



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

DEBATES
and
PROCEEDINGS

31-32 Elizabeth II

*Published under the
authority of
The Honourable D. James Walding
Speaker*



MG-8048

VOL. XXXI No. 141 - 10:00 a.m., TUESDAY, 9 AUGUST, 1983.

MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

Members, Constituencies and Political Affiliation

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, 9 August, 1983.

Time — 10:00 a.m.

MR. ASSISTANT CLERK, G. Mackintosh: It is my duty to inform the House that Mr. Speaker is unavoidably absent. I would ask the Deputy Speaker to take the Chair in accordance with the statutes.

OPENING PRAYER by Mr. Deputy Speaker.

MR. DEPUTY SPEAKER, P. EYLER: Presenting Petitions . . . Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees . . . Ministerial Statements and Tabling of Reports . . . Notices of Motion . . . Introduction of Bills . . .

ORAL QUESTIONS

Premiers' Conference

MR. DEPUTY SPEAKER: The Leader of the Opposition.

HON. S. LYON: Mr. Speaker, a question to the Acting First Minister. In view of the fact that the First Minister is going today, I take it, to the Annual Premiers' Meeting, could the First Minister assure that any position papers that are given by the First Minister or any of the Ministers accompanying him on behalf of the Government of Manitoba, are made available to the House and to the people of Manitoba concurrently when they are given publicity in Toronto?

MR. DEPUTY SPEAKER: The Minister of Economic Development.

HON. M. SMITH: I'll take that as notice, Mr. Deputy Speaker.

HON. S. LYON: Well, Mr. Speaker, ordinarily it would be satisfactory if the Minister were to take it as notice. The conference starts, as I understand it, tomorrow. What I am asking for has been rather customary practice in the past that the Information Services, as it was formerly established, was able to receive copies of any releases going out of the situs of the Premiers' Conference and those releases were made available to the press and members of the opposition here. I am merely asking that the courtesies that were followed in the past be followed now, if that is possible.

HON. M. SMITH: Mr. Deputy Speaker, I'll report back at the beginning of question period this afternoon.

Incest cases

MR. DEPUTY SPEAKER: The Member for Tuxedo.

MR. G. FILMON: Thank you, Mr. Speaker. My question is for the Acting Minister of Community Services and Corrections. Mr. Speaker, in view of the fact that it appears, from a news article in today's paper, that Aleda

Turnbull, the wife of the former New Democratic Party Cabinet Minister, and recently appointed Assistant Deputy Minister of the Department of Community Services and Corrections, was involved previously with the case to do with incest that was recently before the courts in southeast Manitoba, and I understand is under investigation at the present time in view of her previous involvement in the case, will the Acting Minister ensure that the investigation that is being carried on is not being done under her supervision?

MR. DEPUTY SPEAKER: The Minister of Economic Development.

HON. M. SMITH: Mr. Deputy Speaker, as with most investigations there will be several people's opinion and judgment brought to bear on any report that comes.

MR. G. FILMON: Well, Mr. Speaker, the difficulty is that it is indicated in the news report that the investigation will be done under the auspices, or under the aegis of Mr. Reg Alcock, a director who reports directly to Ms. Turnbull, in this instance. I repeat, again, that there is a concern that she has had previous involvement with the case, having been the supervisor on the case in her former position with the Children's Aid Society. Will the Minister ensure that the investigation is not done under her supervision, nor is the report made directly to her?

HON. M. SMITH: Mr. Deputy Speaker, I can give that assurance.

MR. G. FILMON: I'm sorry, Mr. Speaker, I had a little difficulty in hearing the Minister, did she say she can or she can't give that . . .

HON. M. SMITH: Can.

MR. G. FILMON: She can give that assurance. Okay, well, I thank the Minister for that. My final question then is, does the revelation of her previous involvement as a supervisor, and the possibility of negligence, now give the government cause for the concern that we expressed, that the individual in question is not capable of handling the position which she was given under a so-called open competition?

HON. M. SMITH: Mr. Deputy Speaker, the line of reasoning coming from the opposition sounds to me like guilt by allegation, rather than open consideration of all the facts. We certainly, on this side, intend to look at all the facts and weigh the evidence as it's collected, and we will not form a judgment prior to that being done.

MR. G. FILMON: Mr. Speaker, may I ask the Minister why all the facts to do with her previous experience, and lack of managerial experience, in particular, weren't looked into before she was hired?

HON. M. SMITH: Mr. Deputy Speaker, that kind of thinking sounds like no kind of fair or open evaluation of an individual's competence that I've ever heard of and I certainly disassociate myself from that line of reasoning.

Workers Compensation Board - personnel changes

MR. DEPUTY SPEAKER: Order please. The Member for St. Norbert.

MR. G. MERCIER: Mr. Speaker, I have a question for the Minister responsible for the Workers Compensation Board. In view of the fact that it is now some nine weeks since the Minister undertook to table in the Legislature a list of the firings, dismissals, forced retirements and other personnel changes at the Workers Compensation Board, is the Minister now prepared to table that information in the House?

MR. DEPUTY SPEAKER: The Minister of the Environment.

HON. J. COWAN: Yes, I can have that material, I believe, over to the member today; if not today, tomorrow at the latest.

North of Portage development

MR. G. MERCIER: A further question to the Minister of Urban Affairs, Mr. Deputy Speaker. Can the Minister of Urban Affairs advise if the Provincial Government has made a decision with respect to the Federal Provincial Municipal Task Force Report on development North of Portage Avenue?

MR. DEPUTY SPEAKER: The Minister of Urban Affairs.

HON. E. KOSTYRA: Thank you, Mr. Deputy Speaker. The North of Portage Task Force, which is comprised of representatives of the City of Winnipeg, the Provincial Government and the Federal Government, will be making its report to members of the Tri-Level Policy Committee this Thursday, August 11th and the report will be made public at that time. The responses from the various levels of government will follow the receipt of that report.

MR. G. MERCIER: Mr. Deputy Speaker, assuming the report has been in the hands of the government for some time now, has the Provincial Government taken a position with respect to the recommendations from the task force?

HON. E. KOSTYRA: It's incorrect to assume that the report has been in the hands of the Provincial Government. There was an initial draft report which I saw, but the final report, which I have not seen, will be tabled with the Policy Committee this Thursday and then it will be made available to all members of the government. Indeed, I will provide copies for all members of the Legislative Assembly.

Manitoba Act - Section 23

MR. DEPUTY SPEAKER: The Member for Swan River.

MR. D. GOURLAY: Thank you, Mr. Deputy Speaker, a question to the First Minister. I wonder if the First Minister can indicate how many municipalities received his letter with the so-called typographical error, in quoting Section 23 of The Manitoba Act; and also can he advise when letters of correction have gone out to these municipalities?

MR. DEPUTY SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, a package of information is going to the municipalities pertaining to the French Languages issue and within that package is a reference to the typographical error pertaining to The Manitoba Act, Section 23.

Grants re Arts Councils

MR. DEPUTY SPEAKER: The Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, a question to the Minister of Finance. A couple of days ago the First Minister undertook to have the Minister of Finance write to the Federal Department of Finance concerning the treatment of artists with respect to taxation, whereby artists are not being allowed to write off expenses against other income. Has the Minister of Finance contacted the federal department in respect to that matter?

MR. DEPUTY SPEAKER: The Honourable Minister of Urban Affairs.

HON. E. KOSTYRA: Thank you, Mr. Speaker. I have drafted a telex, as Minister of Cultural Affairs, to the Federal Minister of Finance, and that telex will be going out within the day to the Federal Minister regarding that issue.

Weigh Station Lights

MR. B. RANSOM: Mr. Speaker, I have a question for the Minister of Highways. The Minister of Highways has had some reductions in his budget this year and no doubt has been attempting to allocate money in a very careful fashion. I note, in travelling the province, there are one or two locations where there have been flashing lights at weigh stations put in, signs indicating that people should stop at the weigh stations, can the Minister indicate what the cost of one of those installations would be?

MR. DEPUTY SPEAKER: The Honourable Minister of Transportation.

HON. S. USKIW: Mr. Speaker, I'll have to take that under advisement and report back.

Mosquito fogging

MR. DEPUTY SPEAKER: The Honourable Member for Roblin-Russell.

MR. W. MCKENZIE: Thank you, Mr. Speaker. The Mayor and Council of the village of Gilbert Plains have been advised by EMO that, where the towns and villages in the province have a population of less than 1,000 people it has no bearing whatsoever on the rationale for spraying for mosquitoes.

Mr. Speaker, yesterday in the House the Honourable Minister of Government Services may have misled the House when he told this House, and the people of Manitoba, that the reason Gilbert Plains didn't qualify was because they had less than 1,000 people. Can I ask the Minister today if he's prepared to check with EMO, and check with the village of Gilbert Plains to see if they don't qualify, especially when Grandview, 8 miles away, has already qualified for spraying.

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

HON. J. PLOHMAN: Well, Mr. Deputy Speaker, we went through this yesterday and I'm not prepared to change what I said. It was the fact that the cutoff point is 1,000. I don't know if the honourable member knows that there's over 1,000 in Gilbert Plains; if he has that information he should give us that information. The cutoff point was 1,000, we've adhered to that.

Across Manitoba there are numerous communities that would fall into the category of 500 to 1,000, and if we started expanding it to that we'd be expanding it to a much greater spraying program. We have concern for those communities, I've indicated that, it does not mean that they are not high risk communities. We are certainly concerned about the risk there, as well, and we urge people to take protective measures as much as possible, but at the same time we have to have realistic limits to the spray program and, at this time, we're adhering to the 1,000 population figure that I gave yesterday in this House.

MR. W. MCKENZIE: Thank you, Mr. Speaker. Mr. Speaker, the Mayor of Gilbert Plains has been advised by Mr. Stavenjord of EMO that the population has no bearing on the matter whatsoever. Can I ask the Minister again if he'll check with Gilbert Plains and EMO to see if the Village of Gilbert Plains doesn't qualify?

HON. J. PLOHMAN: Mr. Deputy Speaker, I have indicated what the criteria is, and I'm not aware of exactly what was told to the Mayor by anyone, but I am giving the facts in the House.

Game Bird Regulations

MR. DEPUTY SPEAKER: The Leader of the Opposition.

HON. S. LYON: Mr. Speaker, a question to the Minister of Natural Resources. Recently he and his department announced the game bird seasons for Manitoba and in that batch of annual regulations it was announced that the daily limit for upland birds would be a total

of four sharptail grouse, partridge, the varied kinds of upland birds, whereas in previous years there has been a daily bag limit related to species rather than the totality of birds taken. Can the Minister advise the biological advice upon which that recommendation was made?

MR. DEPUTY SPEAKER: The Minister of Natural Resources.

HON. A. MACKLING: Mr. Speaker, I couldn't give that in much detail, other than to indicate that there were serious concerns as to whether or not there ought to be a season at all for upland game birds. I know I had very grave reservations about the advice I was getting that, notwithstanding the reduction in the species, the hunting activity will not seriously take away from the expected return of the numbers of the species.

It was suggested, however, that because of the fact that in some areas there are larger numbers of Hungarian partridge as against sharptailed grouse or prairie chicken, there could be a combined bag limit so that hunters would be able, if there were more of one species in an area, fill out their bag limit on that species in total. That was the biological advice. I thought it reasonable, and recommended it to my colleagues.

HON. S. LYON: Mr. Speaker, is the Minister of Natural Resources saying that the regulation as it finally appeared, that is, four birds of all species, was his personal recommendation, or was that the recommendation of the department?

HON. A. MACKLING: Mr. Speaker, my personal inclination was to close the season altogether on all upland game birds, but the staff and the biologist recommended that there be a continuation of the season, but because of the limitation in numbers, that there be a combined bag limit as indicated.

HON. S. LYON: So we can take it, Mr. Speaker, that the recommendation of the combined species game limit, that is a bird limit of four per day, was the professional advice that the Minister received from his department, and not due to his intervention?

HON. A. MACKLING: No, Mr. Deputy Speaker. I thought I made it very clear that while I have, as someone who is interested in wild birds particularly the game birds, I have a layman's appreciation for what ought to be done or considered as policy, I do rely upon the advice that's given to me by staff and that was the advice given to me.

HON. S. LYON: Mr. Speaker, would the Minister then mind tabling copies of the memoranda upon which that recommendation was made, by biologists, to him?

HON. A. MACKLING: Mr. Speaker, if there were internal memoranda, I would hesitate in tabling that because it's internal advice to Cabinet Ministers and I don't think that is past practice, and for that reason I wouldn't do it. Otherwise, I would have no reservation in sharing with my honourable friend all of the advice I get, but I believe that advice was parol only, it wasn't communicated to me in writing. We had a meeting with key staff and discussed these things, and that was the advice that was given to me.

HON. S. LYON: Mr. Speaker, can the Minister not provide us - surely there's got to be a document somewhere which indicates that the professional staff of his department supports this novel idea of four birds of all species - surely there's got to be a piece of paper on that because it's the first time, certainly in my memory, that that kind of a bizarre bag limit has been permitted; surely he could produce a piece of paper to show that this was, as he alleges, departmental advice as opposed to lay tinkering by the Minister?

HON. A. MACKLING: Mr. Speaker, I'm not going to try and persuade the honourable member, by a simple piece of paper, as to the truth of my remarks. The honourable member knows that I'm a member of this Legislative Assembly and when I indicate that what I'm stating is fact, he should accept it as fact. It is fact, Mr. Speaker, those are the recommendations that were made to me and I accepted them.

HON. S. LYON: And the recommendations of which he speaks, Mr. Speaker, that were made to him, is he stating to the House that those recommendations were made to him by professional members of his departmental staff, as opposed to outsiders or any other source?

HON. A. MACKLING: Mr. Speaker, I don't know how many times I have to indicate to the honourable member that when I met with staff of the department, the Wildlife Branch, we reviewed the likelihood of a closure of the season but my inclination was in view of the very reduced numbers of some species, that we ought to consider closing the season altogether. Professional staff recommended to me that rather than do that there could be a combined bag limit and that was the recommendation and I accepted it.

HON. S. LYON: Well, then, Mr. Speaker, I think a slightly different cast is being put on the answer now by the Minister. Is he saying on the one hand that he advocated a closing of the season? One can presume that they advocated a regular season with bag numbers according to species and that what ultimately occurred then was a compromise between his recommendation and what they professionally believed in. Is that true?

HON. A. MACKLING: Mr. Speaker, the honourable member can speculate all he likes about how decisions are arrived at. I've indicated that my view was that in view of the very limited numbers in circumstances like this, we should consider closing the season.

However, the key biologists and staff indicated to me that even though birds are very small in number, hunting pressure is not the factor that eliminates the species, it is disease and predation from other sources, and the predation by man or woman is not the key factor. So it is not destructive, or will not mean elimination of the species, to allow a continuance of the season.

But in view of the fact that there are irregular numbers of species in different areas, the combined bag limit made sense to them and they recommended it to me.

A MEMBER: . . . in writing.

HON. A. MACKLING: Oh, for Pete's sake.

Ducks Unlimited arrangement

MR. DEPUTY SPEAKER: The Member for Swan River.

MR. D. GOURLAY: Mr. Speaker, I direct a question to the Minister of Natural Resources and ask him if he and the Government of Manitoba have signed a new lease arrangement with Ducks Unlimited involving the Sakeram area of Northern Manitoba?

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

HON. A. MACKLING: Not yet, Mr. Deputy Speaker, although that matter has been under very intense review and an announcement will be made very shortly.

Life Insurance industry - government entry

MR. DEPUTY SPEAKER: The Member for Tuxedo.

MR. G. FILMON: Thank you, Mr. Speaker. My question is for the Honourable Minister of Consumer and Corporate Affairs.

A number of months ago he revealed in the House that the government was undertaking a study into its possible entry into the field of life insurance in the province and later it was revealed that a survey was undertaken of all the Autopac agents in the province to come up with some background information with which they could make this judgment. My question to the Minister is, has the survey of Autopac agents in the province now been completed?

MR. DEPUTY SPEAKER: The Minister of Consumer Affairs.

HON. J. BUCKLASCHUK: Thank you, Mr. Deputy Speaker. That survey was completed some time ago. I believe when the question was raised, I had indicated I would take that as notice. That information will be provided in due course.

MR. G. FILMON: Will the Minister indicate what the results of the survey were? In other words, did the agents recommend to the Minister, through MPIC, that the government ought to enter the field of life insurance?

HON. J. BUCKLASCHUK: That information will be part of the study that will be provided to me. I don't have information at the present time.

MR. G. FILMON: Earlier, Mr. Speaker, the Minister had indicated that the overall study into the government's possible intrusion into the field of life insurance in Manitoba was being carried on primarily by in-staff people, that is, staff of the government. Has the study now been expanded to include some outside expertise or consultants on the matter?

HON. J. BUCKLASCHUK: The work for the study was undertaken primarily by MPIC staff, but MPIC has hired two consultants, I believe, to help them with that study.

MR. G. FILMON: I wonder if the Minister could indicate who those two consultants are?

HON. J. BUCKLASCHUK: I can obtain that information and provide it to the House. I can't remember the names offhand, but I'll obtain that information.

Communication reception

MR. DEPUTY SPEAKER: The Member for Arthur.

MR. J. DOWNEY: I have a question for the Minister of Consumer Affairs or the Minister responsible for the air waves and the distribution of signals throughout the Province of Manitoba.

Since the ice storm last spring the reception of TVs and communication systems throughout the province have been less than, I would say, what they should be prior to that ice storm, I wonder if the Minister could indicate as to the problems that the communication's people are having; if there is anything that can be done to correct that; or if the Minister would, in fact, take time to look into it.

MR. DEPUTY SPEAKER: The Minister of Urban Affairs.

HON. E. KOSTYRA: Thank you, Mr. Speaker. I'm not certain which specific area the member is referring to. The Member for Swan River asked similar questions about a month ago and I replied shortly after that, that I was informed that television and radio service would be resumed to the full level in the northwestern Manitoba area later this fall. That was the information that I received after making enquiries of the Federal Department of Communications and the respective communication companies. If the member has a specific area of concern, if he would give it to me, I would certainly follow up on it.

MR. J. DOWNEY: Mr. Speaker, the area that I'm specifically referring to is the one which I represent in the southwest corner of the province - Arthur Constituency to be specific - so, Mr. Speaker, if the Minister would indicate to us as to the problems that they're having and to indicate when it would be fixed, I'm sure the residents of that community would be grateful for the correction of that difficulty.

HON. E. KOSTYRA: Mr. Deputy Speaker, I will get detailed information and find out specific dates that they intend to have full service back into that area of the province and to encourage them to do it as quickly as possible.

Baby virus

MR. DEPUTY SPEAKER: The Member for Fort Garry.

MR. L. SHERMAN: Mr. Deputy Speaker, my question is to the Honourable Minister of Health. I would ask him whether the investigation into the viral infection in the pediatric intensive care nursery at the St. Boniface Hospital has been concluded, whether that outbreak has been successfully contained and whether the

Minister will be making a report as to the conclusions of the investigation.

MR. DEPUTY SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: Mr. Speaker, I'd like to first of all thank the honourable member for the question because it gives me a chance to commend the St. Boniface Hospital staff and the medical profession there, especially neonatologist, Dr. Davies, who acted very promptly and very efficiently. I think there already has been a press release by the hospital and questions answered in this House.

We know that they have enlisted the support of Dr. Jonathon Kaplan from the Centre for Disease Control teams, and also there is the centre in Ottawa. That's the American centre. The centre in Ottawa also is co-operating.

I am told that they are progressing; that everything is under control. As soon as there is any information - they are taking nothing for granted - they look at everything. I have asked for a report as soon as possible, and I'll share it with the House at that time.

Obstetrical Unit transfers

MR. DEPUTY SPEAKER: The Member for Fort Garry.

MR. L. SHERMAN: Mr. Speaker, during the Minister's absence at the Western Canada Summer Games, in his capacity as Minister of Fitness and Sport, the Acting Minister took a question from me as to the number of transfers this past spring and summer from Concordia and Seven Oaks Obstetrical Units, or from what would have been cases in Obstetrics at Concordia and Seven Oaks over to St. Boniface Hospital.

I asked how many obstetrical cases had been transferred, or diverted, or sent to St. Boniface that would ordinarily have gone to Seven Oaks and Concordia. I wonder if the Minister is able to answer that question at this time, or whether he has taken that question as a subject to investigate and on which to report back to me and this House.

MR. DEPUTY SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: Mr. Speaker, this is easy, and there is no need for investigation. There has been no closure of beds yet, nothing has been changed. So if anybody has gone to St. Boniface Hospital, it has been just because it's a choice of the doctor.

Now if we are looking at the announced closure of obstetrical beds at both Seven Oaks and Concordia, this has nothing to do with this situation because no beds have been closed, as yet; they are continuing as they have done in the past.

There is a possibility, I saw in the news media and, as I said, it certainly won't be a whitewash. You don't whitewash with these people even if you tried, and I don't intend to try. The situation is that somebody said, maybe it's because they were too busy, or there was a backup at St. Boniface Hospital. I stated at the time that, even if we did not close any beds at Seven Oaks

and Concordia, we would have to improve the situation at both the Health Sciences Centre and St. Boniface because, in effect, they were crowded because of the wish of the people to select these two hospitals for the added care and confidence that they have in these facilities.

MR. L. SHERMAN: Mr. Speaker, can one infer, from the Minister's remarks, that action to close and phase out the obstetrical units at Seven Oaks and Concordia is on suspend at the present time until this investigation at St. Boniface is completed, and until the Minister is satisfied that it is a wise move to proceed with the rationalization of the units, and until the Minister is satisfied that there is sufficient capacity and capability at other obstetrical units in the city to permit him to proceed with that action?

HON. L. DESJARDINS: Mr. Speaker, there is no need to suspend anything. The closure was always going to be done in an orderly manner; it will be done in the same way. It will have to wait until the facilities at both St. Boniface and Health Sciences Centre are in place.

I might say that to be doubly sure, nothing is written in stone, but to be doubly sure I have specifically requested the St. Boniface Hospital and the Health Sciences Centre to talk to the team that are investigating to explain what we have in mind. If we have any comments from them we'll be glad to look at them. If at all possible, I intend to meet with Dr. Kaplan and others also, but as of now, this has nothing to do at all with the closure of beds. As I say, no beds are closed and we intend to proceed as stated earlier, unless there is something unforeseen that comes out from this investigation.

ORDERS OF THE DAY

ADJOURNED DEBATES ON SECOND READING

MR. DEPUTY SPEAKER: The Honourable Government House Leader.

HON. R. PENNER: Mr. Speaker, would you please call the adjourned debates on second reading bills in the following order: Bills 18, 107, 112 and 48.

I might give notice to my friends opposite, Mr. Speaker, that we will be calling Bill 3 this afternoon with the intention that it be debated as fully as possible.

BILL 18 - THE LEGISLATIVE ASSEMBLY AND EXECUTIVE COUNCIL CONFLICT OF INTEREST ACT

MR. DEPUTY SPEAKER: On the proposed motion of the Honourable Attorney-General, Bill No. 18, standing in the name of the Leader of the Opposition.

HON. S. LYON: Mr. Speaker, I believe I had reached the point in my remarks yesterday where I was talking about this bill being, in large measure, a re-enactment of present existing provisions against participation by members of this Assembly in any other contracts or

other arrangements with the government which could, directly or indirectly, or by implication, lead to conflicts of interest.

I was expressing, on behalf of our party, what I know my colleague, the Deputy Leader, the Member for Fort Garry and others have said earlier in this debate, namely, that there is no objection on this side of the House in any way at all to the existing legislation with respect to conflict, or to any updating of that legislation or, indeed, Sir, to this bill, insofar as it purports to deal with conflict.

Our concern, our comments, our criticisms almost entirely relate to two sections of this bill, 15 and 16, which deal, not with conflict, but with disclosure. It was with respect to those two matters that I was proceeding to deal yesterday, pointing out some of the incidence in my experience in this House, and in Cabinet, where oral disclosures of pecuniary interests or matters of that sort had been made known by members of Cabinets of which I have been a part, or members of the Legislature and so on.

So, Mr. Speaker, I don't intend to take much more time on the topic, except to say that I think the government would be well advised if Sections 15 and 16 of this bill were to be withdrawn; that the present system of oral disclosures remain in full force and effect. If that system needs to be undergirded or corroborated in any respect, then we would be happy to sit on a committee with the members of the government and look at it.

But I suggest, Sir, that the present Sections 15 and 16 will do more harm to the Legislature and to the public interest than they will do good. They are nothing more or less than snooping. They are disclosure provisions which are not germane to conflict in any way, shape or form. They have the potential for discouraging people from entering political life, because there is some form or some colour of distaste that is placed upon people in public life, or those who want to enter public life, by the mere existence of these sections. These people are asked to disclose all of their assets if they wish to run for public office. Furthermore their wives and their dependent children living at home must disclose their assets.

That, Mr. Speaker, does not serve the public interest, it merely serves to deter people of good will, men and women who could serve this province from perhaps considering getting into public life at all. God knows the biggest shortage in public life, in the 25 odd years that I've been connected with it Mr. Speaker, the biggest shortage is that of talented people.

This Legislature, under this particular government in which talent is a rarity, this Legislature, Sir, should not be the one that erects further impediments to the attraction of good candidates to the Legislature because of snooping provisions that are put in without any indication, without any supportive evidence that this kind of snooping disclosure legislation is needed in this province.

If the Attorney-General, who perhaps wasn't here when I was speaking yesterday, will look at my earlier remarks, he will see where I've indicated that in my experience in the House I have never seen a case where the present oral disclosure was not followed by members of the Legislature, by members of Cabinet with respect to any assets that they might have. So I say, Sir, that oral disclosure should be enough.

The wealth of an individual, Sir, should not be a matter of public concern anymore than the poverty of an individual should be a matter of public concern for a member who sits in this Legislature. That proposition, it seems to me, is equally valid regardless of which end of the scale of affluence one happens to find himself, or herself. Oral disclosures have proven to be sufficient in the protection of the public interest heretofore and I see no reason, nor have I had any evidence advanced by members opposite, that there should be a change in that system.

I think my honourable friends across the way, pretending as they do great sensitivity to the feminist cause, great sensitivity to human rights and so on, would do well to reconsider Sections 15 and 16, particularly insofar as those sections, as presently cast, purport to relate to divulgence of assets by spouses.

By what particular right, Mr. Speaker, has this Legislature the power to override, for instance, The Human Rights Act which says that each person is an individual, to override that and to say that just because that person happens to be the son or a daughter of a member of this Assembly living at home, that that person must thereby become a second-class citizen and divulge his or her assets, merely because of the physical place in which the child happens to live, or because of the birth of that child, or because of the parentage of that child?

Mr. Speaker, we heard wild declamations of concern, albeit rather staged I would say, by the Minister of Labour when I asked a question during the course of her Estimates relative to the Civil Service, relative to the appointment, as a matter of fact, to the Civil Service of a woman whose name is in the news this morning, Mrs. Aleda Turnbull, the wife of Ian Turnbull, the former member of the NDP Cabinet in the Schreyer Government, who was appointed under a so-called competition in which two of the three judges in the competition were political appointees appointed by this government since they came to office - people who will in all likelihood not be in office after this government is defeated - a misuse of the whole Civil Service Commission; a prostitution of it by this government which is becoming more and more apparent.

This woman, who was a counsellor, or whatever for the Children's Aid Society, emerged out of the blue in a competition that was contested by a good number of people, and lo and behold she was the one who was found to have all of the qualifications necessary to be the Assistant Deputy Minister of Community Services. Wasn't that a coincidence, Mr. Speaker, wasn't that a coincidence?

Well that same woman, Mr. Speaker, who had been seen carrying a picket at every left-wing demonstration of this Legislative building, since 1977 when our government came into office, that I suggest, Sir, was her greater claim to appointment with this government than anything having to do with her background or appointment.

In any event, Sir, do you not recall the wild declamations of concern when I asked the very ordinary question in Supply debate - is this woman the wife of Ian Turnbull? And the Minister of Labour almost had a relapse. And her running mate from Wolseley, they both almost had to take the vapors because of that question being asked.

They said, Mr. Speaker, well of course that kind of a question is prohibited under The Human Rights Act. Well I had to remind them, Mr. Speaker - and I think the Human Rights Commission has reminded them since - that members of the Legislature can ask questions in this House, against nepotism any time they want to ask the questions, notwithstanding the supersensitivities of the so-called human rights activists, like the Minister of Labour and her running mate from Wolseley.

In any event, Mr. Speaker, this same government, that pretends to this kind of supersensitivity about marital relationships of its political appointees, turns around in another piece of legislation, in this piece of legislation and says, we don't care anything about marriage, or about children. If a member, or a nominated person for this House, or a member of this House has a wife, or a husband and children living at home, that wife, that husband, those children living at home must disclose their assets. So much for their concern for The Human Rights Act, Mr. Speaker.

The Human Rights Act is a convenient dodge for them when they're in trouble because they're making political appointments; when they're in trouble over nepotism; when they're in trouble for many of the other sins of omission and commission that they regularly perform day by day, they dodge behind the Human Rights Commission; the Manitoba Association of Rights and Liberties now funded so generously by the taxpayers courtesy of its former member the present Attorney-General; all of these organizations that are hand ringing about human rights which are, in some ways, supportive of the Attorney-General and some of his colleagues opposite.

What do they think, Mr. Speaker, of a government that is so committed, as this government pretends to be, to the concept of human rights coming out in a piece of legislation like this, running roughshod over the whole concept of spousal identification, spousal identification of that spouses assets and so on, and a piece of legislation that literally tears to shreds any concern, imagined concern, that the people of Manitoba thought this government had about spouses, about children and so on?

So, Mr. Speaker, I say that the sections in question are not only perfidious, they show the depths of the hypocrisy that reign in ranks opposite with respect to human rights concerns, and matters of that sort. That is why I say, Sir, that the Attorney-General and his colleagues, should give a strong consideration to withdrawing these sections with respect to spousal disclosure and members' disclosure because they: (a) have not made a case for them, and: (b) there is no indication whatsoever, Sir, that that kind of disclosure is going to make a dishonest man or woman, an honest man at all.

In fact the record of this Legislature in the recollection of myself - and I can't speak for the Member for St. Boniface, he's free to speak himself - but I know of no overt instances, other than the ones that I had mentioned in my remarks yesterday, where there was any infringement whatsoever of oral disclosure on matters of this sort. So, Mr. Speaker, if my honourable friends want to bring in a bill that truly updates conflict, fine; if that's what this intends to do, fine.

The present state of the law is satisfactory, notwithstanding the sort of niggling draftsman

arguments that the Attorney-General is making about the exceptions. Of course, laws have exceptions made to them as those exceptions are found to be necessary. We are not here to create revolution, we are here to evolve laws that relate to the times, relate to the current circumstances of members of this House and of the requirements of the public interest. This should not be a revolutionary document, as it is; it should be an evolutionary document which takes into account the need, from time to time, to update legislation to ensure that the full requirements of the public interest are being met.

So, Sir, while it may be the intention of the government to make amendments, and I hope it will be their intention because I'm sure that their friends in the human rights factions are already raving and ranting at them about this wanton disregard of even the barest essentials of human rights legislation, which have to be pointed out to them, of course, by terrible, reactionary Conservatives who, of course, aren't supposed to have any concerns about such matters at all. But the honourable members opposite I'm sure, Sir, will want to correct this infringement of basic human rights legislation; will want to reconsider the whole concept of disclosure, which is not germane to the rest of the act at all and, generally, Sir, will want to go back to the drawing board on this matter.

Indeed, this bill might well be categorized as one of those that saw the light of day too soon. It came out of the Attorney-General's pressure cooker of legislation before it was mature. It's one that might well be put in for further parboiling before it reaches the light of day again.

If it is their intention to rush through with it, I serve notice on the Attorney-General and on the government, it will be our intention to seek to cure the many defects of the disclosure sections, 15 and 16, that are presently contained in it. We would hope, however, that the government would see the wisdom of our arguments, the arguments from other outside organizations and indeed call, if need be, upon their own intellectual reservoir, such as it is, in order to ensure that legislation of this kind with these two sections, which are essentially bad in nature, are not carried forward.

Beyond that, Mr. Speaker, we have no objection with the other major thrust of the bill. The legislation, if necessary at all, can go through without those two sections, and the public interest will be better served if it does.

INTRODUCTION OF GUESTS

MR. DEPUTY SPEAKER: Before proceeding, I would like to direct the attention of the House to the gallery on my left where we have a group of 18 members of a 4-H group from Roseau, Minnesota. They are under the direction of Delores Andel.

On behalf of all the members of the Legislature, I would like to welcome you here today.

The Honourable Minister of Health.

ADJOURNED DEBATE ON SECOND READING Cont'd

BILL 18 - THE LEGISLATIVE ASSEMBLY AND EXECUTIVE COUNCIL CONFLICT OF INTEREST ACT Cont'd

HON. L. DESJARDINS: Mr. Speaker, I would like to take part in this debate. I promise you that I will be very short, but nevertheless, following the speech from the Leader of the Opposition, I think that a few things should be said.

Unfortunately, the Leader of the Opposition, who has always been known as a very good debater and could address the merit of an act, has the tendency lately of wanting to imply motives and a bit of name calling in any debate that he participates in. I don't think that is quite right.

Now the situation, of course, of Mrs. Turnbull has been dragged into this. We saw in the question period that the question had to be asked, Mrs. Turnbull, wife of a former Minister. What the heck does that have to do with it? Isn't she a person in her own right?

First of all, the situation is this, that Mr. Turnbull hasn't been a Cabinet Minister for a number of years now and there was no reason at all to ask the question, wife of Mr. Turnbull. If it means that no one who has a relative who, at one time was a member of this House, could work for the government, it's a pretty sad state of affairs.

Let's be honest in this. When a government is elected, of course, in commissions and so on, it tries to get the kind of people that reflect their thinking. That was accepted by the former government who went in with a vengeance and threw everybody out - we remember that - with the knife out. There was an awful lot of blood came in, not only with people on commissions and boards, but people also that were civil servants. There is no doubt that the kind of civil servant that this government wants to attract are not the favorite kind of people of the Leader of the Opposition, but the reverse is also true.

HON. S. LYON: Not even talented, Larry.

HON. L. DESJARDINS: When the Leader of the Opposition said, well you had two people that came in. Somebody's got to name these people, and the government in office would be asinine and ridiculous and would be laughed at if they would go out and get somebody that is opposing them and that will put a stick in their ways.

HON. S. LYON: What about the Weir Deputy?

HON. L. DESJARDIN: Wait a minute. We'll talk about . . . Deputy, but what about Paul Hart? Who appointed him?

HON. S. LYON: We did.

HON. L. DESJARDINS: It wasn't us. He's there, but he's all right because he was appointed by the Conservative Party. We kept him there, and it's only

natural that we'd be outnumbered, but at least there are some there.

For instance, there are some — (Interjection) —

MR. DEPUTY SPEAKER: Order please.

HON. L. DESJARDINS: Mr. Speaker, can I make my speech, and can I ask the member to follow, please?

The thing is that on boards and commissions the former government, and the now House Leader, said these people must reflect the thinking of our government. He was absolutely right; I think he was right, he had the right to change that, but he shouldn't condemn us for doing exactly the same thing that he's done. But he has got this tendency to thinking that, you know, everything that's good is on one side, and everything that's bad is on the other side. That is not democracy, he can keep on thinking that, but respect democracy. That is the only way that we're going to have any semblance of order here.

For instance, there was a fellow named Gordon Pollock who I thought was very good. I kept him, I thought to keep him, because I think he had a service to render. He is certainly not a member of our party

HON. S. LYON: No, he's a member of the Civil Service.

HON. L. DESJARDINS: I'm talking about commissions, to start with, because you talked about the Civil Service Commission, that's also a commission. Who are you going to put in?

HON. S. LYON: No, no Larry, you're all mixed up. You don't even come close on that point.

HON. L. DESJARDINS: Oh yes, it is. Mr. Speaker, then another thing, Mrs. Turnbull was supposed to have carried a flag or a banner. That is her affair, she happens to be a very efficient and well-regarded. She's worked in the women's movement for a number of years and she is a very capable lady. I might not agree with everything she does, and I'm sure the Leader of the Opposition doesn't agree either, so I don't think that is fair. I don't think that we should call hypocrite because we have somebody who happens to be the wife of somebody that was a member of this House years ago.

I might say that I agree in a lot of ways with a lot of what was said by the Leader of the Opposition, but I am not afraid of this legislation, I welcome it, because a politician must not only be honest, but appear to be honest, and all the precautions should be taken.

My honourable friend talked about the Steinkopf situation. I want to hasten to say that I had nothing but respect for Mr. Steinkopf. I was a member of the opposition, the Liberal Party, at the time, but it wasn't as easy as that. They claim that the land was purchased from himself. I don't even remember the issue and I'm not interested. As I say, I didn't want to take part in that discussion. In fact, I might say that Mr. Steinkopf sent me a note at the time disclaiming any connection with the then government who started to investigate me as a retribution kind of thing, because he realized that I hadn't participated and that I've always felt he was an honourable man, I knew Mr. Steinkopf before that.

But I've had in different levels of government - I'm not going to start naming names obviously - were accused and certain city councils are accused of making a good thing out of real estate, and I think that some of it is probably true. The thing is the Leader of the Opposition said, well, you can't name me somebody, but if you don't know it, this is kept secret, you'll never know. I welcome this legislation. It'll keep us on our toes.

Now, this question of why the wife, and why the children? I'm sure that my honourable friend and the other members of the front bench know exactly why. For instance, — (Interjection) — Well, I'll tell you why then, because the income tax situation, instead of claiming let's say, a husband and wife as a team and look at the total revenue, they look at it separately and it is a common thing, completely legal to transfer certain assets to wives and to children. I've done it; I'm doing it now. I think it is only natural if I'm going to transfer a thing, it is very easy to transfer something to a wife or children while you're sitting in this House. You say, well, I'm safe; it's not me; don't bother my wife; that's it. It is the same asset. As I say, I've had it done properly, legally, anybody can come and investigate, and some of the assets that I have had are transferred in my wife's name.

I don't think that should be paraded and published in The Gazette, or published in the Free Press. I think we'll have to look at it, and it might be that some amendment might be necessary. It could be, and I'll leave that with the Attorney-General. The intent is to make sure that there is no chance for conflict of interest. We read every day in the newspaper somewhere that a politician did certain things, and they swear that they're honest and all of a sudden you don't hear anymore about him and they're out of circulation. I'm not going to name one, but there's one in federal politics now that wanted to be judged by his peers, and it doesn't look too good for him.

What will it hurt to say, here, these are the assets that I have, and then somebody, be it a judge, be it the returning officer or anyone, or somebody in the municipality, certainly on certain conditions could that be known. That will protect the public. It's the same thing as a lawyer who knows the law, should bend over backwards not only to be honest, but to appear to be honest, to be above reproach, to give the protection to the public.

It might be that there are certain things in that act that are not perfect, that are not good, or we should change, and it could be. I certainly defend the Leader of the Opposition for opposing this; this is their privilege. I implore them to start debating this on the merit of the act, not on all claims of red herrings that are dragged in and implying all kinds of motives to the people on this side, that we're hypocrites and liars, and that kind of thing. I don't think I'm a hypocrite, and I don't think I'm a liar, and I don't like that kind of name-calling.

Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: The Member for Sturgeon Creek.

MR. F. JOHNSTON: Mr. Speaker, I move, seconded by the Member for Tuxedo that debate be adjourned.

MOTION presented and carried.

MR. DEPUTY SPEAKER: The Honourable Minister of Health.

HON. L. DESJARDINS: Would you call Bill No. 112 now, please?

**BILL NO. 112 - THE STATUTE LAW
AMENDMENT ACT (1983)**

MR. DEPUTY SPEAKER: On the proposed motion of the Honourable Attorney-General, Bill No. 112, standing in the name of the Member for Sturgeon Creek.

MR. F. JOHNSTON: Mr. Speaker, the Member for St. Norbert put it very well yesterday in the fact that there have been many occasions when Attorneys-General do by accident or in some way, put something into The Statute Law Amendment Act that shouldn't be there, and it's sometimes at the end of a Session.

But in this particular case, one would wonder why we have Section 16 of this Statute of Law Amendments Act inserted in this bill, because the government last year tried to or intended to do this, and they got things all mixed up as far as committee was concerned and the amendments were concerned last year. They didn't accomplish what they were trying to accomplish, and one would think that if this legislation was to be changed, the Minister of Labour would have had a bill ready to go. But Mr. Speaker, it was a controversial bill and all of a sudden we find it buried in The Statute Law Amendment Act.

Section 16, Mr. Speaker, says this, regardless of what the Minister says that it's a technical type of an amendment. We keep hearing all the time that it's a technical type of amendment and the reasoning we bring forth is something that will never happen and don't worry about it. That's usually the Attorney-General's explanation when we get to something as serious as this.

We have sent this to some labour legal people, lawyers. We have had opinions back on it. The Manitoba Chamber of Commerce has read it and had their legal people look at it; the Winnipeg Chamber of Commerce has read it and had their legal people look at it. They all come up with the same conclusion, the conclusion that the Member for St. Norbert comes to regarding Section 16 which says that when the Minister directs the Labour Relations, the Board, to proceed with first contract legislation, that it must be done. Mr. Speaker, I not only say that most of the legal people have that opinion, I would read Section 16 which was read yesterday, but hasn't been read since the Minister of Labour spoke on it. I guess the Minister of Labour didn't read the explanations of this particular legislation.

Section 16 amends 75.1 of The Labour Relations Act at the 1982 Session when the Section 75.1 of The Labour Relations Act was amended, that provision was amended in committee. The amendments contained in this bill are to make the other provisions of 75.1 consistent with amendments that at committee stage, at the last Session.

Now, Mr. Speaker, here is what I'm sure Mr. Tallin says about this amendment because I would suggest,

Sir, that it was probably Mr. Tallin or one of the legal people in the Attorney-General's department that wrote this. "The effect is to make clear that where the Minister directs the board to enquire into negotiations between an employer and a bargaining agent for the first contract, the board must either settle the terms of the first collective agreement or advise the Minister that it believed that the settlement will be arrived at between the parties within a month of the date of the report to the Minister. Where the parties do not settle the terms within the time, the board must then proceed to settle the terms."

Mr. Speaker, all of the legal people that we have had look at this legislation, all of the comments that are right here state that when the Minister directs, the board must proceed to settle the dispute with first contract legislation.

Mr. Speaker, this particular legislation has drawn comment from the business community to this effect, that it will have a far more devastating effect on business in this province than any other piece of legislation that has effects on the business community, far more devastating they say than the payroll tax - I don't know that I agree with that - but this particular piece of legislation which does not give the board the opportunity to examine all of the situations regarding the companies that there is a dispute with and if, in their examination, they decide to go ahead but at least it has been thoroughly examined by a board that is appointed by the government, the Labour Board, and in their wisdom they decided it shouldn't go ahead, they have examined it and very likely examined it for the benefit of the employees and the company that's involved.

Now, we have legislation just the same as the Minister of Education has, where she directs the board as to what the tenure of school teachers will be. We have the Minister of Community Services eliminating the boards of the child welfare; we have the Minister of Labour now practically eliminating the Labour Board as far as discretion on first contract legislation is concerned. It's rather ironic that this government who believes in these boards and appoints these boards now all of a sudden decides to take the powers away from them.

Mr. Speaker, this was tried last year, but I must say last year it was tried in an open, straightforward way by the Minister of Labour. On this particular occasion, it has been stuck in a very devious way into The Statute Law Amendment Act. I have to say that, Mr. Speaker, because this particular piece of legislation, Section 16 of this act, is not something that was overlooked or forgotten by the Minister of Labour. It was one of the last items that we had last year while we were in Session.

There was a great debate on; there were hearings on it; there were people making presentations on it. The government obviously made a mixup when they were putting in their amendments, and now we are to believe that the Minister of Labour forgot all about that, forgot to bring in amendments to change it from the Department of Labour and now we have it hidden in The Statute Law Amendment Act.

Mr. Speaker, this legislation, as the Member for St. Norbert said, will be the only one of that type in Canada. Now, he said that there may be one more but the information that I received - and I could stand corrected because the information was given to me by somebody

- that this is the only one of this type where the board does not have some discretion as to the decision regarding first contract legislation. So, what do we boil down to, Mr. Speaker? We boil down to a situation where Manitoba is out of step again; where Manitoba is the province where the people who are going to invest say, we can't invest there because they have this particular legislation and it's nowhere else in Canada; we can't afford that type of legislation; we can't be governed - the word "governed" is not proper with this government - we can't be ruled by this group of people who do not have any consideration whatsoever for business.

Mr. Speaker, that means that they will invest somewhere else. The consideration they have for business is to hire somebody at \$85,000 a year plus expenses, plus a car, to be a liaison to have him come back and say, you know you shouldn't be doing this because it is going to discourage business. They didn't listen to him when he gave his time for nothing, I'm darn sure they won't listen to him when they're paying him \$85,000 a year, plus expenses, plus a car.

Mr. Speaker, this particular section, the way it reads, the way it has been interpreted by the legal people of the Manitoba Chamber, the legal people of the Winnipeg Chamber, I don't know whether the Manitoba Manufacturers Association had it looked at by legal people, but they interpret it that way. The legal people within the department who write up the explanation for the Attorney-General to read say that the Minister leaves no discretion for the Labour Board regarding first contract legislation.

Under the circumstances, Mr. Speaker, this government can only have on its shoulders the problems that we have at the present time in Manitoba, because investment in manufacturing, manufacturing shipments were all sliding down between '75 to '77, all of the figures show that. During '78 to '81, they were all moving up, employment was up. Now, we have a situation where manufactured goods shipments are down; manufacturing is down; manufacturing employment is down; investment is down in the Province of Manitoba in private investment and manufacturing investment.

So, Mr. Speaker, this government can only have on its shoulders the reasons for those problems and the problems are caused by this type of legislation that puts this province completely out of step with everybody else. Business doesn't have to invest here. We have a group in Saskatchewan that has a sign saying, we're open for business. This type of legislation you may as well hang up a sign and say, we don't want you. So, Mr. Speaker, no discretion for the board. First contract legislation is not beneficial to the worker, or to the employer in the long run. I assure you, Mr. Speaker, the way this piece of legislation is written now, putting us out of step probably with most other provinces in the country, is going to be detrimental to the workers and business in this province, and detrimental to investment.

Mr. Speaker, it's on their shoulders. In three years time, the people of Manitoba will watch the manufacturing and all of the other investment go down, and they will realize that this type of legislation - it's bad enough to have the first contract type of legislation which is harmful, but this extension of it is even worse and proves that this government doesn't really have

any consultation with anybody on these things, doesn't really have any consultation with the people that they say they're consulting with. They don't listen to the people that they consult with. Mr. Martin said that in his letter to the Minister of Economic Development, how disgraceful and how discouraged he was about the way the first Summit Conference was handled, and in his words said, "We got good publicity out of it." Those were his words.

They don't listen to the people that they claim they're listening to. In fact, they lead those people down the garden path. They smile at them one minute; talk to them for hours; tell them how much they think of them, and when they walk away they do things behind their backs that are entirely different than what the discussions were. That is proven by this type of legislation.

As I say, business doesn't have to come here and, Mr. Speaker, they won't. We'll see a steady decline in investment in this province.

Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: The Honourable Attorney-General will be closing debate.

HON. R. PENNER: Mr. Speaker, just a few remarks in closing debate on this bill.

First of all, I would agree with the Member for St. Norbert that there are provisions in the Statute Law Amendment bill which one could well decide are sufficiently substantive to have introduced as amendments to legislation as a bill on their own. I also agree with him that it's quite difficult sometimes to draw the differentiation between those which are substantive and those which are merely technical in their import.

I would however point out that when the notes were circulated, the explanatory notes, care was taken to asterisk all of those which were more than merely technical, so that there could be no suggestion that the opposition was caught off guard or that there was some attempt to put something over the opposition. I want to make that clear.

I just now want to deal with the comments made by the previous speaker, the Member for Sturgeon Creek, with respect to Section 6 of The Statute Law Amendments, and he expanded - 16, thank you - on the point that the board, when the Minister directs, has no discretion. That is only partly true. It has no discretion in a sense that it must then deal with the question of the first contract, but it has in that area a tremendous amount of discretion, and we must remember that the board about which we're talking is the Labour Board which has the employer-employee nominees on it. It has, for example, the discretion which was used extensively in B.C., where it was the model for this type of legislation to attempt to mediate, and far more often than not that at that stage, the Labour Board is able to play a mediative role, and that rather than ending up with a first contract being imposed, a settlement is arrived at.

More than that, if it gets to the point where even mediative attempts fail, the content of the first contract is wide open. It is wide open and it is for the board and the board alone in those circumstances to decide

what will be the rules of the game for the employers and the employees. All of this, of course, is premised on the established fact, Mr. Deputy Speaker, that there are circumstances in which an employer who would rather not have a union - and I think there are many of that kind who feel that they should have complete management prerogative, and I won't get into the philosophy of that - are unable to stop a union drive because of the safeguards that have been built into labour legislation across this country from the point of view of protecting the right of workers to organize into a trade union of their choice and then to be certified with that union as their exclusive bargaining agent. That presents a difficulty that employers cannot in contemporary times as easily frustrate as they once could. They still attempt, and there have been recent experiences in Ontario to use private detectives and Pinkertons and that kind of thing to frustrate the attempt to organize.

What often happens after the initial organization when, in fact, being a first certification, the union may still be weak, certainly inexperienced, is that an employer with resources are calling in so-called labour relations consultants as stone walls at the table - stone walls, gives the appearance of bargaining in good faith when indeed there is no bargaining in good faith - waits month after month until the workers are so disillusioned that the time is ripe for an application to a labour board to decertify. It's in that context, because we're looking for maintaining the climate of industrial peace that labour boards are called upon in a number of jurisdictions now - Canada, B.C., Quebec, Manitoba - to introduce a first contract. But the members opposite, the Member for Sturgeon Creek, should reflect on the experience in B.C. B.C. is the province in Canada with the most volatile labour relations history but, from the time of the introduction of the new labour code, as it then was in 1974, and this first contract provision, it had in fact an excellent history of dampening down the fuels and fires of industrial strife, and that experience should not be ignored. We should learn from experience and I would recommend to members opposite who are really concerned about this area, Paul Wyler's book on that experience, "Reconcilable Differences."

To say that Manitoba is out of step, as the Member for Sturgeon Creek said is, first of all an unusual statement because whenever we point to other jurisdictions, to draw some lessons from other jurisdictions, comes the cry from the benches opposite, "but this is Manitoba, never mind the rest of the country, never mind the rest of the world, this is Manitoba." Manitoba is somehow unique that you should only consider the Manitoba experience. But now when, allegedly - and I don't think that is right, in fact, I'm sure it's not right - we have legislation which is, in substance, different from, as alleged is different from B.C., Quebec, Canada, we're challenged that Manitoba is out of step. If I may say to the Member for Sturgeon Creek, back to him a phrase that he uses so often, "You can't have it both ways."

One final comment, with respect to the question of manufacturing investment. If one studies the development of the economy of the Province of Manitoba over the last 10-15 years there has, in relative terms, for reasons which I'll mention in a moment, but not at length, there has been, in relative terms, a decline

of the manufacturing sector and, in relative terms, an increase in the service sector. But what that relates to is the tremendous development in the Third World of competitive industries that compete in a way which no western country can match. Japan, not part of the Third World traditionally, but is pre-eminently a country where, with respect to the electronic industry, it has virtually closed down in the United States the whole electronic segment in the TV and related type of electronic components, because of their ability, their relatively lower labour and industrial costs.

So to garment manufacturing, which was so big a part of the economy of Manitoba, with the competition from Taiwan, from Korea, from the Peoples' Republic of China, from Hong Kong, we just simply can't compete. It's these international developments which have too long gone ignored. If any fault is to be found for the relative decline of the manufacturing sector, and that includes investment, employment and all of the indicators mentioned by the Member for Sturgeon Creek, it's the neglect, and I think the palpable neglect of the previous administration, to look at what is happening in depth and to address the whole question of the technological revolution. We have not yet, as a province, taken advantage of those resources which we do have in the area of technology, high technology, in order to compensate for the loss of traditional markets in manufacturing. So that to say that it's this administration and its policies which account for these long-term developments is probably ludicrous.

QUESTION put, MOTION carried.

BILL 107 - THE CHILD WELFARE ACT

MR. DEPUTY SPEAKER: On the proposed motion of the Honourable Minister of Community Services, Bill 107, standing in the name of the Attorney-General.

HON. R. PENNER: Here too, Mr. Speaker, I would like to address a few remarks in the course of debate this time, flowing particularly out of previous comments by members opposite, including the Member for Pembina.

This is incidentally another one of those cases where, when the experiences in Ontario, and the provision in the Ontario Statute was referred to, members opposite - I don't know whether the Member for Sturgeon Creek was one of them - said, ah, but this is Manitoba.

You see the fallacy of that kind of response, other than the obvious fact that Manitoba is part of Canada, is the question of the principles which are paramount. The principles that are paramount, with respect to this particular proposal, are the welfare of children, No. 1; and accountability for public funds, No. 2. Those are the principles which underly this legislation, and those principles are universal. It cannot be said with respect to any jurisdiction in Canada; it cannot be said, I would think, with respect to any jurisdiction in the western world, at least, that those two principles, the welfare of children and the accountability of public funds, are somehow different.

Now let me relate those principles to the proposal. First of all, as members of this House know, the Children's Aid Societies are given a powerful role in our social setup with respect to the welfare of neglected

children; with respect to matters of guardianship, temporary or permanent; with respect to adoption. It's a powerful role with what - it may sound like a cliché, but everyone would admit - is our most precious asset, children. They have a tremendous responsibility, and that is given to a private agency.

Indeed, I think the remark has been made by the Minister introducing this bill that Manitoba may be the only jurisdiction left in Canada where we allow - it may be one of two or three - the welfare of children to rest, to such an extent, in the hands of a private agency. It seems to me, Mr. Deputy Speaker, that it is absolutely essential, on that ground alone, that government be able, first of all, to play a regular, ongoing, monitoring and directing role. But, also, if it should happen that a private agency with that responsibility, with its trusteeship on the part of the state over neglected children, abused children, sexually abused children, if that agency should fail in its duty, then there must be the power of government acting for the people as a whole to step in and say, no, we must not allow that to happen. That power must be there, speaking in terms of general principles.

Again, it is recognized that these private agencies are almost totally funded from the public purse, close to 100 percent. There too - and I think everybody would agree with the principle and we'll get to the question of methodology in a moment - it's paramount, as a principle, that government giving that amount of money - and it's in the millions - to a private agency for it to expend, must be able to demand full fiscal financial accountability and it follows that if there should arise circumstances in which that agency, through its board, is not exercising that kind of prudent management of public funds which we demand of ourselves, that government must be able to step in.

Well, the question then arises, but there are different methods of doing this and that of course is true. One way is in fact to put agencies of that kind in trusteeship, but when you do that you have, in fact, direct political involvement because the power that would be given would allow the Minister or the Lieutenant-Governor-in-Council to appoint a trustee, one person who would take over an agency that was giving those kinds of problems and to run it until such time as the situation could be remedied. But that, I would submit, is not a preferred way.

What is being suggested here is that if a board of an agency that is given that powerful jurisdiction, both with respect to children and public funds, that if it is not meeting its obligations, then what the Minister can do, Executive Council in the terms of this bill, the Lieutenant-Governor-in-Council, is to replace the board for such time as is necessary to rectify the situation. It seems to me that this indeed is a method which is a preferred method.

I just want to note here the contradiction in what we've been hearing in the last period of time where time and again, either the Member for Fort Garry or other members, have stood in their place and have played the Minister of Community Services and asked him to take full ministerial accountability for problems with one or another of the Children's Aid. I say that if a Minister is to take full ministerial accountability, then that Minister must have the power to remedy the situation.

You see, it seems to me that the members opposite have targeted the Member for Brandon East and want to lay everything they can on his shoulders, and that's part of a political strategy and I suppose it's fair game. But in this particular situation to stand up during question period and in other circumstances and say that Minister is responsible; some social worker goofed, the Minister is responsible; some other person, as a social worker goofed, the Minister is responsible, and then to deny the Minister, through Executive Council, the power to deal effectively with an agency that fails in its responsibility is a contradiction which must be noted.

The points made by the Member for Pembina with respect to the democratic process and so on, let me just advert to that. I was saying that the bill allows Executive Council to appoint a replacement board for a period of time; that board would be a board of several members from 3 to 15, not one person as a trustee. The Executive Council could and undoubtedly would, look for persons who had the capability, both with respect to management, but more importantly, with respect to some experience in the child welfare field. Yes, there would be political considerations in the sense of policy consideration.

Who out there has demonstrated competence in the area of child welfare? Who out there in the public has demonstrated competence in the field of agency management? Who out there has demonstrated competence in working with professionals who must be, to a considerable extent, on their own, making judgments - sometimes right, sometimes wrong - no one is perfect? Those are the kinds of persons who would be selected by any Executive Council, bearing in mind the criteria of the welfare of children and fiscal accountability; those are the kinds of persons who would be selected. The notion that it would be the party label that would govern is ludicrous in those circumstances. It simply would not be the case. You'd look for people who had those kinds of demonstrated abilities. It doesn't, Mr. Deputy Speaker, necessarily follow in any agency, whether it's the Children's Aid or any other agency, that those who are elected to a board necessarily have and can exercise that kind of judgment with respect to the welfare of children and the management of public funds.

So, Mr. Speaker, in intervening at this stage in the debate on Bill 107, I think that the notion that somehow or another this is an undemocratic, extraordinary remedy is not borne out by the facts. The Member for Pembina talked about interfering with the electoral process. This is not the electoral process where there are public elections. This is a private agency with a relatively small number of people who come out to a meeting and who are presented, in most instances, with a nomination slate and they rubber-stamp it and that is then the board.

We would not, no one would want, as long as we maintain this notion of a private agency responsible for the welfare of children, and I, for one, hope that that is not for long - speaking for myself. I, for one hope that that is not for long. I think in principle that is wrong, but as long as we do that and maybe for some period of time, then we must have the power as government, which has the responsibility, and indeed is indicted, whenever it is suggested that we fail in that

responsibility for the welfare of children; that has the responsibility and indeed we are indicted when it is suggested we fail in that responsibility for fiscal accountability, we must have the power to rectify a situation when it gets to the point where those two principles stand in danger. It is our apprehension that there has recently been a substantial and a growing amount of evidence that there is a problem and we want to be prepared to deal with that problem. I would think that the members of the opposition should welcome the fact that we, as government, and as legislators representing the people of Manitoba want to be prepared to deal with that problem. To abdicate our responsibility for the welfare of children, to abdicate our responsibility for the management of public funds, simply is not a proper thing to do and I would urge that this bill be passed.

QUESTION put, MOTION carried.

A MEMBER: Yeas and Nays, Mr. Speaker.

MR. DEPUTY SPEAKER: Call in the members.

Order please. The question before the House is shall Bill 107 be now read a second time.

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

YEAS

Adam, Anstett, Bucklaschuk, Carroll, Cowan, Desjardins, Dodick, Harapiak, Hemphill, Kostyra, Lecuyer, Mackling, Parasiuk, Pawley, Penner, Phillips, Plohman, Scott, Smith, Storie, Uskiw.

NAYS

Blake, Brown, Downey, Driedger, Enns, Filmon, Gourlay, Graham, Hammond, Hyde, Kovnats, Lyon, McKenzie, Mercier, Ransom, Sherman, Steen.

MR. ASSISTANT CLERK, G. Mackintosh: Yeas, 21; Nays, 17.

BILL 48 - THE ELECTIONS FINANCES ACT

MR. DEPUTY SPEAKER: On the proposed motion of the Honourable Attorney-General, Bill No. 48, and the proposed amendment thereto, standing in the name of the Honourable Minister of Energy and Mines.

HON. W. PARASIUK: Mr. Speaker, I adjourned debate on behalf of the Member for Springfield.

MR. A. ANSTETT: Thank you, Mr. Speaker. It has become clearer the last several weeks, and certainly I don't think it was a surprise to anyone on this side of the House, that members opposite have some difficulty with this bill and are somewhat reluctant to give it their stamp of approval.

Mr. Speaker, that certainly comes as no surprise. Members opposite have always resisted, to some extent, any government intervention in the regulation of the electoral process and, more particularly,

legislation dealing with the control of election finance. It was with great reluctance that the former Attorney-General, the Member for St. Norbert, brought in an Election Finances Act in 1980 and, as he himself would certainly concede, it was an act which was, for all intents and purposes, totally gutted in the Standing Committee on Privileges and Elections when he attempted to get it through that committee to make it law in this province.

The history of election finance reform in this province dates back to the early years of the Schreyer Administration in 1970 and a bill then, which did not meet with the approval of members of the opposition of that day. Some of those members are still here and will recall that debate. Certainly, Mr. Speaker, they were reluctant in 1980 to bring in provincial tax credits and, for all intents and purposes, the Member for St. Norbert, at that time, admitted that one of the primary justifications for bringing in a provincial tax credit scheme was because of the laundering of funds from the province through the federal tax credit scheme, and the fact, then, that disclosure was not obtained unless a provincial tax credit scheme was in place. The argument he advanced then was that a provincial tax credit scheme would allow Manitoba donations to stay in Manitoba for Manitoba elections and that disclosure would be achieved.

Mr. Speaker, the bottom line on bringing in provincial tax credits in 1980 was effectively only to increase the amount of refund that donors would receive for donations in excess of \$100, because the maximum tax credit on donations of up to \$100 was going to be the same - 75 percent of the value of the donation. Only when donations went above \$100, and were split federally and provincially, was there an increased benefit to the donors to political parties.

There's no question that some credit must be given to the former administration for bringing election finances legislation. Certainly the Schreyer legislation, proposed by his administration, was inadequate but, Mr. Speaker, there is no one on the other side who has suggested in debate - and I'm certain, because no one on the other side would believe the statement - that The Elections Finances Act, passed by their administration in the summer of 1980, in fact, very late in July of 1980, was good legislation that survived the test of time. Certainly members on that side know that it was a patchwork quilt when it came out of committee at 3:30 or 4 o'clock in the morning on July 19th that year, and certainly no one on that side would admit or suggest that bill passed the test during the last provincial general election of their legal counsel, and their official agents who, I suggest, without exception had difficulty with that legislation because of some of the anomalies it contained, and some of the last minute changes that were made.

Mr. Speaker, I don't think there's any question that the introduction of a new Elections Finances Act was not only justified, from the perspective of principle, and some of the changes in principle that were made but, Mr. Speaker, more importantly, I think it was a necessity because of the inadequacy of the previous legislation. It's on those grounds then that I have some difficulty with the suggestion of honourable members opposite that this bill should be hoisted. Mr. Speaker, that's the question before us, whether or not Bill No. 48 should not now be read a second time, but should be read

six months hence. Mr. Speaker, we all know that's a procedural motion because, from the looks of things, we could still be in Session six months hence, and the hoist would not then kill the bill. Mr. Speaker, as a procedural motion, it certainly does that, regardless of whether or not this Session does last another six months.

Mr. Speaker, I have a problem. Members opposite, certainly those who had some experience with the 1980 legislation, recognized without a doubt that their bill of that year, I believe Bill No. 96, 1980 Session, was an inadequate piece of legislation. No one has claimed that it addressed the problems. Mr. Speaker, no one claims for a minute that The Election Finances Act, contained in Bill No. 48, is foolproof, but certainly no one on the other side has suggested that the problems of the 1980 bill need not be addressed.

Mr. Speaker, if members opposite want a hoist they then place themselves in a conundrum. They have, for all intents and purposes, agreed that their legislation needs improvement. When the improvements come they want to hoist them. A far better approach, Mr. Speaker, would be to recognize that the current legislation needs improvement and make constructive, concrete suggestions for changes.

Mr. Speaker, the only explanation for why they would move a hoist, rather than try to improve this attempt to improve their legislation, is the fact that the hoist came from the Member for Kirkfield Park. She's the member on the other side who has gone on record as saying her job is not to suggest improvements, her job is not to take a position, her job is only to criticize and to oppose. She has no responsibility for being constructive and positive in this Chamber.

Mr. Speaker, that obviously is the sole reason why the Member for Turtle Mountain chose the Member for Kirkfield Park to move the hoist, both on this bill and on the other legislation, particularly Bill No. 3 which also has a hoist. That's because that member sees no obligation to be constructive and positive, but rather an obligation only to oppose, and that's what the hoist is in this bill, Mr. Speaker, for one simple reason. Clearly it is an attempt, not to address the need for the change, but to postpone that change and to lengthen the period of time during which an ill-considered piece of legislation brought in in 1980 is the law of this province, and the law under which those of us who are concerned about these matters must plan for by-elections and elections.

So, Mr. Speaker, I therefore, as I commence my remarks, have to tell you that I certainly, and I speak for those on this side, are definitely opposed to the hoist, because it denies the people of Manitoba an improvement in the election process in this province, and leaves in place a piece of retrograde legislation which was barely an attempt at an improvement because it was a patchwork quilt done very early in the morning.

In fact, Mr. Speaker, members on both sides and Legislative Counsel, immediately after the passage of the legislation, were unclear after that committee meeting as to what had been passed and what had not been passed, and it was several days before they could assemble from the transcript an exact copy of the bill as it had been processed through committee.

The Member for Lac du Bonnet will recall the disruptive mess that was occasioned in that committee,

in the wee small hours of the morning just before sunrise, by the ineptitude of an administration that didn't know what it wanted to do, but knew it had a problem and had to face up to it. Really the only thing they did right was bring in the property tax credit, and that certainly for motives which were very different from those usually associated with election reform. It was purely to avoid the laundering of provincial individual donations through the federal tax credit scheme.

Mr. Speaker, I would like to speak more specifically now about why we should not hoist Bill No. 48, and what it has to offer to electoral reform in this province. The first thing that members opposite, I'm sure noted on reading progressively through the bill, is that it abolishes the current Electoral Commission. Mr. Speaker, there are several reasons for considering the abolition of that commission; the first one being that it has equal membership from both political parties, or all of the political parties that are represented in the commission, at this time there are only two; and it also has on it a chairman, appointed by the government of the day, and the Chief Electoral Officer.

Mr. Speaker, the chairman only votes in cases of a tie, so any time this commission with voting power, and with the Chief Electoral Officer as a full voting member, has deliberations which result in a split between the two political parties - in other words, splits on a partisan basis - it is not the chairman who breaks the tie, because there is another member of the commission, it is the Chief Electoral Officer.

The former Attorney-General of this province placed the Chief Electoral Officer, a non-partisan officer of this Legislature, in a badly compromised position by requiring that official, that non-partisan officer, to break all ties between the partisan appointees on that commission. That certainly, Mr. Speaker, is not an enviable position to place an officer of this House. So, Mr. Speaker, that alone gives one to have cause for reservations about the nature of the commission set up by the previous government.

Mr. Speaker, the other problem is, and it's been the experience in the Province of Ontario where a similar commission has operated for five or six years now, that on serious political infractions, during the heated partisanship of an electoral contest, there tend to be trade-offs. There tend to be a desire not to deal with infractions under The Elections Act or The Elections Expenses Act in that province, and issues are not addressed; they are postponed until after the heat of the campaign. But, Mr. Speaker, often those infractions must be dealt with, and must be dealt with immediately, if fair play is to be the guiding rule in the conduct of elections. That requires decisiveness; that requires an absence of political partisanship and political interference.

Only if the Chief Electoral Officer, an appointed non-partisan officer of this House, who has the confidence of both sides and all members of this House - at least I have certainly never heard anything to the contrary - should be in a position to make those decisions and arbitrate those disputes without politically partisan individuals being involved in voting in a formal manner on those questions.

Members may recall in the 1977 provincial general election in Ontario, a very serious dispute regarding government newspaper advertising was raised;

complaints were lodged, but the commission refused on a partisan vote to deal with the matter until well after the election campaign. The government, seeing the lack of wisdom in its performance, bowed to strong newspaper and political pressure and ceased the advertising campaign, but the commission did not deal with the matter until close to six months after the election.

For this reason, Mr. Speaker, we have brought in a mechanism to provide the Chief Electoral Officer with advice, but have empowered him to make the final decisions and carry them on his head as the final arbiter of electoral disputes during the campaign. We give him that power, Mr. Speaker, in The Elections Act, and have always done so. I have yet to hear a complaint about the way that act has been administered in the past. I haven't heard a complaint historically over 50 years about decisions the Chief Electoral Officers at various times have made to resolve those kinds of conflicts. Certainly there have often been complaints about the exact administration, or where polls were located or whatever, but in terms of resolving very partisan and serious disputes during an electoral contest the final word, the arbitration of the Chief Electoral Officer has always been accepted as impartial and fair and above board.

Mr. Speaker, that being the case it only seems reasonable to do what has been suggested in Bill No. 48, and that is to provide him with that same power with regard to election finances legislation. I should point out, Mr. Speaker, though that the advisory committee, which is suggested in the bill, will provide him with an informal advice mechanism - and that's all it is - not a voting body, a consultative body to provide the Chief Electoral Officer with the experienced, partisan, political advice of the party organizations with which he must function and whose co-operation is essential in the successful administration of the election process.

So, Mr. Speaker, that's an important change, the abolition of the commission, but it is buffered and the concept of commission in terms of providing that valuable political input is still obtained from the new concept of an advisory committee.

Mr. Speaker, when I say new, I think it's important to note that only one province in Canada, other than Manitoba, currently has this kind of commission that was proposed by the previous administration - that is the Province of Ontario - and there have been some problems associated with that mechanism. Some would claim it's worked very well but certainly some problems have occurred particularly at the time of the '77 election.

Mr. Speaker, Alberta and the Government of Canada both have advisory committees to the Chief Electoral Officer - both are informal and not provided for in statute - we've gone one step further to entrench that mechanism to make it an important advisory service to the CEO.

The Government of Canada, the Chief Electoral Officer there has had an informal advisory committee representing all of the political parties recognized in the House of Commons and that mechanism has worked very well but still the final authority, in arbitrating all disputes between political parties, candidates, organizations, involved in the electoral process, must rest with someone. As we know, particularly in the

election process, decisions must be made immediately. You can't delay a decision over a dispute in an election for three or four days, or a week, or past the election date. If there's a problem it must be resolved and it cannot be resolved on the basis of political considerations. It must be resolved with a sense of fair play and respect for the integrity of The Elections Act and The Elections Finances Act.

So, Mr. Speaker, I certainly recommend that change to the House and recommend to members opposite, that particularly in view of that improvement they consider and reconsider the merits of hoisting this legislation and delaying, therefore, passage of this kind of excellent change proposed in the act.

Mr. Speaker, some members opposite have expressed concern about what they call the opening up of the registration process to other political parties. Now, Mr. Speaker, process was opened up by the previous administration to include any group which could go out and obtain 2,500 signatures.

Mr. Speaker, we all know that members opposite have this terrible phobia about lunatic, fringe, left-wing parties. I was surprised to hear the Leader of the Opposition say, he was also concerned about lunatic, fringe, right-wing parties. I've never before heard the Leader of the Opposition express concern about people of his own proclivities. However, the fact that he does have that concern tells me that he has a little more balance, than many on this side had assumed, in his views.

Mr. Speaker, the fact of the matter is, the phobia that members opposite have is always against communists and reds under the bed and all the other things that seem to float across the floor as interjections in debate. But, Mr. Speaker, who made that menace, that the Member for Lakeside refers to, a legally recognized political party in Manitoba? Who gave them the authority, not only to be recognized, but to issue tax credit receipts, access, money out of the Provincial Treasury, who gave them that authority? Who put into the act that 2,500 voters signature provision that allowed those kinds of third, fringe, whatever, parties to become recognized? Now, Mr. Speaker, it wasn't this government, it was the government in which the Member for Lakeside was a participant. — (Interjection)

Mr. Speaker, the Member for Lakeside says it wasn't his government. I ask him, who passed The Elections Finances Act of 1980 which specifically contained the provision which allowed the Communist Party of Manitoba to become recognized as a political party and be authorized to issue tax credit receipts in this province? The Member for Lakeside says he didn't do it. Well, Mr. Speaker, I think the Member for Lakeside should consult with the Member for St. Norbert. I think he'll find that not only did they do it but that they made that provision available for the first time in the history of the electoral system of this province. — (Interjection)

So, Mr. Speaker, the Member for Lakeside's protestations, notwithstanding, it was definitely done. I suggest to him that if he has any doubts he turn to the statute and look at the date of passage at the bottom of that page, that provides for that, or at the bottom of the whole statute. It was passed in July of 1980.

So, Mr. Speaker, what are we doing differently? Well, we thought there was one thing that was just a little bit unfair about that legislation. In fact, we anticipated the criticism of certain members opposite, that one of the greatest dangers of any kind of public election financing - and certainly when they introduced the tax credit legislation they didn't accommodate this danger, in fact, they let the Communists write tax credit receipts at will by getting 2,500 signatures - but one of the greatest dangers and I have to tell them I agree with this criticism, any time you provide special privileges, rights, access to certain privileges or rights, to establish political parties, or MLAs, or individuals, you run the danger that you will entrench those people or those political parties in their current status.

Mr. Speaker, being people inclined to the success and promotion of basic democratic institutions in this province just as much as members opposite, and being concerned that new attitudes, views, movements, regardless of where they come from, the lunatic right, the lunatic left or the lunatic centre - as members opposite seem wont to call anybody with a new idea - Mr. Speaker, we should not deprive those groups of access to the same rights and privileges that are granted to the established political parties.

So, Mr. Speaker, we were attempting to strike a blow in opposition to the entrenchment of political power that members opposite oppose. They opposed it on the basis of Bill No. 55, that members shouldn't be entrenched. They oppose it out of one side of their mouth in Bill 48, that we're going to entrench political power; at the same time, they oppose a provision which allows new ideas, new political movements, new parties, to have exposure and to allow themselves to be registered.

Mr. Speaker, how does that mechanism work? Well, very simply it says that if, immediately prior to an election, a political party wishes to become involved in Manitoba politics, rather than go out and collect 2,500 signatures and place all their energy in doing that, they can run five candidates in the election. What do they have to do to do that? Well, they have to collect 500 signatures and have five candidates carrying their banner in the campaign.

Mr. Speaker, very similar provision to the collection of 2,500 signatures which can be done anytime over a period of four years, or whatever, between elections. Parties did become recognized under that provision by the previous government, certainly some may, or may not, become recognized under that provision in this current proposed legislation.

So, Mr. Speaker, if anything, it's an attempt to open up the electoral process and prevent the kind of entrenchment that members opposite protest. Mr. Speaker, I'm amazed the members opposite did not acclaim that particular provision as opening up the process and doing what they said should be done. Instead, for some reason they chose, initially - it took them some time - it took them about two weeks before the cat calls about financing commies and Marxist-Leninists, and the Leader of the Opposition said, and John Birchers, too; I'm still surprised at that equivocation. Mr. Speaker, it took them two weeks of looking over the bill before they realized that those people were not eligible for any public subsidies, those third-party candidates who would not get any

substantial percentage of the vote, unless they got 10 percent of the vote in the constituency in which he or she was a candidate.

Instead, Mr. Speaker, members opposite talked about this enrolment by five candidates, or 2,500 signatures, because either mechanism works easily well - one prior to the campaign, one during the campaign. They talked about this as polluting the process, as allowing public money to finance these third fringe candidates; finally, they backed off that. Only a few of their backbenchers, like the Member for Kirkfield Park, still spout that nonsense, because they haven't read the bill yet and understood it. The Leader of the Opposition changed his attack immediately once he'd read the bill and understood the 10 percent rule. But, Mr. Speaker, more importantly, what members opposite - the Member for Emerson wants to call out from his seat - I'd be interested to hear his arguments now that he's gaining a better understanding of the bill and see how much of his arguments still hold water.

Mr. Speaker, the real anomaly in their argument is that they never appreciated that in abolishing the commission, in setting up an ex officio non-voting advisory committee, that these registered political parties, regardless of where they came from, could express opinions and could go to meetings with the Chief Electoral Officer. Well, Mr. Speaker, they all do now - the Manitoba Progressive Party, the Liberal Party, the Communist Party. Anytime they want to give advice to the Chief Electoral Officer, lobby him for certain administrative changes, make suggestions for different changes in the way he administers the act; they go to see him now and they give him that advice. Now, we're saying, Mr. Speaker, they should all be together and have a formal committee in which they sit and give that advice, but strictly ex officio, and with absolutely no power whatsoever to mandate anything.

MRS. G. HAMMOND: Then why do it.

MR. A. ANSTETT: Mr. Speaker, the Member for Kirkfield Park, from her seat says, "Why do it?" I suggest she asks the Chief Electoral Officer of Canada, or the Chief Electoral Officer of Alberta, who've reported that they have had these mechanisms in place for close to 10 years and found they work very well to keep the election administration in touch with, and in tune with, the political parties with whom they must work. Mr. Speaker, to suggest, as the Honourable Member for Kirkfield Park is suggesting from her seat, that we don't have to do it is to suggest that the Chief Electoral Officer should work in isolation from the political parties, and administer the election as if those parties did not exist. Mr. Speaker, I've heard some ignorance, but, Mr. Speaker, the ignorance that the Member for Kirkfield Park demonstrates about the way any process should be administered is not one that involves consultation, is not one that involves co-operation, but is one that involves an autocratic philosophy that says I've got the power, I'll do it, and to hell with the rest of them who are interested. — (Interjection) — Well, Mr. Speaker, if that's the way the Member for Kirkfield Park thinks that's a burden she must carry. Mr. Speaker, it certainly isn't a burden that we would ever place on the people of Manitoba.

Mr. Speaker, two other provisions are placed in the new legislation. The first one is a much more definitive description of what forms an election expense, and a donation in kind. Mr. Speaker, there was some real problems in the old legislation, both the 1970 act and the 1980 act, with regard to those definitions. Mr. Speaker, as many members on both sides will be aware if they consulted at length with their official agent, it was unclear at certain times as to what expenses had to be declared and which did not. Particularly, Mr. Speaker, in view of the proposal that direct public subsidies be provided to candidates in provincial general elections, it is even more important, in fact, it is essential that the nature of all election expenses be closely defined and certainly a concomitant amendment that those expenses be limited.

Mr. Speaker, that was a very interesting change made by members opposite. It's always been essential to the philosophy of members opposite, and the Member for Lakeside talked about his definition of capitalism, compared to democratic socialism, just the other day, about capitalism sharing wealth. Well, Mr. Speaker, certainly that's part of the philosophy when we say we're not going to limit election expenses, because members opposite have always felt that wealth alone meant power; that the expenditure of money in an unlimited fashion on elections or anything else was the right of power and was the right of proprietary interests. Mr. Speaker, we have always rejected that on this side, and that certainly is a basic philosophical difference, that elections cannot be bought, that the days of rotten burroughs and bought elections and bought politicians has long since ended, and some sense of equity and fair play in the electoral process has virtually been made uniform across this nation. Manitoba and a couple of Maritime provinces are virtually the only jurisdictions in this country without election expense limitations, and without very dramatic attempts to limit the inequitable influence of wealth in the electoral process.

Mr. Speaker, that brings us then to the question of why public subsidy. Well, Mr. Speaker, we've debated at some length in this House about whether or not the tax credit proposal introduced by the previous administration was a public subsidy. Mr. Speaker, I'm prepared to accept, at face value, the protestations of members opposite that a tax credit is not a direct public subsidy. I'm prepared to accept that, even though I disagree with it, I'm prepared to accept that they believe that. Mr. Speaker, I have a great deal of difficulty accepting the argument that it is not even an indirect public subsidy, that all of your money belongs to you and no one has any claim right . . .

MR. H. ENNS: There's a lot of difference between a socialist and freedom-loving Canadian.

MR. A. ANSTETT: The Member for Lakeside, if he follows his attitude to his logical extreme, would argue that everything he has is strictly 100 percent his and no one in society has any claim, right or prejudice against it. Mr. Speaker, the Member for Lakeside, logically taking that to an extreme would repeal if he were in a position to do so, The Expropriation Act; he would repeal all forms of direct taxation; he would repeal municipal taxation. No one has a right to anything that

is his. Mr. Speaker, the Member for Lakeside would return to a system where there was no society, where there was not collective responsibility for anything.

Mr. Speaker, not only would he return to the feudal system, but even the feudal system had such things as tithes and rents. The Member for Lakeside would not be prepared to pay those because everything that is his is his, and he has no greater responsibility. But, Mr. Speaker, I have to ask the Member for Lakeside and others on his side, if the Member for Lakeside finds a way or refuses to pay his taxes direct or indirect, who pays them? Who makes up the loss in revenue? Certainly the Member for Virten, because I know that he's diligent and views his collective responsibility to society as someone who's a member of society. He'll pay his taxes and if it costs him and everybody else in Manitoba a couple of pennies more to make up for the fact that the Member for Lakeside refuses his obligations to this society then, Mr. Speaker, that will happen.

Mr. Speaker, we talk about taxation on everybody in society to pay the political tax credits introduced by the Conservative Government in 1980. That's really what it boils down to but, Mr. Speaker, what is even more obvious than that and should be members opposite, is that that was going on with their approval and their connivance for 100 years before that. Mr. Speaker, they know it; they know that it was the whole basis of their political electoral machine for 100 years.

Where did the money come from that was donated by major corporations? Mr. Speaker, that money has always been a tax deduction - not a tax credit, but a tax deduction - for the CPR, the major banks, the major industrial giants in this country. Who did they give that money to? Generally, the two major parties of this country. Who paid for that money? Well, Mr. Speaker, all the shareholders of the corporation who did not get that as dividends; all of the savings account holders, all of the little people with money who didn't get that interest. Mr. Speaker, the wealth of the corporations of this country and the financial institutions of this country, the railroads of this country, was earned from everybody in the society but they then chose to place a portion of that earning in the hands of those they believed would protect their interests. Legitimate, but, Mr. Speaker, then they proceeded to say that's a legitimate cost of doing business and we'll deduct that as a legitimate operating expense, and they've been doing it since this country was founded.

Well, Mr. Speaker, first the money is earned across the nation, but then instead of paying the money to the little old ladies with their savings accounts in the banks, or providing a cheaper product to the people of the country, or paying dividends to their shareholders, Mr. Speaker, or paying their workers a more reasonable wage - in some industries they have been paying a reasonable wage, but certainly in others they have not - then those same corporations, Mr. Speaker, turn around and say, we have a right to protect our vested interest and we will only donate to those parties that will protect our right to continue doing business this way. Why, the colossal gall of those organizations and of members opposite is then to say, we'll get a tax deduction for it, we'll pay less taxes and all those people will have to pay more taxes to make up the millions of dollars in taxes we don't pay every year. Mr. Speaker,

what the Members of the Opposition who opposed this direct subsidy are suggesting is that the indirect imposition on the backs of the little people of Canada will continue, that it will be hidden by using a corporation and financial institution front and, Mr. Speaker, that fraud will not continue any longer in the Province of Manitoba because that's what it is.

MR. DEPUTY SPEAKER: The Member for Minnedosa.

MR. D. BLAKE: Thank you, Mr. Speaker, I just couldn't let this act pass without voicing some objections on my part on behalf of those on this side of the House who are going to oppose the dipping into the taxpayers' pockets to pay for the election expenses. I listened to the Member for Springfield and I was appalled, Mr. Speaker, at his last few statements about the corporation and how we are propping them up to have their donations tax deductible and they're loading those donations off onto the backs of the workers instead of giving lower prices and helping the little old ladies or paying more interest.

I was just shocked that someone would take that tack in support of a bill that is going to take 50 percent of their election expenses out of the taxpayers' pocket. They can talk all they like, Mr. Speaker, can speak all they like about the previous Election Act, certainly each Election Act needs some fine-tuning - and maybe the one in 1980 didn't cover all the bases but it could have done with some tuning - instead of bringing in an act

that we have here that's going to allow the taxpayer to be rattled for 50 percent of the expenses of anybody that can garner 10 percent of the vote. I know, maybe some of these lunatic, left-wing fringe groups or the right-wing fringe groups, and I can support my leader, that we oppose the lunatic right-wing fringe as much as the lunatic left. The middle left we oppose equally as strong.

But, Mr. Speaker, to stand and try and defend a position where the working man out there is going to be asked to pay 50 percent of their election expenses, is just unbelievable. Mr. Speaker, the regulation that was brought in allowing tax deductible election expenses was not a forerunner, a backrunner of what the Federal Government had done. Certainly there may be a tax deduction there, but it's a voluntary contribution, Mr. Speaker, and that's our whole argument. Funds have been raised for years and years for election expenses by volunteer workers who go out there and raise the money.

Mr. Speaker, there's a difference between voluntary and compulsory I'll tell you, and we know it on this side of the House; they don't know it over there.

MR. DEPUTY SPEAKER: The hour is 12:30. When next we discuss this motion the honourable member will have 37 minutes remaining.

This House is adjourned and will stand adjourned until 2:00 p.m. this afternoon. (Tuesday)