be hired as priests. I know Protestants who go to church on every occasion that they ought to go — which I assume is not only every Sunday, but more often — who will not be hired as Ministers of the United Church, because they are not qualified so to be. Therefore, I would expect that a synagogue would not advertise, "We want a Christian rabbi," but they will advertise, "We want a rabbi." And a Catholic church would advertise, "We want a priest." —(Interjection)— No, we're not making it against . . . we're not saying we are excluding people of a certain religion or that we are indeed including people of a certain religion. If they start advertising, "We want a priest who is Catholic only," then of course, that's foolish, but it's also wrong in principle. I don't see that it has to be necessary to have this broad kind of permission given where there's a debate going to take place as to whether or not it's a reasonable occupational qualification; that's my point. I think that if a religious institution requires a gardener that it shouldn't have the slightest excuse in the world of saying, "We will only take a gardener who believes in the faith of this institution." I think that's wrong. And that's why I say that just because it's a religious institution should not entitle it to restrict its hiring practices to members

of that religious faith at all, unless the occupation is such that it obviously demands that that person has to be a believer in that faith, and a believer in that faith, of course, would be a member of that religious group.

But nobody yet has asked me a question that would in itself have even put in our minds the question of why did they include race? Mr. Speaker, I have to admit that I've thought about it. I said that I did think of an excuse or a justification that could be proposed to religion and the Minister of Highways quickly rose to the defence of that concept, but I couldn't think of any for race. I'm not sure whether a — well, it's so obvious — a Nazi group can say, "We will not hire a Jew." Or the Ku Klux Klan might say, "We will not hire a black." But isn't that what this legislation is all about? Mr. Speaker, I don't know, maybe there is an occasion.

And now colour. I suppose somebody may say, "Well, we want to have a chorus line made up of black people," or say, "We want that in the hotel we operate we should have all people of oriental extraction so they all look like it's part of a western hotel operation." I don't know. If they need dark, coloured people, they could say, "We want dark-skinned people," but to say, "We want blacks," is a designation which is used to discriminate.

Mr. Speaker, I really believe there has to be very strong justification for including race, religion, colour in the description of what is a reasonable occupational qualification or requirement. It has to be so strong, Mr. Speaker, as to override the entire principle.

Now, Mr. Speaker, the Member for Fort Rouge did mention a possible control mechanism. You know, all you have to do is look down a little further to where they talk about special employment programs, which is the Affirmative Action Program, to see how they propose to deal with it. They say, "The Commission may, upon such conditions or limitations," etc., approve of something. If those words were used in the section that I am now discussing, "race, religion, and colour," then I might at least say, "All right then, if it's such an exception that it is justifiable let the Commission say so and let the Commission give its approval," and then I would accept the decision of the Commission. But not after the event; before the event.

I wouldn't accept that unless the Attorney-General, in whose integrity and good faith I believe, is nodding his head to indicate that he believes he does have a justification for exceptions on race, religion and colour. All right, if he has — and he thinks he has — then the least he should do is to say —(Interjection)— First of course, as the Minister said, the least he should do is tell us. That, of course, is so. He should have told us, because he can't gloss it over by saying it's a minor change. But at least provide that there be a pre-review and a pre-approval and a preconsent by the Commission. Then, if he can justify it, he should still amend it to include that.

Now, Mr. Speaker, I also have grave doubts about the justification for sex, age or marital status in relation to insurance. Because, Mr. Speaker, I think that it is a dangerous precedent that has been established historically to classify people in accordance with the expected responses that those people have, or the expected characteristics that those people have. It is assumed that women are safer drivers than men. —(Interjection)— If the Minister of Labour wants to make a contribution, I will be glad to. . . And she says that was the truth. Mr. Speaker, I'm not sure if it's true, because I think it may well be the other way, that women, because of their economic and social position in society up to now, and evidence of the fact that there is discrimination in the marital property legislation we have, is the fact that they are not driving as many miles as men do in the normal day or year. It may be that they are not driving to and from work under the stresses of that. It may be all sorts of other reasons, not their sexual characteristic but rather their occupational or social description. Their economic or social environment is such that it makes them less of a highway risk, although one of the members on this side said that when he sees a woman driving he quickly goes the other way.

But I am not sure that it is right to say that sex determines the insurability of a driver. As a matter of fact, we, in our idea about insurance, felt that the number of miles a person drives is more of a factor than others and therefore we did bring in the taxation, the premiums, in part, on the basis of user charges in terms of gasoline consumption which relates to mileage. It may well be that that is — well, I believe it is — a much better measure than is the sex of the person.

It is also suggested that a young man who is married is a better risk than a young man who is not married. Well, I have had occasion in the past — but not very often, Mr. Speaker, — to refer to an exchange I had with an actuary who was employed by the Winnipeg School Division some 25 years ago and more, with whom I had a debate when I was a school trustee, when we were dealing with teachers pensions. And he said, "We do not give early retirement sickness insurance to women teachers." And when I asked him to justify that he said something like, "It is a well-known and accepted fact that when women reach a certain age in their life they go through a physical and emotional change which is not easily recognizable by the doctors, and therefore they can mangle and justify early retirement on the basis of an imagined disability which cannot be challenged."

Now, we know what they were saying is that women undergo a change of life. Women undergoing a change of life may want to quit early and take advantage of that change of life to say, oh, that's the reason. So I, not being a medical person nor an actuary, Mr. Speaker, I suggested that was interesting and could he please explain and tell me what is the experience in the field, in the actuarial and life insurance field, about women and their propensity to take advantage of early retirement on the basis of sickness disability. And you know his answer, Mr. Speaker? He said, "Oh, we don't have statistics because we, in the insurance business — actuaries — all agree that that is there and therefore we have never on this continent insured people in that category, so we don't have the statistics to support our contention."

Mr. Speaker, there are statistics, and I remember in my time, I mean within my time, that there were insurance premiums secretly kept based on race. I remember that Jews and Greeks, and I don't remember what other category, had a special higher rating in certain insurance policies, because it was assumed that Jews and Greeks and whoever else, were a greater risk and therefore because it was assumed that — and maybe they had statistics to show it. It may be, Mr. Speaker, that statistics that should have related to occupation were attributed to race or ethnic origin. It is quite possible, because there are occupations which predominate more in people with certain racial or ethnic backgrounds, more so than in others. Even today, Mr. Speaker, you will find that in Canada, in progressive Canada, there are certain people who, related to their ethnic background or how recently they arrived in Canada, have been relegated to various, selective occupational positions.

So, I believe that the insurance industry, which has shown in the past that it can be discriminatory on the basis of classifications, is continuing that concept on the basis of sex, age, or marital status. What is important, Mr. Speaker, is that the insurance industry itself, but we more particularly through the MPIC, said that there are people who are dangerous drivers and show that, and therefore, we said, let there be a substantial part of the insurance premium paid on the basis of that driver's record, and therefore that was a third prong to our — a third avenue — for raising our premiums.

One was the vehicle itself and the value of it. One was the user feature which, as I say, was related to the gasoline tax which this government has taken away and put into general revenue. And the third was the record. Now it doesn't matter — the record of the driver — so it doesn't matter what is the sex of the driver. It doesn't matter what is the age of the driver. It doesn't matter what is the marital status of the driver. What matters is the record of the driver, and if the record is bad, the driver pays more. The government and the Minister of Highways has not yet changed that.

But, Mr. Speaker, it is possible. They have shown that they are prepared to wipe out the charge on the user fee related to gasoline consumption and now they may well say, well, we'll forget about the driving record but we will now concentrate on classification, so we will take sex, age, marital status and we'll use that, and I understand they have been using it. If they have been using it, Mr. Speaker, I don't justify that it should be continued that way.

You know, it is interesting the way people — I don't mean Conservatives only, I mean people who make decisions or bring in legislation — say, well, it's been done that way before so we want to make correct now what was done before, as if that in itself is a justification. We will be debating The Public Schools Act with the Minister of Education, who has given that same argument, that because it was done up to now, I want to make it more legal that it be continued. And the same way here. If they are saying that sex, age or marital status was a factor in the past, then they are going to continue it because it was a factor in the past, and they are continuing a previous practice, that is not in itself justification for passing laws, Mr. Speaker.

One passes laws on the basis of their being justifiable, correct, logical, and I have not yet heard a proper justification which satisfies me. Because, Mr. Speaker, I believe that if you accept the principle of human rights and of equality of opportunity and equality of treatment under the law, then when you change that, you must change it with very very good reason and with very very great hesitation and review before it is done. And that is not what is before us.

Mr. Speaker, I want only to commend the change which is being proposed with regard to special employment programs, because I have just said that one has to be very careful when one changes a principle, and I know that it is dangerous because, Mr. Speaker, I don't believe that discrimination in itself is a bad word. I believe that it is the way it is applied that can be dangerous and therefore I think that one has to be very careful. But it has been recognized that because of discrimination that has taken place in the past over many years, certain people are hard done by, are unfairly treated by society, and then there is a discrimination in favour of — which is being recognized by this government, in this bill — and that is that there are certain efforts that are being made which require special treatment and that means special discrimination in favour of an under privileged group.

As I say, it is dangerous, and that's why I commend the legislation which says that the Commission

must in advance approve of that form of discrimination and I bring to your attention the fact that over the years of the struggle for fair employment practices and equality of opportunity in the United States, a practice developed over many years, in recent times, that there would be discrimination in favour of blacks at universities. It was recognized, and I have read a great deal of comment about it, that if the blacks of the United States were to produce doctors, medical people, their training and their background was such that they would not likely be acceptable in medical schools where the competition was with people who had the background of wealth, of acceptance in society, of better educational opportunities from kindergarten on, and therefore if blacks had to produce doctors, if that was a desirable thing in society, then there would have to be a special section set aside to enable them to come, even though they cannot compete adequately.

Now we know that in our law school at the University of Manitoba, there is that similar kind of program where, I believe, something like 10 places out of 115 — something like that — are set aside in the freshman class for people who come out of the adult — I forget the exact term of that — mature students program, I think it is, are discriminated in favour of. The important thing to note, Mr. Speaker, is that, I think it is the Supreme Court of the United States of one of the superior courts of the United States, has ruled in, I think it is the Bakke case, some such name — (Interjection)— I'm told it is in California. . . that there has to be a removal of that form of discrimination. And it is inherent in the nature of discrimination that it should be reviewed, and it is dangerous.

I remember, just in this last session, speaking to the Minister of Education and telling him that I remember when my sister had difficulty getting into the medical school in Manitoba because she had two strikes against her: she was a woman and she was a Jew. In that case, they had special discriminatory classifications which put separate categories, separate for Jews, separate for women, and then another category for all the others.

So, I believe that it is inherent in any form of discrimination that it be dangerous and that's why I still feel that the special employment program, is it justifiable that there is an occasion when there should be discrimination in favour of? But it is so dangerous that I do believe that it has to be subject to review and that's why I am glad that the Attorney-General is proposing that the Commission must review the program in advance before it is carried out. I would like to think that it will have the power to continue to review it during its course, to make sure that it is monitoring the use of these special, selective powers so that the abuse is carefully guarded against throughout.

With that, Mr. Speaker, I expect there will be more debate on this question. The Minister will respond; I hope others will respond. In the end, it will be a matter that will be referred to Law Amendments Committee and will be discussed further. I presume there may be people who will come to make representations, present briefs, because I think that the contents of this bill, in the ramifications I have discussed, are very important. Therefore, I don't want to say at this stage that I am for or against anything in a very strong, positive nature. I have indicated what is my feeling about it, but I think that we have to watch it very carefully.

Mr. Speaker, now that you are back in the Chair and have heard what was said by the Member for Fort Rouge in relation to what is missing from this bill, I want to endorse the position he took in regard to contracts which carry with them discriminatory economic discrimination and indicate that I regret the fact that that bill was frozen by whatever member is holding it and that it was not debated and now we are in toward the end of the session to be able to do it. I would think that that, too, was an important measure that I would have liked to have seen debated and I expect that we will, maybe on the last day of the session.

MR. SPEAKER: The Honourable Member for Kildonan.

MR. PETER FOX: Mr. Speaker, I beg to move, seconded by the Honourable Member for St. George, that debate be adjourned.

MOTION presented and carried.

BILL NO. 66 — AN ACT TO AMEND THE TEACHERS' PENSION ACT

HON. KEITH A. COSENS (Gimli) presented Bill No. 66, An Act to Amend The Teachers' Pension Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister of Education.

MR. COSENS: Mr. Speaker, the present Act provides for a cost-of-living adjustment to retired teachers on a continuing basis, but the amount of the adjustment is dependent on the amount of money available in a special fund to which teachers contribute. Because of differences in the composition of the membership of the Teachers' Retirement Allowances Fund and the Civil Service Superannuation Fund, a greater proportion of teachers' contributions must be allocated to the TRAF Pension Adjustment Account, in order to provide cost-of-living adjustments to retired teachers equivalent to those provided to retired civil servants.

This bill provides for the actuarial liabilities of the pension plan to be reduced by modifying the reinstatement provisions so that when a former teacher returns to teach, he or she will be required to pay the full actuarial costs of reinstatement of former service. This change will allow surplus money to be allocated to the pension adjustment account to enable retired teachers to receive, beginning this year, adjustments in pension equivalent to those received by retired civil servants. The change in reinstatement requirements relates to people who return to teach after July 1st, 1979. The new requirements for reinstatement also make it possible for teachers who have contributed to the fund but who, upon attaining retiring age have insufficient service to qualify for a pension, to receive an annuity equivalent in value to his contributions plus interest earned on those contributions, rather than a refund without interest. The bill makes provision for those procedures also.

The Manitoba Teachers' Society has been consulted, Mr. Speaker, with reference to these amendments and has indicated its support.

MR. SPEAKER: The Honourable Member for Burrows. **8MR. HANUSCHAK:** Mr. Speaker, I wish to thank the Honourable Minister for his explanation of Bill 66. As it appears to us, there are three major provisions contained within it, one dealing with pension adjustment and the second modifying the reinstatement provisions, and the third for the provision of an annuity payable to those who otherwise may not be eligible for pension benefits.

I am pleased to hear, Mr. Speaker, that the Honourable Minister had consulted with those who will be most affected by the provisions of this bill; namely, the Manitoba Teachers' Society. And even though the Honourable Minister had indicated that the bill does meet with the Teachers' Society support, I think that for the benefit of all members and for the benefit of the province I would hope that the Teachers' Society would appear before Law Amendments Committee to state its position; if it's in full support, the rationale for its support; or if it has any concerns or reservations to also indicate those. So we are looking forward to this bill going to Law Amendments Committee and hearing further comment from the party or parties interested and, of course, Mr. Speaker, from the Minister responsible for the bill, in providing us with a fuller and more detailed explanation of the bill on a section-by-section basis, which he will no doubt be able to do at that time.

QUESTION put, MOTION carried.

BILL NO. 35 — AN ACT TO AMEND THE HIGHWAY TRAFFIC ACT(2)

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

MR. USKIW: Mr. Speaker, I wanted to take this opportunity. Oh, the Minister of Highways is in; I thought he was absent. I wanted to take this opportunity, Mr. Speaker, to make a couple of suggestions to the Minister of Highways and to the government, something that we should have been doing for a long, long time, I believe, in this province and indeed in this country, Mr. Speaker, and that is to lend greater effort towards the business of driver education and defensive driving educational programs.

Statistically speaking, Mr. Speaker, too many of our accident victims are victims because of a lack of basic knowledge and basic skills in driving and, in particular, Mr. Speaker, having to do with young people. We see too often too many people in the obituary column who are 16-year-olds, 18-year-olds, 20-year-olds and that really if we're going to be a mobile society then I think it's incumbent on society to lend greater effort towards that kind of a program that would ensure greater safety on the highway. And I know highway design, Mr. Speaker, is an important part of that, and I trust and believe that the engineers in the Highways Department are paying a great deal of attention to construction of highways in such a way that safety measures are uppermost in their minds.

But, Mr. Speaker, I know of a particular incident where the analysis of the accident was that it was just a lack of an ability to handle a vehicle under certain crisis situations, and it related very much to the concept of knowledge of defensive driving, wherein a young person was killed in the Beausejour area. And the parents approached me and suggested to me that what we should do is provide more opportunities for these young people to learn these basic skills before they are given a licence.

I would make the suggestion, Mr. Speaker, for whatever it's worth, to the Minister of Highways

and to the government, that driver education training and defensive driving training be a condition on the application for a permit to drive, for a licence. I think that it's warranted to go that far. If we save a dozen lives it's well worth it; if we save one, it's well worth it, Mr. Speaker. And since we're not about to discard the motor vehicle, I think that it's time that we got on with it and did a proper job in this field.

The other area I would like to suggest to the Minister, and I know that under a restraint philosophy it may be difficult, Mr. Speaker, but I would hope that we use the media a little more to bring the message home. I think that the media is a useful vehicle in that connection. Repetition, itself, of a given message has impact. If it weren't so most people in the private sector wouldn't be using it. I believe that it could be a useful tool in providing a degree of driver education, in order to hopefully reduce the number of fatalities as a result of improper driving habits.

So that is the sum total of my contribution, Mr. Speaker. I make the suggestion seriously, I think it's extremely important, and I would hope that this is an area that might be looked at in terms of future budgets so that we might do a better job, in particular for our young people.

MR. SPEAKER: Are you ready for the question? The Honourable Minister of Highways will be closing debate. The Honourable Minister of Highways.

MR. ENNS: Just very briefly to indicate that I appreciate very much the comments made by members opposite, the Member for Inkster and the Member for Lac du Bonnet. It affords me to make the comment that when ideology is not concerned and there is a very common and clear and identifiable goal, such as safe driving and making our highways safer for all of us, that we seem to be able to get away from some of the acrimony that sometimes prevails when we're not so agreeable as to how to achieve a common goal.

Certainly I must indicate the Honourable Member for Inkster has reached far back and beyond me into the backbench there and has touched sensitive cords with respect to his comments that he made the other day, having to do in relating his driving experiences in other jurisdictions, and the caution and the concern that we should take about how those offences ought to be or ought not to be recorded on one's driving record.

I think the Honourable Member for Lac du Bonnet's remarks this morning are extremely valid. We, again, perhaps because of a bit of our frontier and pioneer image that we still have, we take it so for granted, these driving privileges. But in other jurisdictions, Japan for instance, notably, I am told that the average cost to that person obtaining a driving privilege runs in the neighbourhood of \$600 to \$700, equivalent dollars, through the very kind of things that he is suggesting, the mandatory defensive driving courses, driver education programs.

I know the honourable member is not suggesting that for here but I think the gist of your remarks are that we could, and we ought to. Quite frankly, I concur with that idea. I think you would say that that is — if I could put it in medical terms — that that is preventive medicine, or to use the old adage, you know, an ounce of prevention is worth a . . . —(Interjection)— Yes, I tend to mix these old sayings up. I can recall one saying in this House, when somebody was asking me a question and I was trying to dodge the issue, and I answered by saying, "I'll cross that bridge when I find the river."

MR. GREEN: Mr. Speaker, given the fact that the province has gone metric, wouldn't the honourable member be more correct in talking in metric terms rather than ounces and pounds, litres, milligrams . . .

MR. SPEAKER: The Honourable Minister.¹

MR. ENNS: I accept that admonition, Mr. Speaker, so let's put it on a kilo to kilo basis, and I'll not try to get into millograms, because that's when I'm lost.

However, suffice to say, that we look forward to this bill being in committee stage, and we'll take up some of the suggestions made by members opposite in terms of what we should do about it.

QUESTION put, MOTION carried.

BILL NO. 57 — AN ACT TO AMEND THE PUBLIC SCHOOLS ACT

MR. SPEAKER: The Honourable Member for Burrows.

MR. HANUSCHAK: Yes, Mr. Speaker, I wish to make my contribution to the debate on this bill, and in the event, Mr. Speaker, that someone may be left with the impression that the intent of

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the bill, or what is proposed to be done, is something unique, novel, introduced by this government — although I want to say at the outset, Mr. Speaker, that I'm not entirely happy with the contents of the bill. But I'm sure that you will recall, Mr. Speaker, that you know, and all of us in this House know, that this subject, this matter, has been a matter of debate for many many years, and on occasion, from time to time, rather bitter debate.

After reading the bill, Mr. Speaker, I was prompted to go back in the Votes and Proceedings of this House — not that far back, about six years back, in fact, it's practically six years to the day — and I'm referring to the Votes and Proceedings of July 19, 1972, at which time the debate on a certain motion before this House came to an end and a Standing Vote was taken. It was a motion, although it was defeated, but I think it was of some significance, Mr. Speaker, and one that we ought to take a second look at, because it indicates the position taken by members of this House at that time on exactly the same issue. I want to remind you, Mr. Speaker, although I'm sure that I needn't have to remind you because at that time you were a member of this House, and in fact you voted on this motion.

But for your benefit, and all of us, I would like to just very briefly summarize the intent of the motion, at least. It is not desire to read it in its entirety because it was quite a lengthy one, well over two pages of printed matter in the journals, but I want to remind you, Mr. Speaker, that that motion presented to the House, at that time by the First Minister of the province, and it went to a free vote, and the preamble of the motion it did recognize the fact that the purpose of our school system ought to be to provide education opportunities and programs, accessible throughout life to all, on an equitable basis, and to recognize the fact that the school system must satisfy the needs of society, whatever the needs may be and whatever needs society may indicate that it wants satisfied and met, through the school system. It recognized the fact that education programs are to serve the students and the community, they must be relevant and meaningful to the participants, and the participants should grow in the knowledge and skills necessary to be fully active in the community, in the economic, social, political and cultural life of a diverse and pluralistic society.

And then, continuing in the preamble of the resolution, it did point to the fact that the legislation at that time on the books did not fully resolve the problem, and that in fact it did create certain anomalies, and that the intent of the operative part of the resolution was to come to grips with those anomalies and, in fact, I would suggest to you, Mr. Speaker, perhaps even going somewhat beyond the rectification of the anomalies at that time facing us. Because you will recall, Mr. Speaker, that the operative portion of the resolution called for the appointment of a special committee of the Legislature to — and I believe that this was the key portion of the resolution — to consider and recommend on proposals submitted in the reference paper, on options for greater community and parental involvement within the Public School System, and which also includes the concept of accommodating those private and nominational schools that may desire to integrate into public schools. In other words, there was recognition of the fact that it may well be that in the same manner as new and different needs were identified with the passage of history, needs that it was felt should be provided for within our Public School System and I'm sure that all of us will agree that there were many such needs identified because all one need do is compare the education programs of our schools of today with those of even as recently as 15, 20 years ago, and we will find that a much wider, a much broader range of needs is being met today than ever before, and it may well be that alongside making provision to meet the needs for a technical education, for the provision of a cultural program, for the provision of programs to meet a host of other needs — linguistic and others — that a way ought to be found within our public school system to meet whatever religious needs some groups of parents and children may have.

And that, Mr. Speaker, was the long and the short of the intent of that resolution presented to the House at that time. And, as I have indicated a moment ago, it's practically six years ago to the day — six years ago minus a week — that this resolution came to a vote. I think that it should be pointed out, Mr. Speaker, to the people of the Province of Manitoba, that those who are now bringing in this bill, a very large number of them — in fact, practically all of those who are still remaining in this House . . .

A MEMBER: All of them.

MR. HANUSCHAK: Yes, all of them. All of those who are remaining in this House on the government side voted against the then First Minister's resolution, and Mr. Speaker, I would like to refer you to Page 431 of the July 19, 1972 Journals, where the vote is recorded, and reading that page, Mr. Speaker, you will find names such as — and I'm reading from and quoting from that page of the Journals — you will find names such as Blake, Craik, Einarson, Ferguson and of course, Mr. Speaker, you voted against the resolution at that time, and that's a matter of record. Johnston, Sturgeon Creek; McGregor, McKenzie, Sherman, Spivak — Mr. Speaker, those honourable gentlemen voted against that resolution, and in voting against that resolution, Mr. Speaker — and not only take into

account the manner in which they voted, but also — and we could, if we wished, Mr. Speaker, take the time of this House and refresh our memories on their contribution to the debate. Because I don't think that it's sufficient merely to look at the voting record, because a member gets up and he states his position, and he indicates to the House why he is voting in the fashion which he did. —(Interjection)— Now, Mr. Speaker, I believe that the Honourable Minister of Highways already has made his contribution to this debate. Now, if he has something further to say, I would not suggest, Mr. Speaker, that he be granted permission by leave, but I am quite certain that the rules —(Interjection)— I am quite certain that the rules provide him ample opportunity to make a further contribution at some other point in time as the debate of this bill progresses. So he will not be denied that opportunity.

However, in the meantime, I will just totally ignore the comments that he is making from his seat, because I don't think that they are worth paying attention to, Mr. Speaker. So, with that, Mr. Speaker, I wish to continue, despite the rumblings from that corner of the House.

As I had indicated, Mr. Speaker, to more fully appreciate the position taken by that side, one ought to read their contribution to the debate. I think you will find, Mr. Speaker, that in reading the sum total of the contribution to a debate on the resolution before the House at that time, you will find that the long and the short of the position of that side of the House which, at that time, was the Official Opposition, was an unequivocal opposition to doing anything insofar as the independent schools question was concerned; they just refused to budge, and hence they voted against it. It wasn't so much that they felt that perhaps some other alternative solution should be found, but basically and essentially, the position of the majority was an unequivocal opposition to do anything, period. Now, Mr. Speaker, we have, from the same group, and in that group there are at least nine or ten who are still sitting in this House, many of whom are occupants of the front bench, supporting the bill before the House at the present time, namely Bill 57.

So you know, Mr. Speaker, you know what a difference an election makes. What a difference an election makes. That after last October, pursuant to the election results, the same group of people found their way over from the opposition side of the House to the government side, and now we see the type of legislation that is being brought in. But really, Mr. Speaker, it does make one wonder — it does make one wonder about the real intent of it, when one examines not only the voting record on the debate six years ago, but going back over the years in history.

Now, Mr. Speaker, you will also recall that six years ago on a couple of occasions at least — once inside the House and once outside the House — I spoke publicly on the matter of aid to private schools, and in brief, what I had proposed was that rather than tussle with the question of working out some formula for providing aid to private schools, let's attempt to find some way of providing for those needs that the private schools, various religious groups, feel that they are providing their children within the umbrella — and I use the term umbrella. You will recall, Mr. Speaker, that the expression "umbrella program" sort of hovered around for some time thereafter — within the ambit, within the umbrella, the parameters of the public school system. What I said, if we could provide for technical needs of children, if we could provide for musical, artistic, cultural, linguistic, whatever — can we not find a way to provide more religious needs? If it's felt that that's a need that ought to be provided, that this is an integral part of one's education — and I'm not going to argue that — I would believe that some people feel very strongly about that, and they sincerely and honestly believe that they cannot really divorce one from the other, and that one should be integrated with the other. Well, let's find a way of doing that in a manner that would not prejudice anybody, within the public school system. That essentially was my position at that time, and that, Mr. Speaker, is still my position at that time.

It shouldn't be all that difficult, Mr. Speaker, to move to that position, because at the present time, and since — I was going to say since time immemorial, but the history of our province isn't that old. But nevertheless, comparatively speaking, in relation to the history of our province, or the age of it, it does go back many, many years, and there has been provision for religious education within the school system. Under certain conditions, that's true, but nevertheless, one could see, Mr. Speaker, that there has been some subsidization out of the public purse for the provision of religious education; perhaps not the salary of the priest or the rabbi or the clergyman, minister, whoever came into the school to teach, but nevertheless the building was there' which had to be heated, which had to be lit. And perhaps there were various other ancillary services that he required, or that that teacher of religion used, which was provided out of the public school system. It may have been as little as a piece of chalk, for the teacher to use, to write on a blackboard to explain a point, but nevertheless, it came out of the public purse.

So what I'm saying is, you know, the precedent for it, the basis for it, the rationale is there, and so I would be much happier, Mr. Speaker, if we would commence from that premise and see what could be done within our public school system to accommodate all needs, including religious needs. And because — you know, if one compares our public — well, as of recent time, the Honourable Minister saw fit to amalgamate both departments into one, but even within the one

department, he will find whereas up to Grade 11 or 12, we draw a very sharp line of distinction, but at the post-secondary level, directly or indirectly there is aid going toward the provision of post-secondary education, regardless of who the provider of it may be. And in a number of cases, they are religious groups. In the provision of health services we do not make that distinction.

But really, when it comes to education, the best solution I feel would be to make provision, to design the education program that would make provision to meet all needs and have that funded within the public school system. The regrettable thing — and this is what I'm faced with at the present time — and it is regrettable that the Act did read in the manner in which it did and it was open to the type of interpretation that it was. If I must be faulted for it and share some of the blame, then that I will accept, but I will also hasten to add that no laws are drawn with absolute perfection from the first time that they're instituted and that's what this whole exercise is about in our Legislative Assembly, to revise and improve the laws that have been drafted for the people of Manitoba to live with, to live under. So that's what the Legislative process is all about.

So what I am saying is that if any imperfections do become apparent, then certainly they should be corrected. But, of course, they should be corrected in such a way as to not victimize anyone who innocently and in good faith acted under the existing law. I would not want to see those who had entered into any contractual arrangements with the public school system, the public school divisions at the present time in any way suffer or be affected adversely, which I feel that if I were to vote against the bill that that would be — or the interpretation of my voting against the bill could be interpreted in that fashion, that I am undoing something which I may have been a party to doing. But rather, I would want to see that rectified and if it must be formalized and if this is the way to formalize it, let's formalize it in this fashion.

But I want to indicate to the government at this time that I am not happy with this bill, that I would be most unhappy if the government were to say, or if it should be interpreted by the people of Manitoba that the Legislative Assembly is saying that by giving approval to this bill, it is now washing its hands clean of this matter and it is saying Amen to the issue and that it is now being resolved. I have fought for, I will continue to fight for an expansion of our public school system to make provision for the accommodation of all needs, of all needs without exception, for all needs for which there is a demand and for which we in the Province of Manitoba can reasonably be expected to pay and afford out of the public purse.

I am unhappy about this bill because of what has transpired in the past and not wanting to reverse that, I therefore reluctantly, Mr. Speaker, am supporting the bill. Unfortunately, unfortunately, and I want to add and I want to repeat an expression from time to time, in fact quite frequently used by the Honourable First Minister, when he, in referring to legislation, to programs of the previous government, when he often refers to them as being a dog's breakfast. I suppose that he and colleagues of his Cabinet also thought of the legislation as it stood as being a dog's breakfast and that this somehow will straighten the whole thing out. Mr. Speaker, regrettably, this legislation will not rectify that dog's breakfast because it will continue. The dog's breakfast will continue. It will probably not adversely affect the agreements between some independent schools and school divisions presently in existence, but the dog's breakfast will continue, because it is not removing the existing anomalies, because, Mr. Speaker, the contracts that various independent schools will enter into with various school divisions will differ in content, there will be no uniformity. And what will be contained in those contracts will depend upon the relative negotiating ability of the two sides of the independent school on the one side, and the school division on the other. And that in turn will determine the content of the agreements between the school divisions and the independent schools.

So, Mr. Speaker, let's not fool ourselves that this legislation is going to rectify the dog's breakfast situation that this government so often speaks about, because it will not rectify it; it will not rectify it in the slightest. And as I have indicated, Mr. Speaker, my personal position is to continue fighting for an expansion of public school system to make provision for all needs.

There is one other section in the bill, Mr. Speaker, which perhaps up to this point in time — I was going to say, no, it didn't go unnoticed — but perhaps it is deserving of a bit more attention than it has received. I do not wish to make specific reference to the section, Mr. Speaker, because I know that you would rule me out of order, but the bill also makes provision for the use of languages other than the minority languages, as languages of instruction in our public school system.

Mr. Speaker, I think that the real debate on this particular portion of the bill is going to arise when the Honourable Minister drafts his regulations, because, you know, there is so much ambiguity and uncertainty, and vagueness, about what this portion of the bill really says that we will not really know what the real intent and plans and intentions of the Minister are until we see the regulations — not unless — and I would hope, Mr. Speaker, that in closing debate at least in principle, and hopefully in more detail in dealing with this bill section by section, that the Minister would indicate, would expand, on what he really has in mind, you know, what the guidelines and criteria will be and just what he proposes and hopes to accomplish by way of this portion of the bill. Because,

we have to have all of that information, Mr. Speaker, to enter into any sort of a meaningful debate on this issue with the Minister. The Minister speaks of a — well, this bill will make it possible for . . . there's a time limit of 50 percent of school hours for pilot courses, as determined by the Minister.

Mr. Speaker, with all due respect for the Minister, I want to say that I wouldn't want the Minister and his department to take that responsibility on themselves in determining and identifying the subject areas within which pilot courses ought to be instituted. For one, I don't know what languages he is thinking of providing, making it possible to be used as language of instruction. I don't know of the types of courses that he has in mind. Is he talking about the teaching of chemistry, or physics . . . in Ukrainian, or German, or Icelandic, or Gaelic, or Jewish, or mathematics, or is he talking about the language-related subjects? I am not sure, Mr. Speaker, whether there is any justification or any real justification for making provision up to 50 percent. If there is any justification for the use of a language other than the official languages as a language of instruction, Mr. Speaker, I would be happier if the Act restricted that to the language-related subjects, those subjects which would make the teaching of that particular language more significant, meaningful, and relevant.

For example, if you're going to teach Ukrainian or German, and you want to teach — I'm using those two as an example, one of which I am very familiar with, the other I know is a popular one as a language that is taught in the school system. I can appreciate the need, the merit for teaching perhaps a history of that country in that language. I could perhaps see merit in teaching maybe in portions of a music program, the art program, you know, whatever there is of a cultural component, related to that particular language group, and teaching those portions in that language rather than in one of the official languages. I could see merit in that because then it makes that language more meaningful to the student studying it. We must remember, Mr. Speaker, that many of the students studying a language other than one of the two official languages, that they are probably three or four — at least three or four, or more — generations removed from the days when their forefathers lived in the country wherein the language is spoken, that they are now learning, and whose culture they are studying, and so forth. And hence, it becomes something a bit more foreign to them, so to make that language more meaningful and relevant, and to demonstrate that it is a living thing, and used by a certain number of people, and that those people have something to be proud of, a history, a contribution to art, to music, whatever it may have been, to science, you know, of a historical nature, of a cultural nature, I could see merit in teaching subjects of that kind or portions of those subjects in that particular language.

But even then, Mr. Speaker, I think if we're going to regard ourselves as being a bilingual country, but a multicultural community, then I would be somewhat saddened if instruction of that kind were — for example, if instruction about Ukrainian culture and history were provided only in the Ukrainian language, and the German culture and history only in the German language, and only to students of Ukrainian, to students of Germany, because I don't think that that would in any way contribute to bringing about the type of multicultural mosaic that we often speak about and take pride in, and would hope that it really is a reality. Because I think it's equally important for the student of German ancestry, of Jewish ancestry, to familiarize themselves with the contribution to the history, the cultural makeup, of his community by the kid sitting alongside of him, who may be of a different ancestry. So therefore, a common language of instruction meaningful to all will have to be used. But, for those students of certain particular languages, to make the study of their language more meaningful, more relevant, so the teaching of that language would have more impact on them, I could see some justification in enriching the teaching of the language course by bringing in various historical cultural components, and so forth, as part of that program.

So, Mr. Speaker, for that reason, I would feel very uneasy if the Minister and his department would attempt to take it upon themselves to determine, to identify the pilot courses that the Minister would approve wherein other languages will be used as a language of instruction. I would hope, Mr. Speaker, that prior to implementing this section, that the Honourable Minister would make every effort possible to get some feedback, some expression of opinion from the community as it were. I know that there are many who would want to see the teaching of various languages, the teaching program of various languages expanded. There is, I suppose, some demand for the use of those languages as a language of instruction, but I would want the Honourable Minister to get as clear and as accurate a reading on the demand for the use of languages other than the official languages as languages of instruction, as accurately as possible.

I would like to suggest to the Honourable Minister that that would take time and I hope that the Minister does take the time to do it, and that would necessitate the establishing of some mechanism to obtain that type of feedback from the community. It may perhaps necessitate the appointment of some small task force, or call it what you wish, to sound out the community on its real needs. And when I say to sound out the community, I do hope that in attempting to do so that the Minister would obtain as accurate and as valid a reading of what the community really wants, that it would make the effort to sound out the views of people in various school divisions,

and so forth, wherein there may appear to be a demand, and the Honourable Minister knows where there may be a demand for the use of Ukrainian as a language of instruction, the use of Icelandic, the use of German, the use of whatever other language. He knows where those communities are, and get the views from the people in those communities, because I would like to caution the Honourable Minister that there are many groups which, you know, hold themselves out just to be the spokesmen for various ethnic groups.

If the Honourable Minister wants my views on matters related to Ukrainian culture — I feel quite capable and competent to speak for myself. I do not have to rely on any of the organizations which purport to speak for the Ukrainian community to speak on my behalf, and I don't feel that they do.

MR. SPEAKER: Order, order please. I hope the honourable members will give the Member for Burrows the opportunity to speak without interrupting him.

The honourable member has five minutes.

MR. HANUSCHAK: Thank you, Mr. Speaker. So what I am saying is, Mr. Speaker, that I do hope that the Minister will make every effort possible to obtain as accurate a reading and an assessment of the wishes of those who have a particular interest in this section and would like to see it implemented and expanded. Mr. Speaker, I would want to remind him that in Section 258, I believe, yes, 258, which made provision for the use of both official languages as languages of instruction, it also made provision for the establishment of an advisory committee. I would urge the Honourable Minister to, now that the Advisory Committee has been in operation for a number of years — I'm sorry, the Advisory Committees, because there are two and then there's an Advisory Council — I would urge the Honourable Minister to examine the successes and failures of it, and perhaps, I am not suggesting an identical structure, but perhaps some variation of that structure should be established to assist the Honourable Minister in bringing this section into reality, and to assist this Minister to assess the real need for this type of program, and the manner in which and the extent to which it ought to be developed.

Mr. Speaker, I believe you had indicated to me that my time allotted under the rules has practically expired. Once again I want to indicate that I'm going to vote for the bill, with reluctance, for the reasons which I indicated during the course of my contribution to this debate.

MR. SPEAKER: Are you ready for the question? The Honourable Member for St. Johns.

MR. CHERNIACK: I wonder if I might ask the House Leader if it is the intention to come back to this bill? —(Interjection)— Yes. Well, Mr. Speaker, in any event I am sure it will take me more than ten minutes, but I think that I should use the ten minutes and then conclude this afternoon.

Mr. Speaker, this is an important matter. It is a vexatious matter. Of course, it is part of the history of Manitoba that discussions of this type have been held from the very beginning of Manitoba and discussions of this type have been held from time immemorial, at least beyond my memory. That is why I say it is very important and it needs review and constant review.

Mr. Speaker, I not only listened to some of the debate — well, there hasn't been very much of the debate yet in the Session — but I went back and I read the speeches that were made in 1964 and again in 1972. Of course, I read my own speeches, Mr. Speaker. I was impressed by them and the result is I will probably be quoting from them and reading them with great authority. It seems that maybe the more I quote them the more I become convinced that they are right. But yet, Mr. Speaker, I did try to have an open mind afresh.

I think it was very significant that the Member for Fort Rouge, who made a very sensitive and considered speech on this subject, to make the statement that he changed his mind, that he had an opportunity in the last few years to participate in an extensive study on private and parochial schools and changed his mind to believe that they had a value great enough to justify his supporting the proposal. And that is very important, Mr. Speaker, because it is often difficult for a person to change his mind and then to admit that he could change his mind, and then to publicly confirm that.

The Minister of Highways is in a great mood today. I am not sure that he shares in the accolade that I am trying to give the Member for Fort Rouge in that I am not sure that he has ever changed his mind publicly, but fair game.

Mr. Speaker, I made a speech in 1964 when Duff Roblin introduced the legislation that we are now dealing with, and it was a very difficult task for me to think my way through the problem, because my background was that of a parochial school, which I attended as a child and indeed which I attended concurrently with my public school and even university days, and which was a school founded by my parents and was very close to our home atmosphere. I felt that I achieved a great

deal of knowledge from that parochial school and that I thought it was very important that as a Jew I should know the traditions and the historical background of my antecedents. It was not a religious school, but it was a progressive school and one which I felt had made an important contribution in my life.

On the other hand, my experience in the public school made me know that my public school experience was one which I would not want to deny anyone, that the rubbing of elbows with my fellow students in my own neighbourhood was very vital to me and I know that at all times I was deeply conscious of the fact that we had separations from house to house, from street to street, and from district to district in Winnipeg, based on religion, the difference in religion, the difference in racial background, the difference in ethnic cultural background, and the difference was accentuated all the time throughout my youth, and was a dangerous and bad thing. It is only a coincidence, Mr. Speaker, that I spoke earlier this morning on the question of the use and misuse of discrimination based on race, religion and colour. I feel keenly about it, I think everybody feels keenly about it, and I don't attribute any greater feelings on my part than anyone else. I do know that it was a terrible tragedy to us at home, to my wife and me, when our son came from Grade 1 in the parochial school saying that he didn't understand why it was thought that he wasn't clean since he bathed often, because he was called "dirty Jew," and he didn't know that being a Jew was bad, but he knew that being dirty was bad and he thought it was an unjustified accusation that he would be dirty. He didn't know that it was unjustified to be called a Jew, because he didn't know there was anything wrong with that. But the fact is that walking from parochial school into our house, in the interval he ran across somebody who, knowing that he attended a parochial school, was able then to classify him as a Jew and therefore in the mind of this person as being dirty.

I mention that, Mr. Speaker, because it is not removed from our society. We are bigoted as much as many other places that we attack. We are not any of us so pure or so immune from bias that we can say, "We are the pure ones." Everyone else or other countries, for example, are unfair. So, Mr. Speaker, I had within me this important ambivalence, this contradiction, about my own, not loyalty as much as about my own recognition of the value that I felt the parochial school had made to my upbringing, and on the other hand what I thought was vital, and that is the mixing together with everyone else in my community on an even and recognizable basis where we were forced to recognize that we were each individuals unto ourselves.

I preface this by saying, Mr. Speaker, that in preparing the speech I wanted to make in 1964 I had to think through the entire problem afresh, because I had external pressures as well from the parochial school, from the public school. Like the Member for Logan I had been a trustee of the Winnipeg School Division and was proud of the public school system in which I had played some role. About the same time I had been the President of the Parents Association of the parochial school that I had attended. I gave it a great deal of thought then and I prepared and made a speech which I thought set out my ideas, and I have just reviewed this yesterday and I want to quote rather extensively from it because the portions I want to quote are portions with which I still agree and I think I said them better in 1964 than I am liable to say them now.

So therefore, at the risk of boring some people who may have heard it before, I intend to repeat excerpts from April 13th, 1964. This followed after Duff Roblin had introduced the shared services, but actually he had made a speech. I think it was his speech on the Address to the Throne made on February 10th, 1964, where he talked at length about the shared services program.

I just quote briefly from Duff Roblin. He talked about the history and he said, "Looking back from the vantage point of 1964, I believe three main principles stand out as basic to the settlements of 70 years ago.

"First, it was decided there should be a separation of church and state as that expression is understood in Manitoba.

"Second, it was decided that public funds should be dedicated to the support of a single public school system in which all children have the right to enroll and which all taxpayers have the duty to maintain.

"Third, it was decided that parents were at liberty to enroll their children in private schools of their own choosing, such schools however to be supported entirely by private resources."

Duff Roblin went on to say, "At present they remain the basic principles on which public education policy is founded."

But then he talked about the program and developed the program that he was espousing on the basis, "children should be entitled to take advantage of those aspects of the public school system which they could accept as part of their education while still attending a private or parochial school," and said, "they should be entitled to come into the public school and take advantage of any one or other subject being taught, providing it was at the public school and therefore not to support or encourage or endorse private or public schools, but just making it available, not to the schools but to the pupil." That is the point he made. The student is entitled to access to the public school part-time if not full-time, but this is our obligation to the student, not the obligation to the

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It was with this background that I made my presentation at that time and I will not quote that now. I have another minute or two and I know the House would be willing to let me conclude now, but I want to just point out that this was discussed in 1964 and we passed a very limited form of shared services. It was discussed in a much broader way in 1972 at which time — I supported shared services in 1964 — in 1972 I supported the resolution of the Premier, although I had grave misgivings about the outcome of the committee, but I took the position we ought to study the question, we ought to review it, periodically and every so often we ought to go into the whole thing again, because I was not satisfied with the status quo we had in the public school system before, and I will enlarge on that later.

But, Mr. Speaker, I regret the fact that the Conservative Party at that time, with the exception of Gabe Girard, voted against the resolution to study, and that is really what it was, and they said, "One must legislate. Take the courage to do so." Now the Conservative Government now has taken the courage to do what? To do what they say has been done by the NDP up to now and therefore they are bringing in the legislation to do only what they say was being done before. That is not much progress is it, Mr. Speaker? That is not saying we believe that a certain principle should be established and carried forward. The Minister of Education publicly, but outside this Chamber, said I believe in aid to private schools. I understood him to say that. But nothing was said here about it. All he said here as I recall it was, "We now want to make legal what we think was not legal before." A practice that was not legal. That I doubt very much is the correct attitude.

Mr. Speaker, I will continue this afternoon.

MR. SPEAKER: Order please. The hour being 12:30 . . . The Honourable Member for Rock Lake on a point of order before we close.

BUSINESS OF THE HOUSE

MR. HENRY J. EINARSON (Rock Lake): Mr. Speaker, if I may have leave of the House to make changes on Statutory Regulations and Orders. Mr. Gourlay is being replaced for Mr. Domino, and also Mr. Einarson is replacing Mr. Brown.

MR. SPEAKER: Is that agreed? (Agreed)

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