

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, 7 July, 1987.

Time — 1:30 p.m.

OPENING PRAYER by Madam Speaker.

MADAM SPEAKER, Hon. M. Phillips: Presenting Petitions . . .

READING AND RECEIVING PETITIONS

MADAM SPEAKER: The Honourable Member for Brandon West.

MR. J. McCRAE: Give that to Mr. Remnant please.

MADAM SPEAKER: I'm advised that the petition conforms with the practices and privileges of the House and complies with the rules.

Is it the will of the House to have the petition read?

MR. CLERK, W. Remnant: The Petition of John Richard Mallea, George Kent Gooden, Robert Earl Beamish, Gerald Roy Butler and Gary Thomas Brazzell, praying for the passing of An Act to Continue the Brandon University Foundation.

MADAM SPEAKER: Presenting Reports by Standing and Special Committees . . .

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

MADAM SPEAKER: The Honourable Minister of Business Development and Tourism.

HON. M. HEMPHILL: Thank you, Madam Speaker. It's my pleasure to table the Annual Report '86-87 for the Manitoba Horse Racing Commission.

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

ORAL QUESTIONS

Inter-City Gas - tabling of opinion poll information

MADAM SPEAKER: The Honourable Leader of the Opposition.

MR. G. FILMON: Yes, thank you, Madam Speaker, my question is for the Minister of Energy.

Yesterday during the consideration of the Estimates of the Executive Council, the Premier revealed that the government had undertaken public opinion polling with respect to the takeover of ICG Gas prior to its decision to purchase ICG Gas. He also indicated in view of the fact that the Minister of Energy had been responsible for that decision and that polling, that he would request the Minister of Energy to table the polling information in this House.

I wonder if the Minister of Energy is able to do that now?

MADAM SPEAKER: The Honourable Minister of Energy and Mines.

HON. W. PARASIUK: Madam Speaker, the Department of Energy did polling with respect to the whole question of excessive gas prices for Manitobans. As you know, Manitobans are being overcharged something in the order of \$50 million per year, something in the order of \$150 per family. So we did the polling with respect to people's attitudes . . .

MADAM SPEAKER: Order please.

HON. W. PARASIUK: . . . regarding excessive gas prices, people's attitudes with respect to selling Canadian gas to the United States for prices that are significantly lower than Manitoba; and that was done as part of a program of defending the interests of Manitoba with respect to excessive gas prices, Madam Speaker. It's a normal process done by many governments and we did do polling and I have indicated that in due course that material will be presented to the public of Manitoba.

MR. G. FILMON: Surely the Minister doesn't want us to believe that they would think that Manitobans would enjoy excessive gas prices.

MADAM SPEAKER: Does the honourable member have a question?

MR. G. FILMON: Madam Speaker, the Premier clearly made a commitment to have that tabled. I believe that that's important information to have tabled prior to consideration of the whole issue of Inter-City Gas purchase in committee.

MADAM SPEAKER: Does the honourable member have a question?

MR. G. FILMON: Will the Minister of Energy, in support of his Premier's commitment, table that information now so that members on both sides of the House can have that information prior to the committee sitting on ICG, which has been agreed to by the government side of the House, so that all Manitobans and indeed members of both sides of the House will be in full knowledge of the information in that poll prior to the consideration at the committee stage of the ICG takeover?

HON. W. PARASIUK: I'm astonished at the Leader of the Opposition. He has never expressed concern about the fact that Manitobans are overcharged for natural gas. We have developed an overall policy to save Manitobans \$50 million per year in natural gas prices, and the Leader of the Opposition is only concerned about whether he will have access to a poll or not.

MADAM SPEAKER: Order please. May I remind the Honourable Minister that answers to questions should be as brief as possible, should deal with the matter raised and should not provoke debate.

The Honourable Minister of Energy and Mines.

HON. W. PARASIUK: Madam Speaker, given the long preamble of the Leader of the Opposition, I was just in full flight.

MR. G. FILMON: Madam Speaker, it's a reflection on the Chair.

HON. W. PARASIUK: Not at all, it's a reflection on the Leader of the Opposition because he doesn't care about excess gas prices. As I indicated, the material would be provided in due course.

MADAM SPEAKER: Order please, order please. Order please. I'm not sure if the PA system isn't working properly or whether it's the noise, but I'm having great difficulty in hearing the members who are recognized.

The Honourable Leader of the Opposition with a question.

Inter-City Gas - cost of opinion poll

MR. G. FILMON: Madam Speaker, I have another question for the sensitive Minister of Energy. I wonder if he can indicate what was the cost of that polling and who conducted the polling on behalf of the government?

HON. W. PARASIUK: Madam Speaker, that information is normally provided when the polling results are provided and they would be provided in due course, in accordance with the overall policy that we have established as the government, unlike the policy of the Conservative Government when the Leader of the Opposition was a member of Cabinet where we inherited a whole set of polling done by people like Scott from Toronto and other people like that, were never on the books. That's Tory style, Madam Speaker, it's not New Democratic style, and that material will be provided in due course to the public as we have done in the past.

MADAM SPEAKER: Order please.

The Honourable Leader of the Opposition.

MR. G. FILMON: Madam Speaker, the Minister is full of nonsense when he suggests that there were bills paid that weren't on the books. We did not operate like this government does.

MADAM SPEAKER: Does the honourable member have a question.

Inter-City Gas - tabling of opinion poll information

MR. G. FILMON: Madam Speaker, the question is, if the Minister of Energy has nothing to hide, why will he not table all that polling information now so that we can have it when we need it.

HON. W. PARASIUK: Madam Speaker, we are involved in negotiations with Alberta; we are involved in

negotiations with Trans-Canada Pipelines; we are involved in negotiations with other producers and we're also involved in discussions with the national government. We have information in that polling that would be sensitive to those negotiations, and I would hope that the members of the Conservative Party would not try and undermine our efforts to save the people of Manitoba \$50 million a year; that they would come on side, rather than continuously trying to undermine our efforts to save many millions of dollars for Manitoba residential consumers.

MR. G. FILMON: Madam Speaker, yes, their efforts are designed to save their political skins and nothing else.

MADAM SPEAKER: Does the honourable member have a question?

Inter-City Gas - amount of municipal taxes re right-of-way

MR. G. FILMON: Madam Speaker, I wonder if the Minister can indicate how much ICG Utilities pays in municipal taxes for the lines which run across municipal rights-of-way in relation to the assets that the government is intending to purchase. How much in taxes would they be paying to municipal governments in this province for the use of the right-of-way to have their lines go across?

MADAM SPEAKER: The Honourable Minister of Energy and Mines if that question is in his jurisdiction.

HON. W. PARASIUK: I will take that question as notice, but it would certainly be the intent of the new corporations to pay grants in lieu equal to those taxes to make sure that the municipalities were not out any money. That is in the legislation, Madam Speaker.

Inter-City Gas - revenues earned

MADAM SPEAKER: The Honourable Member for Lakeside.

MR. H. ENNS: Madam Speaker, I direct a question to the Minister of Energy and Mines.

Madam Speaker, this Minister, or this government is asking Manitobans to commit very substantial sums of money, we have yet to be told, several hundred million dollars perhaps, in the acquisition of Inter-City Gas. On several occasions, particularly when the bill was introduced, statements made by the Premier and in their press release, it was clearly stated that the activities of the Manitoba Consumer Gas Corporation will be financed out of its own revenues.

Madam Speaker, would it not be a fair question to ask at this point, and to expect a candid and forthright reply? What are the revenues of Inter-City Gas, as last reported to the corporations's division of this own government?

MADAM SPEAKER: The Honourable Minister of Energy and Mines.

HON. W. PARASIUK: Madam Speaker, the Member for Lakeside has occasionally indicated that he thinks that the purchase price for Inter-City Gas, will be something in the order of \$400 million to \$500 million.

I can assure him that the Manitoba Government, the New Democratic Party Government, is certainly negotiating to get a price that's substantially lower than that and fair to the people of Manitoba.

A MEMBER: When did he say that?

HON. W. PARASIUK: Read Hansard or have someone read it to you.

Madam Speaker, I would like to answer the question and indicate that the operating losses . . .

MADAM SPEAKER: Order please, order please.

The Honourable Member for Lakeside on a point of order.

MR. H. ENNS: Madam Speaker, I know the Minister would not want to deliberately put a falsehood on the record. I have never - I have asked questions of what the purchase price was; I've suggested that it may be between \$40 million, and \$70 million, and \$150 million and \$200 million, but I have never suggested a definitive price that the government was, in fact, being prepared to pay for the utility.

MADAM SPEAKER: A dispute over the facts is not a point of order.

The Honourable Minister of Energy and Mines.

HON. W. PARASIUK: Yes, I will, in fact, find that information and find the quotes for the Member for Lakeside and present it to him. If I'm wrong I'll certainly indicate to the Member for Lakeside that I was mistaken in determining that I thought that . . .

MR. H. ENNS: If you find it, I'll apologize.

HON. W. PARASIUK: Good, now we're both apologetic and aggressive at the same time.

I'd like to indicate that I'll take the particular question, because I'd like to make sure that I gave the precise answer to the member, with respect to the operating profits, because that will vary on a year-to-year basis. I'll bring that information back to the Member for Lakeside.

Inter-City Gas - purchase price of Greater Winnipeg Gas

MR. H. ENNS: Madam Speaker, if I'm catching the Minister in a little more cooperative mood than he was just a little while ago, then let me repeat a few more of the other, I think, that are fundamental questions, that surely those of us who are being asked to either support or reject this government initiative ought to have before we meet in committee. Namely, what was the purchase price of the Greater Winnipeg Gas assets just two-and-a-half or three years, prior to this government now acquiring those same assets. I asked that question a few days ago and that's on Hansard. As of yet, I've received no response.

HON. W. PARASIUK: When Inter-City Gas bought Greater Winnipeg Gas, they didn't buy it specifically, they bought a set of companies from Norcen Industries, including a number of utilities in Ontario and one in Minnesota. They have also, since that time, made investments, which they do on a yearly basis. I think those investments are in the order of about \$12 million to \$18 million a year.

So the information that the member is seeking is being worked on. One can't get a precise number with respect to that, but I have indicated to members of the House that we intend to have a full-day committee of the Public Utilities Committee, to look at the purchase when it is completed, to look at terms of purchase, and to provide an organizational chart and the initial financial projection.

So I think the material that the Member for Lakeside is looking for will be provided where it's possible to provide it, because in other areas it would just be guesstimates, Madam Speaker. I know the Member for Lakeside would want to make sure he had hard facts.

MR. H. ENNS: Madam Chairman, a final supplementary question.

Madam Speaker, this Minister knows, and this government knows, that on this particular issue, I am trying to reach out to that government. As a matter of fact, I am trying to accommodate them. But surely I have some responsibility for the taxpayers of Manitoba to have some basic fundamental questions answered. What are the revenues being earned by the private corporation that we are taking over? What did that private corporation pay for those very same assets just a few years ago, so we have some benchmark as to measure the competence of this administration in dealing in private matters? And Lord knows, Madam Speaker, there's enough reason why we should be shaking our heads and be worried about any dealings that this administration had with private corporations. I'm simply asking this Minister to supply some of that information before we arrive at committee stage on this bill.

HON. W. PARASIUK: Madam Speaker, I feel that this is almost like the Sistine Chapel, where both of us now can try and reach out to see if we can touch each other if that, in fact, is the intent of the Member for Lakeside. I welcome that because I think he's had an open mind on this issue, unlike his colleagues.

Madam Speaker, what we are talking about is not the exact same assets. We're talking about a purchase that was made a few years ago of a larger system, both in Ontario and in the United States and here. We're talking about investments that have been made in that system over the last three years, and we'll be trying to get that information, Madam Speaker. I would caution the member by indicating that we are still involved in negotiations and I would hope that the Member for Lakeside - since he is trying to cooperate on this matter - would want to make sure that those negotiations are carried out to a fruitful conclusion, rather than carrying out the negotiations here in the Legislature because we've agreed, in past years, Madam Speaker, that the Legislature is not the place to carry out negotiations on behalf of the government. The

government has the mandate to carry out those negotiations, and then is responsible for bringing to the Legislature the product of those negotiations, the results, for scrutiny by the Opposition.

That is the course that has been followed by previous governments, Madam Speaker, and that is the course that will be followed here. Hopefully, out of all of this, Madam Speaker, we'll realize the ultimate objective - which I know the Member for Lakeside shares with me - that is of saving residential families \$150 per year with respect to their natural gas heating cost, Madam Speaker.

Flat tax - deducted prematurely

MADAM SPEAKER: The Honourable Member for Morris.

MR. C. MANNES: Thank you, Madam Speaker.

Madam Speaker, I have been inundated with calls from Manitobans protesting the new 2 percent flat tax on net income. Many individuals have called, wondering as to the proprietor of their employers deducting that tax on the whole pay period, the last pay period, in the month of June.

My question to the Minister of Finance, Madam Speaker, why was the tax allowed to be deducted in that fashion covering a complete pay period in the month of June?

MADAM SPEAKER: The Honourable Minister of Finance.

HON. E. KOSTYRA: Thank you, Madam Speaker.

While that question is not totally within my responsibility to reply to - which I'll explain in a minute - I will provide the information to the members.-(Interjection)- Yes, it is a provincial government tax which the Member for Brandon West - if he understood the federal-provincial tax sharing agreement - would know that the administration and the deductions are arranged through the Federal Government, through the Federal Government system.

The way the Federal Government implements tax changes are that they put in place changes on two points in time each year; one January 1st, the second, July 1st. They break up the year in pay periods and what they do is, in essence, take 13 pay periods for the first part of the year and 13 pay periods for the second part of the year.

The pay period that the member is referring to is, in essence, the 14th pay period in the year, so it is the start of the second half of the year in the way that the Federal Government implements its tax changes. So some changes may come into effect, as an example, prior to January 1, if that is the way the pay periods fall.

So it's a matter of the way the Federal Government implements the income tax system, and people are being deducted for 13 pay periods in essence, one half of the 26 pay periods in the year.

Flat tax - instructions to employers

MR. C. MANNES: Given the Minister's response, and I can understand whereby that 13th or that 14th pay

period overlapping between June and July, but there are examples, Madam Speaker, of individuals having deductions taken for the period June 15 to June 28 and obviously, under any system, that falls under the first half of the year.

Again, I would ask the Minister whether or not he gave specific direction as he has to other tax remitters - under other taxes like the payroll tax - whether he gave specific instructions under the net flat tax?

HON. E. KOSTYRA: Madam Speaker, I gave no instructions with respect to the remittance under the federal income tax system. All the directions for the changes were supplied and at the direction of the Federal Government. If there are some circumstances as the members described, which seem rather peculiar to me, if he can give me the details I'd certainly investigate that with the Federal Government.

But we gave no instructions other than the fact that we wanted that tax implemented on July 1 in the manner that was indicated in the Budget, Madam Speaker. All of the directions came from the Federal Government. If there are circumstances -(Interjection)- The member said there were no directions. That is not true. All employers in the province were provided information sent by the Federal Government in the form of revised tax tables that are sent to all employers on January the 1st and July the 1st. The tables that were sent implement the changes with respect to the Manitoba tax and indeed some other changes that take place periodically with respect to income tax.

If the member has a specific area like that, I would be willing to investigate it and contact federal officials regarding the instructions they may have given to that employer.

Flat tax - no. of calls protesting tax

MR. C. MANNES: Madam Speaker, I asked the Minister the other day how many calls of protest he had received from Manitobans in his office with respect to the new 2 percent flat tax. The Minister at that time provided no answer to me. Will he provide an answer to that question today?

HON. E. KOSTYRA: I don't have a specific count of how many people have called me or other branches of the department, but there have not been significant calls, I can tell you that, Madam Speaker. There have not been significant calls from Manitobans expressing concern about the tax.

Indeed, I would say that if we had followed the path of what the Conservatives suggest in terms of deterrent fees for health care, or health care premiums, or significant cuts in services to Manitobans, we would get far more calls than we're getting with respect to providing tax increases, which nobody wants, nobody likes, but tax increases to ensure that we maintain services in the province and don't do like Conservatives do in other provinces in this country.

Bean growers - tripartite agreement

MADAM SPEAKER: The Honourable Member for River Heights.

MRS. S. CARSTAIRS: Thank you Madam Speaker.

Before I begin my question I must say that my national party seems to feel I need help, I don't.

I'd like to ask a question of the Minister of Agriculture.

SOME HONOURABLE MEMBERS: Oh, oh!

MRS. S. CARSTAIRS: Madam Speaker, during yesterday's question period the Minister of Agriculture informed the House that he would have nothing to do with a Tripartite Stabilization Agreement with regard to the bean growers of this province, stating - and I certainly agree with him - that the Mulroney Government has abandoned the bean growers in Manitoba as they tried to do with the sugar beet growers prior.

However, Madam Speaker, I would like to ask the Minister why he, too, and his ministry will abandon these bean growers when the Alberta Government and the Ontario Government has seemed to be providing relief to these same farmers?

MADAM SPEAKER: The Honourable Minister of Agriculture.

HON. B. URUSKI: Madam Speaker, I will attempt to inform my honourable friend of the real issue dealing with income stabilization for farmers. I will repeat, as I attempted to clue the Honourable Member for Virden in yesterday, that the issue of offloading of income stabilization from the Federal Government, who have supported the Pulse Growers, including the beet growers, in income stabilization at 100 percent cost to the National Treasury; they are now proposing to offload 66 percent of that cost onto provinces and producers.

Madam Speaker, the real issue is that provinces with less revenues and a less ability to provide similar circumstances will have to tax their taxpayers and producers, as a whole, at a far higher rate to provide comparable services to those producers, as neighbouring provinces, such as, Ontario or Alberta could do with a far less provincial portion of taxation to provide those services. It hits at the heart of Confederation in this country, the heart of what fairness is all about, Madam Speaker, and that's the issue that we will be raising and we will be resisting with all our might in this province.

Bean growers - meeting with

MRS. S. CARSTAIRS: A supplementary question to the same Minister, Madam Speaker.

Yesterday the Minister had said that he had met with the Pulse Growers in the past few months. How does the Minister explain then that his last meeting with the Pulse Growers was December 2, 1986, and that there has been no recent dialogue and no meeting since any of the tripartite agreements had been signed with the Minister himself?

HON. B. URUSKI: Madam Speaker, we have discussed, on an ongoing basis, the issue of tripartite. I have indicated before and I'll indicate again, I do not intend to get myself involved in a set of negotiations which I do not believe, in principle, at all.

Madam Speaker, I have no malice towards the producers at all wanting some income protection. They

are caught between a stone and a hard place, Madam Speaker, because right now they are receiving 100 percent support from the National Treasury. The National Treasury has told them no longer will we support you, go to your province, and you pay a portion of the support program. Madam Speaker, we will stand by producers, but we will not allow the National Government to offload its expenditures onto producers and onto provincial taxpayers.

Bean growers - government support

MRS. S. CARSTAIRS: Madam Speaker, with a final supplementary question to the same Minister. What support will this Minister provide to the bean growers of Manitoba?

HON. B. URUSKI: Madam Speaker, the support that I will provide, not only to the bean growers, but to all producers of this province will be to raise this issue in the national context to say, and to try and convince all colleague, all Ministers of Agriculture in this country that what the Federal Government is doing is totally unfair.

Madam Speaker, I want to indicate to my honourable friend from River Heights that even the way the Liberal party treated Western Canada, it looks like it was a piece of cake and that they were warm to Western Canada, even though they were cursed by the Conservatives in Western Canada. What Mulroney is doing now to Western Canada, Madam Speaker, is just a disaster; in fact, John Diefenbaker would turn over in his grave, if he saw what was happening, Madam Speaker.

SuperValu strike - directive re prosecution

MR. J. McCRAE: Madam Speaker, my question is directed to the Attorney-General.

The Minister of Agriculture referred to John Diefenbaker. I wonder what Tommy Douglas was doing a week ago last Thursday, when four members of the New Democratic Party attended a labour demonstration, which ultimately resulted in the arrest of 14 people.

MADAM SPEAKER: Does the honourable member have a question?

MR. J. McCRAE: Madam Speaker, as a result of that demonstration, has the Department of the Attorney-General issued any directive regarding prosecution decisions relating to strikes; and that directive, one directive being that prosecution decisions be made by the Director of Criminal Prosecutions, rather than local Crown Attorneys?

HON. R. PENNER: The question is incomprehensible, but nevertheless I'll try to answer it. To the extent that I understand it, let me advise the member and the House that offences which take place in the context of a labour-relations matter or strike are handled no differently than matters which arise in any other context, nor should they be. They should not be politicized.

If, in fact, an offence has been committed, an arrest made, the police report will end up in the hands of the appropriate Crown Attorney, who will then proceed in the normal manner. That's the way it should be; that's the way it will be.

SuperValu strike - directive re charges relating to violence

MR. J. McCRAE: Just so that I understand the Minister's answer which was fairly incomprehensible, as well, Madam Speaker; can we assume then that there has been no directive regarding prosecutions and how they should be decided on since that violent demonstration of nearly two weeks ago? Will he also confirm for us that any charges relating to strikes, the directive to police departments has been to charge and release, rather than holding people overnight; will the Minister confirm that there's been no directive of that nature?

HON. R. PENNER: I answered the question when I said that events of this kind are treated no differently than - let's suppose that the charge is an assault - an assault that would arise in any other circumstance, nor should they be. The answer is no, there have been no directives.

We have, as the member could have ascertained by checking with the former Attorney-General, a series of policy directions to the Crown Attorneys' work with respect to the way in which they conduct their day-to-day affairs. Those are the ones that they would adhere to and if they have any questions about their role, in any particular prosecution, it would be handled in the normal course by the Director of Prosecutions. It wouldn't need to go any higher, nor would it go any higher.

Strikes and blackmail, one and the same - new policy of government

MR. J. McCRAE: A question, Madam Speaker, for the Deputy Premier.

Last Friday, the Minister of Health told this House that strikes and blackmail are one and the same thing. Is this the new policy of the government?

Inter-City Gas

MADAM SPEAKER: The Honourable Minister of Energy and Mines.

HON. W. PARASIUK: Yes, Madam Speaker, earlier today in question period, I was asked by the Member for Lakeside to indicate where I had got the impression that he had said that Inter-City Gas would cost between \$400 million and \$500 million, and I undertook to find that out. There's nothing here in Hansard, but I do have a quotation and it's a direct quotation where it says: "Frankly, takeover is a sensible option, but it could cost \$500 million or more. The province doesn't have the means for that at this time," end of quote.

MADAM SPEAKER: Order please.

MR. G. FILMON: Where is it quoted from?

HON. W. PARASIUK: I'm quoting from - and I wouldn't want to hold the Member for Lakeside to this because I am quoting from an article from the Winnipeg Free Press . . .

SOME HONOURABLE MEMBERS: Oh, oh!

MADAM SPEAKER: Order please, order please. Order please!

HON. W. PARASIUK: . . . Madam Speaker, that is a direction quotation. I wonder if the member would like to indicate whether he said that or not because I won't also take the word in the Free Press for granted.

MADAM SPEAKER: Order please, order please.

I recognize the Honourable Minister on the assumption that he was bringing information to the House that he had taken as notice.

Order please. First of all, we had a point of order during question period that I said was not a point of order, that was a dispute over the facts. Question period is not a time to sort . . . Order please, order please. Order please! May I finish? First of all, when one recognizes a member, one is not sure of what they are about to say. I recognized the Honourable Minister with the assumption that he was going to bring back information that he had taken as notice to a question, which I think is a lot different than information that one includes in an answer with which another member has a dispute about. I think that can be sorted out between individual members.

Now, the Member for Lakeside, on a new point of order?

MR. H. ENNS: A new point of order, Madam Speaker.

MADAM SPEAKER: What is your point of order?

MR. H. ENNS: Inasmuch as it was raised by the Minister of Energy and Mines, much to my regret, whatever the Free Press or any other media prints about me from time to time . . .

MADAM SPEAKER: Order please. Neither member has a point of order.

The Honourable Member for Arthur with a question. This is question period.

MR. J. DOWNEY: Thank you, Madam Speaker.

MADAM SPEAKER: Order please. The Honourable Minister of Energy and Mines with a new point of order.

HON. W. PARASIUK: Yes, I'd like you to look at Hansard in that I did indicate clearly in the Legislature that I would find the information out for the Member for Lakeside and bring it back to the Legislature. I answered it at the first opportunity I could, and I would ask you to review Hansard with respect to the statements that I made as to my bringing back further information to members of this House.

MADAM SPEAKER: I will review Hansard and make sure that the member is bringing back information which

he took as notice. My understanding was that was not the case.

The Honourable Member for Arthur.

MR. J. DOWNEY: Thank you, Madam Speaker.

I hate to interrupt the siesta of the Member for Gimli, Madam Speaker, but . . .

SOME HONOURABLE MEMBERS: Oh, oh!

Village of Tyndall - review mill rate of 36 mills

MADAM SPEAKER: The Honourable Member for Arthur with a question.

MR. J. DOWNEY: Madam Speaker, the question to the Minister of Municipal Affairs is, in view of the fact that the residents of the Village of Tyndall in 1984 had imposed upon them an increase in their taxes of some 36 mills to cover the cost of the installation of a low-pressure sewage system which was under the control of the now Member for Lac du Bonnet, and was the former Reeve of Brokenhead municipality. Madam Speaker, I wonder if the Minister would review the whole process in which the financing of that project took place which gave them a 36 mill increase in their tax rates.

MADAM SPEAKER: The Honourable Minister of Municipal Affairs.

HON. J. BUCKLASCHUK: Yes, thank you, Madam Speaker. I'll certainly take that question as notice and review that.

Village of Tyndall - was sewer project tendered

MR. J. DOWNEY: Madam Speaker, when the Minister is taking that as notice, will he take into consideration whether or not the project was tendered; whether the financing of that project was tendered; and whether or not he thinks it's fair that a \$244,000 loan will cost those approximate 100 residents \$531,000 in interest over the next 20 years? Does he think . . .

MADAM SPEAKER: Order please. That question seeks an opinion. Would the honourable member like to rephrase his question so it does not seek an opinion?

Village of Tyndall - government policy to incur enormous charges on taxpayers

MADAM SPEAKER: The Honourable Member for Arthur.

MR. J. DOWNEY: Madam Speaker, I ask the Minister if he, in his capacity of Municipal Affairs, thinks that the residents of that community are able to pay that kind of a cost, or is it within government policy to incur on the taxpayers of the province such enormous charges?

MADAM SPEAKER: The last question is in order. The Honourable Minister of Municipal Affairs.

HON. J. BUCKLASCHUK: Thank you, Madam Speaker.

I will take a look at that particular issue, but the member should recall that we're talking, a matter of three or four years ago when the financing was undertaken, interest rates were comparatively very high. It was that side of the House that supported high interest rates, so I find it rather strange to be complaining at this point.

SOME HONOURABLE MEMBERS: Oh, oh!

MADAM SPEAKER: Order please.

MPIC - lending agency re sewer project for Village of Tyndall

MR. J. DOWNEY: Madam Speaker, as Minister responsible for the Manitoba Public Insurance Corporation, would he check as to whether or not it's the Public Insurance Corporation that is providing the finances for that municipality and, if so, will he reconsider the loan which has been given to those people who are hard pressed by high costs?

HON. J. BUCKLASCHUK: Madam Speaker, I'm indeed glad that the Member for Arthur recognizes that the corporation plays a very vital part in financing municipal infrastructure, personal care homes, hospitals in Manitoba. The Manitoba Public Insurance Corporation also has a responsibility to the Manitoba motorists to obtain whatever the going interest rate is at that date. I'm quite sure that the interest rate that is being paid on that debenture is certainly not any more than would have been obtained through any financial institution, and the benefits are there for Manitobans.

Lottery licences - unwritten qualification rule

MADAM SPEAKER: The Honourable Member for Charleswood.

MR. J. ERNST: Thank you, Madam Speaker.

Madam Speaker, this government has a set of rules that it publishes for qualification for lottery licenses. Madam Speaker, even though you qualify for those kinds of rules, there are also a couple of unwritten rules which acquire meaning, as well, such as the requirement that, if you're a non-profit corporation, in the event of dissolution, all of your assets must go to a charity.

Madam Speaker, my question to the Minister responsible for the Lotteries Foundation is: Can she advise why this unwritten rule is not contained in the normal regulations, so that everybody is aware aboveboard as to what the regulations and rules are?

MADAM SPEAKER: The Honourable Minister responsible for Lotteries.

HON. J. WASYLICIA-LEIS: Thank you, Madam Speaker.

I can tell the Member for Charleswood that certainly is not an unknown, unwritten interpretation of existing regulations and guidelines. It's a clear guideline that

any organization being licensed must be non-profit. Certainly we're trying very hard to live up to that definition and to ensure that all licensing is done on the basis of non-profit, charitable purposes. So I think that clearly answers the member's question.

175th Anniversary of Selkirk Settlement - plans to commemorate

HON. J. WASYLYCIA-LEIS: While I'm on my feet, if I could respond to a question that I took at the end of last week from the Member for Springfield regarding the 175th anniversary of the first party of Selkirk Settlers which will be on August 30, 1987.

I believe the Member for Springfield asked about plans for marking that occasion. I can tell the member that several steps have been taken, the first being provincial plaques, as members know, have been erected in Scotland to commemorate Lord Selkirk, and in St. Boniface to commemorate the Red River Settlement. As well, a publication on Lord Selkirk has been issued, and then one describing the history of the Red River Settlement is intended for publication in this fiscal year.

Finally, Madam Speaker, let me point out to the Member for Springfield that my department responds to community initiatives in regard to important anniversaries and historical occasions. In that context, we have been contacted by the Lord Selkirk Association to assist in the establishment of a cairn commemorating the arrival of the first Selkirk Settlers and have invited a submission to the Community Commemorative Plaque Grants Program.

Thank you.

Lottery licences - unwritten qualification rule

MR. J. ERNST: Madam Speaker, there are hundreds of organizations in this community and in this province that meet all of the guidelines published by the Manitoba Lotteries Foundation for qualification for licence, but because they've been judicious and successful in their activities, they have acquired some assets.

Why is this government now intending to penalize those organizations for their success over the years by attempting to add this additional requirement?

HON. J. WASYLYCIA-LEIS: Madam Speaker, there is no intention on the part of members on this side of the House to penalize any organization for their hard work and initiatives. However, we are dealing here with the situation of a system that was put in place to ensure all organizations meet the criteria of non-profit and charitable objectives in order to be eligible for licensing. I have not received any direct concerns around that whole issue and it seems to me that the system is working well and in the best interests of all of us.

Lottery licence - Breezy Bend Golf Club

MR. J. ERNST: Madam Speaker, I have a new question to the Minister responsible for Lotteries.

The Breezy Bend Golf and Country Club made an application for a lottery licence. They were denied on

the basis that the distribution of their assets was required to be made to charity in the event of dissolution of the club.

They had \$2 million worth of assets that they had accumulated over a period of time. Subsequent to that, they voluntarily said any money raised through lottery schemes over a period of time, they would gladly redistribute to the community in event of dissolution. They were not prepared to give up the \$2 million they had already worked hard for, and worked very hard for, Madam Speaker.

Why now is the government denying them a licence to have a lottery scheme?

HON. J. WASYLYCIA-LEIS: Madam Speaker, it is my understanding that all members in this House are anxious to see that lottery activities are confined to non-profit, charitable, religious purposes. I don't know why at this point we would begin to make exceptions to that rule.

We have discussed the matter. This matter has been brought forward to the board of the Lotteries Foundation by the Breezy Bend Golf Club, and I understand that they have made their case, appealed the decision, and the rules of the game have been clearly outlined to them. So I think the matter has been clarified, and it may not be to everyone's satisfaction, but it is consistent with our goals and objectives of operating lottery activities only in the non-profit sector of society.

MADAM SPEAKER: The time for Oral Questions has expired.

ERRATA

For clarification: In Oral Questions, on Page 3605 of Monday, 6 July, 1987, Mr. Penner is quoted as saying: "Did he say deliberately?", when in fact the words were spoken by Mr. McCrae.

INTRODUCTION OF GUESTS

MADAM SPEAKER: May I direct the attention of honourable members - we had 16 visitors from the Kirkness Adult Learning Centre, under the direction of Miss Tamara Border, with us in the gallery. I believe they've had to leave.

The Learning Centre is in the constituency of the Honourable Attorney-General.

COMMITTEE CHANGES

MADAM SPEAKER: The Honourable Member for Emerson.

MR. A. DREIDGER: Thank you, Madam Speaker.

I have some committee changes.

Under Privileges and Elections: Johnston for Kovnats; Birt for Nordman.

Under Private Bills: Pankratz for Birt; Roch for Blake.

Under Municipal Affairs: Downey for Brown.

MADAM SPEAKER: The Honourable Member for Kildonan.

MR. M. DOLIN: Likewise, Madam Speaker, I move, seconded by the Honourable Member for Ellice, that the composition of the Standing Committee on Municipal Affairs be amended as follows: The Honourable G. Doer for the Honourable H. Harapiak.

ORDERS OF THE DAY HOUSE BUSINESS

MADAM SPEAKER: The Honourable Government House Leader.

HON. J. COWAN: Yes, Madam Speaker, before calling for the Orders of the Day, on a matter of House Business, I'd like to indicate that the Standing Committee on Economic Development will not be meeting this Thursday to consider the Annual Report of the Communities Economic Development Fund, but will be meeting on Tuesday next, July 14, at 10:00 a.m., to undertake continued consideration of the Communities Economic Development Fund Annual Report. That's been agreed to by the critic and the Opposition House Leader.

I'll also be announcing some other committees probably later in the proceedings today or tomorrow.

Madam Speaker, would you please call for Debate on Second Reading, Bill No. 47?

ADJOURNED DEBATE ON SECOND READING

BILL NO. 47 - THE HUMAN RIGHTS CODE

MADAM SPEAKER: On the proposed motion of the Honourable Attorney-General, Bill No. 47, standing in the name of the Honourable Member for Assiniboia.

MR. R. NORDMAN: Madam Speaker, I adjourned that for our leader.

MADAM SPEAKER: The Honourable Leader of the Opposition.

MR. G. FILMON: Thank you, Madam Speaker.

In examining Bill 47, the new Human Rights Code, I believe it's important that we should review the philosophy of legislation as it has evolved, both in Manitoba and indeed across our country, with respect to human rights protection.

Traditionally, human rights protection has been based on one of two basic areas. The main thrust has been to protect individuals who belong to minorities, with visibly distinct characteristics, who under certain circumstances could be the subject of abuse or discrimination in our society. These characteristics, of course, are ones that notably demark them from others, and they include race, gender, national origin, and all members I believe, on both sides of the House, are united in their support of equal treatment for all on the basis of personal merit, regardless of any arbitrary characteristics, as I say, that denote them by virtue of their race, skin colour or other visible characteristics.

Human rights legislation as well, of course, has provided protection for the historical freedoms that have

guaranteed individual liberty and the essence of our democratic society, the protection of freedoms of religion, freedom of association, freedom of political thought, which is fundamental to our society as it exists today.

(Mr. Deputy Speaker, C. Santos, in the Chair.)

The new legislation proposes to broaden the specific protection offered on the basis of gender discrimination to reflect the spirit of the existing legislation. The court system has interpreted the prohibitive grounds of sex very narrowly, and I support, Mr. Deputy Speaker, the inclusion of specific protection against discrimination based on pregnancy or the possibility of pregnancy and gender-determined characteristics.

The broadening of the meaning of political beliefs, activities and associations is also a positive step. The courts as well, of course, have placed a very limited scope on the activities to be understood as discriminatory actions. I believe that the inclusion of harassment as a specific discriminatory action is a positive step.

I'll speak more though about concerns that I do have about the way in which that protection against harassment has been worded in the legislation. But I've heard concerns that this section may open the way to overly-broad implementation. I think, though, that the history of narrow judicial interpretation of the act should probably reassure most of those who have expressed the concerns.

The new provisions which allow respondents to file a written reply to complaints and the right to respond to findings of investigation are much-needed reforms, especially under Human Rights legislation, since in many cases we're dealing with a quasi-judicial tribunal, not necessarily judges, and those trained and learned in the law.

I think it's important under these circumstances that we ensure that the accused is presumed innocent and given every opportunity to defend themselves. All parties must be assured of that justice and I believe that this is an improvement in the legislation.

The proposed act also extends the traditional freedoms of political and religious thought while including safeguards which protect the rights of employers. While I support the principle of Human Rights legislation, as it has been traditionally developed and as it has evolved and indeed much of the specifics within this legislation, and while I agree with the fact that many of the reforms and revisions are ones that will be welcomed by most in society and will be supported, I believe, by our members, I cannot, Mr. Deputy Speaker, support the inclusion of sexual orientation as specifically prohibited grounds for discrimination.

Sexual orientation, as I've said on other occasions, is not a visible characteristic which can be obvious to anyone about an individual. Those traditional grounds of characteristics that I mentioned earlier do not include the matter of individual preference or lifestyle. This, I believe, is the essence of what is being enshrined in this legislation that we are now putting forward as a prohibited ground for discrimination - lifestyle.

I don't believe that this is appropriate. I don't believe that gays should be lumped together with the

handicapped, with racial minorities, women or any other group that has in the past, by virtue of visible differences in characteristics, been seen as a group that ought to have specific protection.

Sexual orientation is not a freedom essential to the maintenance of our society as we know it. While I think the term itself, "sexual orientation," distorts the issue somewhat, what we're really talking about is homosexuality. Because rather than support the societal values of the majority of Manitobans, I believe that homosexuality strikes at the very heart of our society, the family.

The essence of my concern, Mr. Deputy Speaker, can be found in the definition of "sexual orientation" where homosexuality and bisexuality are equated with heterosexuality.

It's wrong to say that those who oppose the inclusion of sexual orientation are opposed to homosexuals as people. The majority of Manitobans, I believe, do not want to discriminate against gays. What consenting adults do in the privacy of their own homes is their own business. I think we've long since passed the day when homosexual activities were illegal, and neither I, nor any of my colleagues are arguing the fact that homosexual lifestyle is a choice which is made legitimately by a small number of people in our society, and they are free to do so under our legislation and we have no difficulty with that concept. But homosexual access to employment, to services, and to housing is protected just like anyone else's. I do not believe that homosexuals should be specifically excluded from the basic human rights that all Manitobans enjoy and given some extra protection by virtue of their inclusion now as a specific lifestyle description being in The Human Rights Act.

I believe that the freedoms that we all enjoy, that indeed people in two World Wars fought and died for, freedoms of speech, of religion, of association, all of those are ones that are fundamental to human rights legislation, but I do not believe that homosexuality and bisexuality should be put in because I do not believe that they are equivalent to heterosexuality. I strongly object to enshrining that type of idea in law, especially such a fundamental law as The Human Rights Act. That is not responsible action or representative of the basic values of our society.

I don't believe that we, in this Legislature, will want to say to our children or should say to our children, "Well, you can be a homosexual, you can be a heterosexual, they're both equal, take your pick." I don't think that society is ready for that; I don't believe that is in keeping with the fundamental religious or moral values of our society here in Manitoba or anywhere else in this country.

I believe that this bill will open the door to many possibilities, many possibilities which I have concern over and for which concern has been expressed by many who have been writing to me, to our members on this side of the House, indeed, I'm sure to all members of the Legislature. There is of course the question that has been put forward as to whether or not churches will be able to choose not to hire homosexuals as Ministers or as teachers. The bill says employers may discriminate on bona fide grounds, if there is no guarantee that religion will in fact be viewed as a bona fide ground. That will be left open to a judgment made by somebody somewhere.

There was a specific guarantee in the old act and the government has removed that guarantee and changed it. We, as a Legislature and as a province, are asked to gamble on the interpretation of the Commission and the courts, and I don't believe that that's good enough. The exemption ought to be there as specifically as it was under the old act.

What about an agency, such as Big Brothers? What about that kind of agency that wants to provide services and companionship to children? It has certainly been argued, and I think with some reason, that this act in its new form, with the provision that it has for sexual orientation, could take away the right of these organizations to set their own standards of conduct and to set their own rules and procedures.

Nobody on this side is suggesting that homosexuals are equivalent to pedophile, for instance, and some on that side have argued that that's what we're saying, we're not suggesting that. We do say that parents deserve the right to choose what sort of role models that they have for their children, that their children will be exposed to, through organizations such as Big Brothers. I don't think it's unreasonable that a parent be given the right to choose whether or not they have a gay Big Brother for their son. If a mother does not want to have that role model for her son, I don't believe that she ought to, by virtue of legislation, be put in a position of having to accept that. Is that discrimination? I don't think it is, Mr. Deputy Speaker. I think that's a reasonable choice that ought to be in the hands of a parent under those circumstances.

Where does the government stand on the issue? How is the legislation going to provide and guarantee that kind of specific fundamental right to the parent? Will homosexual couples be recognized as spouses for the purpose of family and health benefits?

Now the leader of the gay lobby - and let's face it - it's a well-funded and a well-organized special interest group, and it's a group that obviously has a great deal of influence not only on this government but on many people in society - he has indicated that he believes that now his homosexual spouse will be entitled to all of his employment benefit plans as a result of this legislation. The Attorney-General has said that that's only one man's interpretation, and yet the reasons that we are amending the current act and putting forward a new human rights vote is to correct many of the problems that occurred as a result of court interpretations that have gone contrary to the spirit and the intent of the act.

The issue of homosexual spouses will certainly have a very large effect on employee benefits, in insurance contracts and in many programs that exist today in Manitoba. Yet the bill, as I understand it, proposes to delegate the ability to set regulations covering homosexual rights in these areas to Cabinet. The most significant application of this bill would be decided in the secrecy of a Cabinet room behind closed doors without the public being involved in that decision. We're talking about whether or not these are applied to employee benefits and insurance contracts, and that is a decision that can be made, as I understand it, by Cabinet.

Does the government intend to give spousal status to homosexuals? If it does not, then I believe that that should be spelled out in the legislation. That should

be spelled out in the legislation if the government does not intend that homosexuals ought to be given spousal benefits. Mr. Deputy Speaker, that should not be a matter of interpretation; that should not be a matter that is left to any discretion of government.

Mr. Deputy Speaker, I am suggesting that Manitobans should have concern with the reasons that this government has entered into this legislation in the first place. Any government that wants to satisfy the gay lobby more than it wants to satisfy the Archbishop of Winnipeg, I think we ought to be putting in question. I think that anyone who is making these decisions in future with respect to spousal benefit plans and how they'll apply under this act ought not to be somebody who has certainly been influenced substantially by the gay rights lobby.

And there's no question, as I said earlier, that it's a well-funded and it's a well-organized lobby. For five years, I note, ever since the election of the NDP, the gay rights lobby has been working very hard towards this. They have met countless times with individual members of the Legislature, with groups, with our caucus on this particular matter.

When I was on the CBC program a few weeks ago, they were phoning in - it was all jammed. Some of them got in two and three times - the same voice coming in - to try and give the impression that they had such strong public support. - (Interjection)- Well, that is the case; that is indeed the case. I recognized several of them as people who I have spoken to on many occasions.

A MEMBER: But you said they had different voices.

MR. G. FILMON: No, no, no. I didn't say they had different voices. I said you could recognize the same voice over and over again coming in.

They're well organized on this particular lobby. But that doesn't mean that what they have convinced the government to do is what the vast majority of Manitobans want. I believe in fact it is totally contrary to what the vast majority of Manitobans believe ought to be here. Yet it will have repercussions on spousal benefit plans, repercussions on many other aspects.

For instance, by enshrining in legislation the concept that a homosexual lifestyle is equivalent to a heterosexual lifestyle, I believe it will lead inevitably to teaching in our schools of that concept - saying to the children: Homosexuality, heterosexuality - they're equivalent; take your pick. - (Interjection)- We won't be able to prevent it once it becomes law and I think that's wrong. The two are not equivalent, they have never been accepted as equivalent and they have never been, in the history of the development of our society, equivalent in terms of lifestyle.

Clearly, the development of our society throughout the ages has been based on heterosexual relationships. Our continued existence as a society depends upon heterosexual relationships unless the government is now going to tell us that we are now going to go into the Orwellian concept of basing our society's future on artificial insemination or test tube babies as the norm for the future. It's obviously - (Interjection)- That's the way society has been in the past and that's how we got to where we are. I don't believe that the vast majority

of Manitobans want to accept the government's position that the two are equivalent lifestyles and that we assure that by putting it into human rights legislation.

Heterosexual relationships in the family unit remain as the cornerstone to all religious and moral beliefs in our society; yet this legislation would seek to change that.

I was astounded at the position of the Minister of Health - a practising Catholic who, in arguing this bill and addressing the concern about the teaching of homosexuality as an equivalent lifestyle in schools, said it wouldn't matter to him because his grandchildren would go to a private school and they wouldn't be subject to that kind of teaching. That's hypocrisy. Here we have more than 90 percent of the students in our province going to public schools and he doesn't mind if they have to be taught that homosexuality and heterosexuality are equivalent lifestyles, but . . .

MR. DEPUTY SPEAKER: A point of order being raised by the Attorney-General?

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

Sir, if you look in Hansard, you will see that at no point in his address did the Minister of Health refer to private schools. The Minister of Health did not make the distinction with respect to private schools and that's an unfair attribution to him. That's not what he said, and let the record be clear that that's not what he said.

MR. DEPUTY SPEAKER: A dispute as to a statement of what was said is not a point of order.

MR. G. FILMON: Mr. Deputy Speaker, that whole issue, of a number of practising Catholics over on the government side - whether it be the Minister of Health, the Minister of Natural Resources, the Minister of Government Services or the Minister of the Environment - all of them practising Catholics supporting this legislation despite the fact that their church is vehemently opposed to this legislation.

I can't understand how they, in all conscience, could support this legislation. Their religious beliefs surely won't allow them to support it when their church doesn't support it. The people who voted for them didn't just do so based on their political affiliation or their philosophy. The fact of the matter is that people voting for members of this Legislature do so, taking into account everything that they know about a person, about their religious beliefs, their families, what they, as an individual, stand for and believe in. I think that this will offend a lot of the people who supported those members because they supported them, based on, as I say, their family circumstances, their religious and moral convictions.

Now they're abandoning all of that because of party pressure, and the Attorney-General is getting very excited about this, because he's the whip behind this whole movement. He's the individual who has put the pressure on them, in government, to override their religious and moral convictions and, in fact, to fall in line with his legislation on that. You know, that's the kind of thing that we have here. It's just as similar as the point that was made by the Member for St. Norbert about this is a matter of personal conviction and

conscience, and yet the NDP won't allow their members a free vote on the issue.

Now they have asked: Is it a free vote on your side? I can tell the Attorney-General and anybody else who asks that it absolutely is. We had a free, complete and open discussion in caucus on the matter and, indeed, there were many who questioned a variety of aspects, a variety of angles with respect to this particular legislation; but in the end it was a decision of caucus that each could vote in accordance with his own conscience and each has made up his or her own mind on this issue.

They had their concerns. They raised the issues that they wanted to raise with respect to the legislation and, Mr. Deputy Speaker, they were given the right to vote in accordance with their conscience and each has. Mr. Deputy Speaker, I don't know for certain, because everyone hasn't spoken on this particular bill, but when they speak, they will state their convictions and their position on the legislation.

Mr. Deputy Speaker, I want to ensure that in no way are my remarks misinterpreted. In no way would I support or tolerate any gay-bashing. None of us wants to see gays or lesbians victimized. We see them as having made a lifestyle choice; a lifestyle choice that is allowed obviously in our society under our legislation, under our laws. I would defend their right to make that choice. But to suggest that we must now place, in law, the principle that their lifestyle must be recognized as equivalent to heterosexual lifestyle, I think is wrong. I don't believe that our children should be taught that. I don't believe that our future society should depend upon that kind of concept being enshrined in law.

This legislation will now set up the prospect that persons will allege that they have been denied employment benefits, promotions, housing services because they're gay or lesbian. I suggest to you, Mr. Deputy Speaker, as I suggest to the Attorney-General, that it is almost impossible to tell when one is serving or in company with somebody who is gay or lesbian, and certainly there are no distinguishing characteristics, nothing visibly that would allow somebody to make that kind of judgment; and yet people are now going to be able to utilize that as the reason why they will pursue a legislative challenge under The Human Rights Act, saying that they were denied a promotion because of their sexual orientation, because they are gay or lesbian.

I suggest to the Attorney-General that if people want to discriminate in housing or in employment, this legislation will not stop them because they can claim, with a great degree of certitude, that they have no idea of the sexual orientation of the person they're dealing with. Indeed, that's the case and it will just simply invite litigation, it will simply invite litigation; it will simply invite challenges under this legislation and will do nothing, in my view, to further protect the legitimate rights of homosexuals and gays, ones that they already enjoy in society today.

Mr. Deputy Speaker, addressing other aspects of the bill. The bill calls for a Human Rights Commission which has a specific term of office rather than at the pleasure of the Lieutenant-Government-in-Council, and I believe that this is a charade on the part of the Attorney-General to say that they will no longer be political appointees, that they will be there and have a specific term of office, that they won't be completely replaced as they were

when the NDP came into government, replacing the Human Rights Commission with their people.

The Attorney-General is trying to suggest that this body will not be able to be politicized and I think that's nonsense. When you look at every single board and commission that is appointed by this administration, even to the Cancer Research and Treatment Foundation, the appointments are made on the basis of politics, putting people onto the Cancer Research and Treatment Foundation, the vice president of the Logan NDP, the president of the St. Vital NDP, every single one of them questioned as to what their politics are before they are placed on the board. So let's not attempt to in any way legitimize that process by suggesting that now that they have a term of office of five years or three years, that indeed that means they will not be appointed for their political philosophies being in keeping with those of the government.

The fact of the matter is, that's a sham, and if the Attorney-General believes that the public will believe that, he's absolutely dead wrong. Their friends, their political and ideological friends will be appointed because they share the same bias as the government does with respect to human rights adjudication, with respect to anything else in which they are operating.

Mr. Deputy Speaker, although we support the need to ensure that sexual harassment is a prohibited activity, and I referred to this earlier, it appears that the bill, in defining harassment, may have gone too far. For instance, and I'm sure the Attorney-General has taken account because it was noted in the Free Press that virtually anything that we do with respect to talking about our colleagues in this Legislature that has been said in the past, references that have been made to the former political beliefs and affiliations of the Attorney-General, or references that have been made with respect to fascists and other criticisms that have been made of members on our side, those things all probably would end up being the subject of litigation under the way in which that section 19(2) is worded in the act.

Mr. Deputy Speaker, I'm talking about the reference to, ". . . vexatious and unwelcome conduct or comment undertaken or made on the basis of any characteristic referred to in subsection 9(2)." I believe that is going to be something that is going to have to be addressed by the government when this gets to committee stage because undoubtedly it is unwieldy and undoubtedly it is something that isn't going to be reasonable to have in legislation.

There's another section of the act that says, if a person making the solicitation and this is with respect to sexual harassment, ". . . if the person making the solicitation or advance knows or ought to reasonably know that it is unwelcome;" and I have difficulty understanding how a person should know or ought to know that if that advance involves discussion, whether it be charming talk, that that is unwelcome. I have no idea, unless an individual says so, that a person ought to know that that's an unwelcome advance. I don't know what an advance is intended to include or encompass in this particular legislation.

I would say that the legislation, the way it's worded, has gone too far. I am one to begin by saying that sexual harassment must be defined and must be assured to be provided for protection against in the

act, but I believe that that particular phrase in there is going to give us nothing but difficulty and nothing but trouble.

Mr. Deputy Speaker, I have stated categorically that I support the protection of our fundamental rights and freedoms as provided for under the Canadian Charter of Rights and Freedoms. I support the principles of liberty and equality for all in society and so do members on this side of the House.

I've also indicated that I believe that this new Human Rights Code has made a number of improvements, ones over the old act, and certainly I think that those areas are ones that all of us have welcomed.

But in placing sexual orientation into the act as a grounds for prohibited discrimination, I don't believe that it relates to any of those fundamental freedoms or those kinds of visible characteristics that we can determine as grounds for discrimination; I don't believe it relates to any of it. In fact, it really puts in place behaviour and lifestyle as being a grounds for prohibited discrimination. I think that there's no justification for it, and it's going to lead to nothing but difficulty.

In fact, I think that the overall intent, the intent of suggesting that homosexual lifestyle and heterosexual lifestyle are equal and equivalent, is an unwarranted attack on the moral and religious values of the vast majority of Manitobans. To include sexual orientation, this lifestyle choice in there, I believe, is absolutely wrong. For that reason, Mr. Deputy Speaker, I will not be voting in favour of the legislation.

Thank you.

MR. DEPUTY SPEAKER: The Member for Brandon West.

MR. J. McCRAE: Thank you, Mr. Deputy Speaker.

It's unfortunate that we have to be debating Bill No. 47 in this Legislature, which would bring certain rights forward and enshrine certain rights in the paramount statute of this province, certain rights that are out of step, Mr. Deputy Speaker, with the thinking of Manitobans.

I came across something recently, Mr. Deputy Speaker, that I think I'd like to share with honourable members in this House. What used to be called Christian discipline, is now called unhealthy repression. What used to be called "disgusting" is now called "adult." What used to be called "moral irresponsibility" is now called being "freed-up." What used to be called "self-indulgence" is now called "self-fulfillment." What used to be called "perversion" is now called "alternate lifestyle."

Mr. Deputy Speaker, in many respects, what used to be is better for our society, for the sake of the health of our Manitoba community, the economic, the social and the moral health, we should be thinking of some of those things about what used to be, as opposed to what we see enshrined in Bill No. 47.

Particularly upsetting to me, Mr. Deputy Speaker, that we face Bill No. 47 on this side of the House, and deal with it freely and as a matter of conscience among the members of this side of the House; but that among honourable members opposite, their freedom is stifled, taken away from them on a bill that deals with our basic and fundamental freedoms. It's very hard to

understand how a government, which says it's dedicated to the freedom of the individual and the liberty of the person, can put the whips on its members on a bill of this nature.

What makes it particularly upsetting to me is that a week ago last Thursday, Mr. Deputy Speaker, a number of the members on the side opposite took it upon themselves to attend a labour demonstration which ultimately turned violent and 14 people were arrested. The Premier of this province tells us that those gentlemen were acting on their own, as private citizens, and that he had no particular part to play in that and that he had no particular criticism.

Yet, when it comes to something as fundamental and basic as the human rights of individuals in this province, the whips are on honourable members opposite. I say that that doesn't bode very well for people like the Minister of Health, for people like the Minister of Employment Services and Economic Security, both the Member for The Pas and for Swan River and the Member for St. Vital, the Member for Lac du Bonnet, the Member for Rossmere, perhaps others. I say that's an invasion of their right to do what their conscience dictates. I'm satisfied that if those honourable members that I mentioned truly searched their souls, they would find themselves on opposite sides of their colleagues in regard to Bill 47.

Mr. Deputy Speaker, the Minister of Agriculture maybe would like to be included in that list, but he asks me now, he says to me I don't understand religion. Well, let me just go back to 1982, Mr. Deputy Speaker, when the Constitution of this country became the fundamental law of this country. At that time, honourable members opposite and their colleagues down East deprived Canadians of the right to acquire and hold property.

They did allow, however, perhaps as a trade-off, the preamble to the Constitution to read as follows: "Whereas Canada is founded upon principles that recognize the supremacy of God and the rule of law . . ." "The Minister of Agriculture talks about religion. Mr. Deputy Speaker, I'm not particularly religious and I'm not a Bible thumper either, but as a result of questions from members on the other side to me about the biblical aspects of Bill 47 and the biblical aspects of homosexuality, I did do a little research at home using my own scripture, and for the benefit of those honourable members who really are interested, the question put to me was, where it is in the Bible that there's any mention that there's something wrong with homosexuality.

So I did find some passages that I would share with honourable members today. The first one, because honourable members opposite asked for this, Mr. Deputy Speaker, is found in Leviticus, the 18th Chapter, in Verse 22: "Thou shalt not lie with mankind, as with womankind; it is abomination." Some people in this Chamber, Mr. Deputy Speaker, may find it funny - references to the Holy Scriptures in reference to the human rights of Manitobans - I don't. Leviticus 20, Verse 13: "If a man also lie with mankind, as he lieth with a woman, both of them have committed an abomination; they shall surely be put to death."

Now the Honourable Minister of Agriculture makes light of these passages in the Holy Scripture. I assume later on - oh he wants to make his position known now . . .

MR. DEPUTY SPEAKER: The Honourable Minister of Agriculture . . .

HON. B. URUSKI: Mr. Deputy Speaker, the Honourable Member for Brandon West accused me of making light of an issue of the quotation of the Bible. Mr. Deputy Speaker, I ask him to withdraw those imputations. What I said from my seat, the only reference that he said somebody makes it light - the only one making it light is the Honourable Member for Brandon West.

MR. J. McCRAE: Mr. Deputy Speaker, it's hardly a point of order when the Minister of Agriculture hurls back at me the same words that I used in reference to him.

MR. DEPUTY SPEAKER: There are certain rules in this House that people cannot make . . . - (Inaudible) - . . .

MR. J. McCRAE: Mr. Speaker, in Romans I, verse 24 - sorry, that's not the one. Verse 27: "And likewise also other the men, leaving the natural use of the woman, burned in their lust one toward another; men with men working that which is unseemly, and receiving in themselves that recompence of their error which was meet."

First Corinthian 6, Mr. Speaker, Verse 9: "Know ye not that the unrighteous shall not inheret the kingdom of God? Be not deceived; neither fornicators, nor idolaters, nor adulterers, nor effeminate, nor abusers of themselves with mankind,".

Mr. Speaker, I hadn't intended to make references to the scripture except that honourable members opposite, in discussions with me, suggested that the scripture was silent on the issue, and the scripture definitely is not silent. In a country which recognizes the supremacy of God, I believe this issue has to be looked at in more ways than honourable members opposite are looking at it.

Our nation is founded on principles which do recognize the supremacy of God. It is not against God's law, Mr. Deputy Speaker, to have tendencies. I think people have tendencies which are unsavoury in all kinds of ways, but it is the act of carrying out those tendencies where we breach God's law, Mr. Deputy Speaker. And I believe that we have breached the fundamental law of our country when we pass certain sections of Bill 47 into law.

It's also distressing to me, Mr. Deputy Speaker, that this government would bring forward legislation dealing with Christian belief, which is also referred to in Bill 47, when at the same time they steadfastly refused to recognize the Christian beliefs of Manitobans when it comes to membership and labour unions.

The Manitoba Labour Relations Act says that in order to be excluded from the beauty of paying union dues at a union shop, one must belong to a faith which precludes membership in a union or in an association. Now the way that that has been interpreted by the Labour Board is that preclusion must mean that if you're going to be a member of a union, or pay union dues, the result would be that your church would excommunicate you. That is what that means in the Labour Act, "preclude," according to the interpretation of the Labour Board.

Most people who are concerned with that section are not the kind of people who want to go running to the nearest media outlet or the nearest newspaper and make a big issue of it, Mr. Speaker. Those people want quietly to live their lives and enjoy their religious freedom that they thought they had in this country. But here we are making homosexuality an equal lifestyle with other lifestyles in this province and denying religious groups the legitimate right to exclude themselves from union membership. The Minister's office steadfastly refused to do anything about the law that takes away from people their religious freedoms, yet is bound and determined - with the Whips on - to enshrine the homosexual rights in the Human Rights Code of Manitoba.

It's very disturbing to me and it smacks of a double standard, and it tells me, Mr. Deputy Speaker, that we're going down the wrong road in this province. I'm very concerned for my family and for other families in this province about which direction we are taking when it comes to the moral issues of the day.

My leader referred to the family, and I maintain that the family is the bulwark of our society; and I maintain that the family is the best hope for the future of our society. Every assault of the type we see in this legislation is just another assault leading toward the eventual breakup of that kind of society that we still enjoy in this country, and it really concerns me, as a legislator.

Mr. Deputy Speaker, I can't come here and support some of the provisions in Bill 47 and face my own family, let alone my own constituents.

I read, in either today's press or yesterday's press, a letter to the editor by one Chris Vogel stating that the majority of the people of this province want this amendment. Well I categorically deny that statement, Mr. Deputy Speaker; it's absolute hogwash. Members of my caucus have conducted surveys in their constituencies and I know that in my constituency, of the respondents 90 percent would see it the other way. Now I can't see Brandon West being so different from the rest of the province, that we should believe what Mr. Vogel says when he says that the majority of Manitobans would favour this approach.

I'd like to deal briefly with the comments of the Minister of Health in this debate who somehow has found a way to throw away his conscience, again, and support Bill 47. The Minister of Health has said that "no one in this world can get between him and his conscience" but, Mr. Deputy Speaker, I maintain that the NDP, once again, has done that, and there are other members on the side opposite who are in exactly the same position and no doubt they will come up with some arguments to rationalize a position which is inconsistent with what I believe is what they feel deep down in their consciences but, because of party solidarity and because the Whips are on, they are going to find ways to support legislation which is wrong for all the reasons that have been given by my House leader, by my leader and by others in our party.

The Minister of Health has suggested that homosexuals are sick. Mr. Deputy Speaker, I suggest that alcoholics are sick; that smokers are sick; that drug addicts are sick; that compulsive gamblers are sick. Do all those people enjoy the same protection in Bill 47 as homosexuals do, Mr. Deputy Speaker? No

they don't. Why are we singling out that group, as opposed to all the other groups I have named?

So if they are sick, what help has the province given to the homosexual community in this province? What help has been given to those people? Is this the help they are going to give them, to legitimize their lifestyle? Are we legitimizing alcoholism? Do we legitimize compulsive gambling and so on? We certainly don't legitimize smoking, in fact, we do everything we can to discourage it. But what are we doing to discourage this sickness of homosexuality, a sickness, as stated by the Minister of Health? What have we done? He's the Minister of Health, he's the person who we should be asking. What has the government done to help these people who are sick? The government brings in legislation to legitimize their lifestyle, that's the help.

Mr. Deputy Speaker, he also said that they don't want help. I'm sorry, Mr. Deputy Speaker, that's not what he said. He said the more that they are sick and they need some help, give them help. Well, what help has been given? I say they don't want any help at all, they want this legislation to legitimize a lifestyle which has never been legitimate in the past.

This concept is fairly new. As I understand it, only in 1961, the first jurisdiction to recognize that homosexual acts were not criminal was the State of Illinois, in 1961. So in terms of progress with regard to homosexuals - if you want to call it progress - we've come a long way since 1961, now to the point where we're making it an equal lifestyle with the lifestyles of others in our society.

Some other things about the bill that concern me, Mr. Deputy Speaker, is the method by which the Commission is appointed and by which the adjudication panels are appointed. They're hand-picked by the Attorney-General. This was a concern which, if the Attorney-General was able to allay the fears of the Minister of Health, the Minister of Health would be able to support the legislation. Apparently the Minister of Health and the Attorney-General are very close and very trusting of each other because the Minister of Health has bought this bill and agreed to support it, but I have a problem with how the provisions of Bill 47 will be interpreted by this hand-picked group of people that the Attorney-General will select to form the adjudication panels.

One of the sections of the bill, I can't tell you what it is off hand, but it's the section dealing with harassment, I believe. It's the one that deals with vexatious or unwelcome conduct. - (Interjection)- Okay or comment. - (Interjection)- I'm not supposed to mention the section so as I go along maybe the Attorney-General can do it for me . . .

Well that section, Mr. Deputy Speaker, says that there shall be no vexatious or unwelcome conduct or comment. Now I really don't know what it means. George Carlin always asks, but what does it mean? So I'm asking that, and I'm asking what will it mean. I suggest that the potential is there really to open the floodgates.

Does it mean that the Honourable Member for Ellice can no longer call the members on this side of the House "bastards"? Because if that's what it means, then the next thing you know, the next time one of those members over there call us "fascists" or "racists," we'll be able to have them in court, I guess if it's outside

the Chamber. I guess that's the way it works. Does this mean that you can't call a Progressive Conservative a "Tory" if that upsets a Progressive Conservative? Some Progressive Conservatives have been called "dinosaurs." Does that mean that the person who uses that language will end up before the adjudication panel set up by the Attorney-General? If we refer to the Attorney-General as a "Communist," does that mean we're going to be thrown in jail, or does it mean we're going to have to appear before an adjudication panel? I say that this leads to some pretty ridiculous situations and the lawyers of this province are going to have a heyday. Now I suggest this legislation was written by some lawyers; whether they were Communist lawyers or not, I don't know, but they're going to have lots to do if we pass this legislation and they're going to be spending a lot of time on some pretty ridiculous situations.

The whole crux of this bill in regard to what is discrimination hinges on that expression, bona fide and reasonable requirements or qualifications, or bona fide and reasonable cause for discrimination. That's what many, many of the cases appearing before the adjudication panels will be all about, and considering the method by which these people will be chosen, I have some fear that when we get a report from the Human Rights Commission each year, it's going to be like that, because of the number the cases that are going to be raised, a number of cases that we would now call frivolous or silly or vexatious, those cases will now be dealt with in a serious manner and I'm very concerned about the interpretation that the adjudication panels will put on Bill 47 or the Human Rights Code, as it will be called.

Another concern I have has to do with our law in this country and in the British tradition, the principle of scienter - I think it's scienter or mens rea - whatever it is - the word is "intent." Intent is required to commit most offences unless it's absolute offences like parking your car illegally or whatever it is. In those cases you don't have to have intent.

But, in cases of criminal misconduct, intent is required. Under Bill 47 no intention to discriminate is required so that the penalties involved in Bill 47 could conceivably be used to their fullest extent against one who discriminated without any intention to discriminate.

I think that probably runs contrary to the Charter of Rights and Freedoms. I'll leave that for the experts to comment on, but certainly as a human being it seems to me that for me to do a wrong to someone else I should intend to do that before I'm punished for it. . . . - (inaudible) - . . .

One is not out of line by making accusations, but when those accusations are combined with the word "intentional" and that the honourable member opposite intentionally misled the House, or intentionally told a lie, or intentionally promoted violence on the picket line, any of those things, the word "intentional" is key.

But when we appear before the adjudication panel set up under this legislation, no intent is required and you could be subject to the full extent of the provisions of this law which deal with penalties.

I think that runs contrary to the law as we know it in this country and probably runs contrary to the Charter of Rights and Freedoms, but then, Mr. Deputy Speaker, that is nothing new about that in Manitoba, is there?

As I said a few moments ago, certain religious societies in this province are routinely discriminated against, with the willing assistance of the Minister of Labour, through the Manitoba Labour Relations Act, and he'll do nothing about that. The Attorney-General refuses to do anything about that.

This same Attorney-General, who wants to impose this kind of test on a respondent in one of these cases is the same Attorney-General who would try to stifle people who come forward to speak about matters of concern in this place, before our committees.

So, we really have to look behind the bill, Mr. Speaker, to know what the real intention and what the bona fides are of the honourable members who bring forward such legislation. And, as I say, I really feel sorry for some of the honourable members opposite who would like to speak out against this bill, would like to absent themselves from voting for this bill, would like to vote against this bill. Those honourable members - one or two of them are in the House right now - and I do feel sorry for them. I wouldn't allow my own party to do that to me. If it were otherwise in my party, if my party were supporting Bill 47,p and the whips were on, my party would soon find me sitting somewhere else, Mr. Deputy Speaker, because I wouldn't allow myself to be used in that way when it comes to such a fundamental issue as human rights in this province.- (Interjection)-

Well, I thank my honourable friend for Riel for suggesting I have principles. I suggest the same might be said for all 26 members of the Progressive Conservative Party in this House.

A MEMBER: Right on!

SOME HONOURABLE MEMBERS: Oh, oh!

MR. J. McCRAE: Since we're dealing with sections of a bill, or clauses of a bill, which to me appear to be somewhat capricious, I might ask another question. Perhaps the Attorney-General can give me which section I'm talking about here, but we're dealing with the age of majority, dealing only with matters contained in Manitoba Statutes.

Now, would I be misunderstanding if I were to ask: Does that section mean that children will soon be allowed to be members of men's clubs in Winnipeg, women's clubs, clubs that have traditionally been reserved for people over the age of majority, since the membership in those clubs has nothing to do with Manitoba Statutes? Perhaps I'm misinterpreting that and the Attorney-General can clear that up when he speaks to close debate.

MR. A. DREIDGER: Maybe he'll withdraw the bill by that time.

MR. J. McCRAE: Now, the Minister of Finance, during the Estimates Review of the Civil Service Commission, told me that he didn't see this change in our law having any affect on pension plans, or LTD plans, or health insurance plans for public servants in the Province of Manitoba.

He doesn't know, yet he wants to support Bill 47. He doesn't know whether Mr. Vogel and his friend will be able to enjoy certain benefits now enjoyed only by

legal spouses in this province; he doesn't know that. Yet, holus bolus and quite blindly he's going to support Bill 47 and hopes that his colleagues will support Bill 47 to allow the floodgates to open; to allow applications to come before - who knows where? Perhaps as high up as the Supreme Court of Canada, so that homosexual males can be married and can enjoy spousal benefits under pension plans, and LTD plans, and health insurance plans and so forth.

I say this province, under this government, has gone totally topsy-turvy and that they really don't know what they're doing when they bring in legislation like this. We don't know what the implications are going to be. They don't even know what those implications will be, yet they push ahead with this kind of legislation.

I'm concerned about section 27 and what we find in that section dealing with access to premises and documents by the executive director or an investigator on reasonable and probable grounds. Well here again, who decides what the reasonable and probable grounds are? Will this be a court? If it is, the Minister can tell us that when he speaks to close debate. If it's not a court, will it be one of those hand-picked adjudicators that the Minister will place on the adjudication panel; and, in that case, will there be a perception that everything is being handled fairly?

The Minister of Health's concern is not that all the members of the adjudication panel will be NDP. In fact, he probably would prefer that, but his concern is will the members of the adjudication panel represent women; Will they represent men; will they represent handicapped; will they represent Natives; will they represent visible minorities? Well, the Minister can give us whatever assurances he wants, but all we have to go by is the letter of the law. If this is the way the law is going to be, what happens if a fascist party should take over in this province some day; and then who will be on that panel? Some suggest we're not that far away now.

Honourable members opposite, specifically the Minister of the Environment, takes great glee in accusing us of being fascists and racists at times. Well, aside from the fact, Mr. Deputy Speaker, that some day it may be illegal for him to use the language which he's become so accustomed to using, he and the Minister of Culture and Heritage. They can go on using that language with impunity in this House, but outside this House, perhaps under the sections dealing with vexatious conduct, those people won't be able to talk like that any more, and I referred earlier to the Member for Ellice and his use of the expression "bastards" in characterizing honourable members on this side of the House.

He apologizes in the House, Mr. Deputy Speaker, but then he goes out - not unlike the Minister of Community Services - he goes out to the Press and repeats what he says, says he doesn't regret having used that kind of language. So you'll forgive me, Mr. Deputy Speaker, if I find it difficult to accept the apology given to us by the Member for Ellice, when he goes out and repeats the same thing outside this Chamber.

There's an element of cowardice here too, Mr. Deputy Speaker, involved in the behaviour of the Honourable Member for Ellice, the Honourable Member for Kildonan, the Honourable Member for Elmwood and the Honourable Member for Thompson, when they come

in here and they use the Rules of this House to throw me out of this place for making statements about their behaviour, which run contrary to the best interests of workers in this province and contrary to the best interests of Manitobans.

This kind of legislation comes from people who behave themselves that way, Mr. Deputy Speaker. You'll forgive me if I'm just a little bit disillusioned and just a little bit unbelieving when it comes to believing the undertakings given to us by honourable members opposite about how fairly and how properly this kind of legislation will be interpreted and administered.

I think we now know - when we see sections like this dealing with access to premises and documents by the executive director - we now know why the NDP in Ottawa never allowed freedom to private property in the Constitution of this country. Because in statute after statute passed by the New Democrats in this province, we see a blatant disrespect for the property rights of Manitobans and we now know why their colleagues in Ottawa never would agree to the inclusion of property rights, although they had to come kicking and screaming to allow some reference to the deity in the Constitution of Canada.

I have a problem with the way evidence is to be presented, Mr. Deputy Speaker, to the adjudication panels. The rules are not the same rules that the Attorney-General knows very well are the rules in court. Those rules are fairly strict and they're subject to review, or the way evidence is received is subject to review, but under this legislation, evidence could be given to the adjudicators whether it would be admissible in a court of law or not.

Now that opens the doors for hearsay evidence; it opens the doors for all kinds of irrelevant material which may have no bearing whatsoever on the issue at hand. But that kind of evidence could serve to influence the adjudicator either one way or the other, on the applicant's side or on the respondent's side, evidence in the form of photographic evidence, which may never be allowed in a court of law, documentary evidence, which would never be allowed in a court of law, by virtue of the fact that the makers of evidence like that are the only ones that would be allowed to bring it forward. All those rules of evidence are out the window when it comes to a very serious charge of discrimination under the Human Rights Code. There again, the adjudication panels bona fides are in question, by virtue of the way that they will be chosen.

We know how the Labour Board is chosen; we know how the Board of Governors of Brandon University is chosen; we know how the Board of Governors of the Manitoba Labour Education Centre, funded by the Government of Manitoba, how they're all chosen. So is there any reason for us to expect things are going to be any different at the Manitoba Human Rights Commission? That is a key concern. That combined with what constitutes a reasonable and bona fide cause, and reasonable and bona fide qualification, those two elements of this legislation should be of the greatest concern to all Manitobans, and certainly to any legislator.

Will all the adjudicators be lawyers? Can the Attorney-General tell us about that when he closes debate? Will all the adjudicators be lawyers? -(Interjection)- They'll all be judges.- (Interjection)- That's what we use now.

But under the adjudication panel is what I'm asking. Will they be lawyers? Because if they're lawyers, we might be able to have a little better assurance that the rules of evidence might, in some way, be followed.

But the way it is, the way I read it, I can't enjoy that assurance. So this is a concern as well. The adjudication panel is going to have to determine questions of fact, law or mixed fact and law. What does this mean to a layman? It doesn't mean a whole lot to me, I'm sure, and it doesn't mean a whole lot to a lot of others, and those chosen as adjudicators will have problems.

The test again, in whether an applicant is right and a respondent wrong or vice versa - the test is a balance of probabilities. Well that's the test in our civil courts. In civil matters it has proven to be a good test over time. But in criminal matters, the test is that there must be proof beyond a reasonable doubt. Now, when the penalties are so strict under the Human Rights Code, I would think that the kind of test that should be used would be the kind of test used in the criminal law. Yet the test to be used in deciding matters that come before the adjudication panels is the test of the balance of probabilities. The penalties are severe or they could be severe. So I say that this test is wrong when we consider that the adjudicators are hand-picked by the Attorney-General.

Damages can be awarded as the adjudicator deems just and appropriate for injury to dignity, feelings or self-respect, up to a maximum of \$10,000.00. Under those conditions, I suggest the test should be much stricter than just the balance of probabilities.

Now the adjudicator can also force a respondent found guilty of discrimination, to adopt and implement an affirmative action program. In view of all the things I've said about how the decision will be arrived at - I'm talking about a respondent obviously in this case - they are then under the foot of the government, under the thumb of the government, and forced to implement an affirmative action program, a program which may have nothing to do with the specific case of discrimination alleged against the respondent. Therefore, the remedy imposed by the adjudication panel may tend to go way, way beyond what the complain embraced in the first place. So here again, what we are is we're having state interference in private relationships and we'll have many, many people potentially being forced to adopt affirmative action programs and I think that this should be a concern as well. The compliance with an order given by the adjudication panel is then supervised by the adjudicator.

A lot of these things we might find in other statutes, in other kinds of legislation, but by virtue of the way the adjudicators are chosen, I have grave concerns about the supervision by an adjudicator of an order made by the Human Rights Commission.

Then we come to the matter of appeals, Mr. Deputy Speaker, appeals from the adjudication panels or to the court; but only on two grounds, so that those two grounds being jurisdiction of the adjudicator and breach of principle of natural justice or fairness. Those are the two grounds that you can use to appeal to a higher level. But let's remember how the decisions are made in the first place.

The rule books, when it comes to laws and reception of evidence, are all thrown out the window, and then when you feel you've had a bad hearing, the only way

that you can go to a higher level to appeal is under those two conditions: jurisdiction of the adjudicator, or breach of principle of natural justice or fairness. What about the rules of evidence which are usually reviewed by an appeal court when it makes a decision on whether to allow an appeal or to even hear an appeal? What about mistake? What about an allegation of bias on the part of the adjudicator? That has nothing to do with an appeal. You can't go to an appeal court and say the adjudicator was biased, because that's not one of the two grounds that you can bring the matter forward on. So, bearing in mind how the adjudicators are chosen, it would be useful if an allegation of bias on the part of an adjudicator could be used to bring a matter forward to the appeal court.

Then I suppose one of the most frightening things in the whole bill is that regulations can be made by the Lieutenant-Governor-in-Council for carrying out the objectives of the code. George Carlin would indeed ask, but what does that mean? How much power have we already given to honourable members opposite? How have they already abused it so badly in the many years that they have been in the government of this province? I hesitate to give honourable members opposite the power to open a peanut stand, because I already know they couldn't operate it anyway. So why would I give them the power? Now they want powers to make regulations under this code. That scares me. What kinds of regulations do they have in mind? Why should we be giving this kind of power to this bunch of incompetents opposite, Mr. Deputy Speaker? It makes no sense to me whatsoever.

On the basis, Mr. Deputy Speaker, that this government has no interest as far as I can tell in protecting those sacred principles on which this Canadian society is based, they have no interest in protecting the family unit. They have no interest in preserving those traditions that have been good for our society, good for our people. Their interest is in appealing to some of the more prurient interests in our society. I think of the Minister of Culture, Heritage and Recreation and the stand that she takes regarding homosexuals in this province. I say I don't want to be associated in any way, shape or form with the Honourable Minister of Culture, Heritage and Recreation. I want no part of the morality that she and her government represent.

MR. DEPUTY SPEAKER: The Honourable Minister of Environment.

HON. G. LECUYER: Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, I want to speak on this bill rather briefly, but I do want to put some comments on the record to state my position in this regard.

Let me begin by saying that in spite of the holier-than-thou attitude that we hear coming across, especially from the Member for Brandon West, when he would like, for instance, to see the protection of property rights in their legislation and is not prepared to protect the rights of people under legislation, that is a contradiction that I certainly would not want to be part of. I will support this legislation, Mr. Deputy Speaker, not because anybody is telling me that I have to support this legislation. - (Interjection) - You can get up and speak

whenever you want. Nobody will prevent you from doing that. It's my turn.

So, Mr. Deputy Speaker, I will defend their right to say whatever they want on this bill in this House and to vote whatever way they want, but I will not accept that they will try to lever us into voting the way they're going to vote, because let's face it, there is no freedom of vote on that side of the House either. I can tell you this, though, Mr. Deputy Speaker . . .

SOME HONOURABLE MEMBERS: Oh, oh!

HON. G. LECUYER: Well, that's what you're saying about us. Mr. Deputy Speaker, that's what they're saying about our situation, but I'm telling you that doesn't exist on that side.

Mr. Deputy Speaker, if I saw in this bill a moral ground whereby my conscience could not accept or support this, I can assure all members of this House, I would not be supporting it. But I will be, and I hope others will be convinced of that, because I believe that conscience and tolerance will prevail in the end over fear and hate.

This bill, Mr. Deputy Speaker, does nothing to promote, legitimize or to add new rights. It's there to defend the rights of individuals, human beings, as it should be, and for the member to compare that to smokers' rights, for instance, is absolutely ridiculous. I don't know what is the motivation or what is the factor that makes one be a homosexual, I don't fully understand that. I don't support the practice or the lifestyle, but I will defend the right of someone, and I think we should all defend the right of someone to be that. Not that I agree with that particular orientation, not that I personally think that the practice of it is correct, but the right of an individual to be free from discrimination or harassment in his job or his employment or in his housing I think is a right that they all should have. "The Gospel of Jesus Christ . . ." - and this is Bishop Walter Jones of the Anglican Church who is saying, "The Gospel of Jesus Christ compels Christians to guard against all forms of injustice and to affirm that all persons are brothers and sisters for whom Christ died."

The members opposite cite passages from the Bible - and it's evidence of the fact, I suppose, that homosexual behaviour or the fact that homosexuality has existed for a long time is evidence of that. They cite passages where the Bible, for instance, shows that it doesn't condone the practice of homosexuality, and I don't either, nor does the church to which I'm an adherent and a practising Christian.

A MEMBER: Why are you passing this legislation?

HON. G. LECUYER: Because it doesn't do that and that you should understand, and you will find out from your constituents if you explained it to them properly. Rather than incite their misunderstanding of it, you would find out that they also are prepared to be tolerant.

In this letter, which also gives all the passages of the Scriptures, where reference is made to homosexuality, the letter that the Member for Kildonan had used from Cardinal Joseph Ratzinger, and it's a pastoral letter which was endorsed by John Paul II, states: "It is

deplorable that homosexual persons have been and are the object of violent malice in speech or in action. Such treatment deserves condemnation from the churches' pastors wherever it occurs. It reveals a kind of disregard for others, which endangers the most fundamental principles of a healthy society. The intrinsic dignity of each person must always be respected in word, in action and in law."

Having said that, they said, "We don't condone the practice of homosexuality." And this legislation doesn't do that. "The characteristic concern and good will" - it says later - "exhibited by many clergy and religions and their pastoral care for homosexual persons is admirable and we hope will not diminish. Such devoted ministers should have the confidence that they are faithfully following the word of the Lord by encouraging the homosexual person to lead a chaste life and by affirming that person's God-given dignity and worth."

That's what we stand for, Mr. Deputy Speaker; that's what we want to do with this legislation - not give them special or additional rights as some of the members over there would like to make anyone believe. In fact, Mr. Deputy Speaker, I would have been tremendously concerned and certainly could not have supported this legislation if that's what it had been proposing to do.

In fact, Mr. Deputy Speaker, there's a number of sections in this act, in particular, without citing them all - sections 12, 14(8), 14(9), 14(11), 15(2), 16(2) - that are all there to make sure that these are not special rights but are there to make sure that these are not rights that are abused either.

The Health Minister went on to say that having read the legislation and considered it carefully -(Interjection)- This is not a moral code that is being established, it's a legal code, and my conscience can support it, Mr. Deputy Speaker.

I would encourage the members opposite to read the speech made by the Attorney-General, Ian Scott, in Ontario on November 26, 1986 when he spoke on the sexual orientation amendment to the Human Rights Code in Ontario. I encourage the members opposite to read it. Unfortunately, I cannot quote all of the pertinent passages here, but he begins by talking about, for instance, the common views we had, perhaps, in the past and some we continue to hold in terms of, let's say, traditionally describing in his milieu, for instance, it was common to describe the Irish as being drunks, to describe the Jews as being usury people, etc., and here is what he says - and of course some of them were he says, but most of them were not: Most of them turned out to be just like the rest of us. Therefore, we had to add those classifications to the Human Rights Code in order to protect the human rights of the members of those groups.

What we were trying to say is that you were exactly the same if you were those things and were entitled to have your right to services for which your tax dollar pays quite often, evaluated on the basis of your own willingness to obey the law and your own merits and demerits.

What we know beyond any doubt - if there was any doubt - is that homosexuals are deprived of access to public services as the Irish were, as the Jews were, as the French Canadians were, as dozens of other groups were and the purpose of this legislation is not to exalt their status, not to permit them to break laws, not to

alter any of the fabric of society, but to give them what as human beings is the least they are entitled to, same individual access in which their capacity, their needs can be evaluated by those who provide public, not voluntary, services.

It goes on to say, I suggest that there are a number of things that this law if passed will not do. It will not disrupt the values of the society. It does not speak to the values of society. It speaks to equal access to services. If members believe it will disrupt the values of our society, I asked them objectively to look at the experience in Quebec. Now we can say look at the experience in Ontario, look at the experience in the Yukon, look at the experience in many countries in Europe and look at the experience in many of the states in the United States.

In every one of those cases, there is no evidence that the fundamental values of society has been altered in any way by assuring to individual law-abiding citizens that their access to housing or employment to what-have-you, will be judged on individual merits. The law will not permit or require pedophiles to be hired by day care centres. They will not permit or require child molesters to be hired in schools, and I suppose it's also right to say that that doesn't belong, that unfortunate characteristic of being molester or using of violence in any way, shape or form doesn't belong to any particular group whether they be homosexuals or heterosexuals and I suppose statistics would bear that out, maybe there's more of the other than there are of homosexuals, I don't know. But this doesn't do anything to sanction that kind of behaviour or attitude anywhere.

He goes on to say, I sense that the difficulty about this amendment that some honourable members have is dictated by one of two possibilities, both of which I respect. The first is that it is opposed out of that kind of a kind of fear and the second is that it is opposed on moral grounds. This amendment deprives no person of an existing right. There is no person who loses a lawful right if this amendment is passed anywhere in Ontario and I say this for Manitoba as well.

It deprives nobody of the right to judge the competence of individuals objectively, whether it be for employment or housing, it does not alter the law of marriage, it does not downgrade the family as the central institution of our country. It does not alter or modify individuals or societal values. I for one believe, also as the Member for Brandon West suggested a while ago that the family is the nucleus of the balance of our society and that doesn't alter in any way, shape or form my support to this bill. But before the act on the basis of fear which is the lowest of human motive for acting, they will want to be satisfied that there is an objective, rational and logical basis for the fear that motivates them. I, for one do not believe that this bill if it's properly understood has anything to do with those moral values. It doesn't.

Members opposite should read an article which appeared in the National Review on September 19, 1986, and it's called: A letter from a friend - a conservative speaks out for gay rights. I don't want to quote much from this article because it's too long, but it says this at one point, Mr. Deputy Speaker: "The worst thing about historical rhetoric is that it sometimes has its intended effect. People believe it. It is possible

to frighten people so badly that they will take whatever actions they believe are necessary to protect their children." This what we've done, for instance, in regard to AIDS, until we find out that it doesn't belong to one group, it unfortunately has spread to all groups. The persecutors of gays - there is significant responsibility for gay militancy and have no right to cite it as an excuse for more persecution. I think that's what perhaps is likely to happen when we hear the type of comments that are made as the ones that were made just a moment ago from the Member for Brandon West.

Mr. Deputy Speaker, the views and the practices of homosexuals, I do not personally share, could not personally condone, but I believe they all should be treated equally under the law, and this law is not meant to force acceptance but rather is meant to enshrine tolerance for all peoples in our society.

There is an article also which appeared in the Free Press on July 2, which was written by Abraham Arnold, I believe he is with the Manitoba Association of Rights and Liberties. He says: "No one would assume, however, that this protection confers a right on the members of any religious or political group to go into our schools, to teach the tenets of their faith or the ideology as equal to or better than the beliefs that students acquire from their family tradition or from an independent study during their years of schooling. Why then should anyone assume that granting protection from discrimination on the grounds of sexual orientation may confer the right to teach the viability of a homosexual lifestyle?"

"The Human Right Code spells out only what people cannot do in their dealing with members of various minority groups in the areas of employment, housing, public services, etc. It does not include anything that should be or must be done."

I think, Mr. Deputy Speaker, because these rights of freedom from discrimination, from harassment, are not protected and there are many other groups and categories into this bill that are added or afforded this type of protection, it doesn't belong only to the homosexual groups. But it is because there is so much of a case or an issue made of that particular group that I think we need to address that particular aspect.

Mr. Deputy Speaker, I believe that my conscience dictates to me, dictates that I support tolerance over inaction based on fear and hate, and I will support it.

MADAM SPEAKER: The Honourable Member for River Heights.

MRS. S. CARSTAIRS: Thank you, Madam Speaker.

The Leader of the Opposition said a few moments ago that this was a matter of personal conviction, and I am very proud to stand here and say that this bill is certainly a matter of my personal conviction and I support it without any reservations whatsoever. It is also, Madam Speaker, the conviction of my party as expressed in policy convention in 1985.

What a wonderful world we would live in, Madam Speaker, if we did not require this bill because it would mean that each individual was judged solely on the basis of what they were. What we have done with this legislation, Madam Speaker, is not deal with choices but with the reality of what is. If I am black, I have no

choice but that I am black. If I am a Jew, I have no choice but that I am a Jew. And I sincerely believe that an individual who is a homosexual has not had a choice; it is what they are. Ten percent of our population, Madam Speaker, are medically defined as being homosexual. What does that mean? Does it mean they have to practise the homosexual lifestyle? No, it does not. It means that they have a tendency that they have a sexual orientation that makes them homosexual rather than heterosexual. And, Madam Speaker, it has been my experience that individuals who have experienced that in their lives have not chosen to be it, they are what they are and therefore I must be tolerant and inasmuch as I can be, accepting of that which is the essence of their being.

Madam Speaker, I grew up in a city which has the largest percentage of black people in all of Canada. As a child I never went to school with a black. I never met a black child on a street, I never saw a black child in the store or a shop, I never saw a black child in a movie theatre. I don't know why I didn't see them, or at least I didn't know why as a child, except that as I matured I realized that indeed I lived in a segregated city, not segregated by law but segregated by custom, a city which in fact had black schools, two of them. The white children just didn't go to those schools and coincidentally the black children didn't go to the white schools, again, not by law but by custom.

The black people all lived in a neighbourhood which bordered or in fact was on the Halifax dump. It was called Africville. The people had squatters' right to the land and I was taken to visit it as a child by my father, who made me understand that that was the squalor and the conditions that these individuals didn't choose to live by, but were indeed forced to live by. And I watched the rats coming off the dump and invading their houses and I began to question why the only black people in my life were the black women who came and helped my mother with her housework or helped her with the cooking, or the black men who helped to build any walls that my father might want built around his property.

It wasn't until, however, I went to university that I realized the level of discrimination that existed in my city. The only black people who I went to university with were not Halifax black people but were those people who had come from the Caribbean, from Barbados or from Jamaica because black children, if they managed to graduate from Grade 9, "if", didn't go on to an academic high school. They went to the Halifax Vocational School and when they graduated from that they went into the working world. But they didn't go to an academic high school, therefore they didn't go on to university. I didn't realize until a black student brought it to my attention, that he couldn't get his hair cut anywhere near the university in Halifax, and I said that's foolish, and he said, but nobody knows how to cut my hair or at least that's what they tell me. So he would go into the north end and have his hair cut, because there they knew how to cut black hair, but there was no discrimination, by law, in the city in which I lived.

When I went on to graduate school in the United States, I became aware and involved in the black movement in the United States. One of the incidents - in which I take great pride - was when a graduate

student, who was black, and who was doing her Ph.D. in physical chemistry, one of the most difficult doctorates to attain, discovered that she couldn't get accommodation in the university town for the summer. I said that's ridiculous Clara, because there's all kinds of apartments for rent, but when Clara would go, Clara would not find a vacancy. So I went and I rented the apartment and made sure there was a sublease on the rental agreement and went back to the university and sublet the apartment to Clara for the summertime.

That's the kind of issue, Madam Speaker, that we're dealing with here, a fundamental right to accommodation; a fundamental right to service; a fundamental right to employment based on non-discriminatory practices - the fact that what you are does not automatically disqualify you from a decent job, a decent employment opportunity, decent accommodation and decent service.

Madam Speaker, I've spent 21 years of my life in classrooms, and I think that what we should know about is that the worst thing that you can say to a young man of about 12 or 13 is that he be gay or that he be a fag. That is the worst possible condemnation that a young man can make of another young man. I've experienced that with 7th and 8th graders and I have asked them, why would you call one another those kinds of things, when you don't even understand them yourselves? But in their emerging sexuality, they were always afraid that they might be a gay, so to attack someone else somehow made them feel courageous and so they would label some other young man.

I think what we experienced in the last few days in the news stories out of Selkirk would give us an idea of that kind of name-calling. We had a young man killed by another young man, who was punched in the head and unfortunately this young man had an aneurysm or a capacity that he was in danger, and when struck, was going to - unfortunately no matter what circumstances - probably going to die. But what was it that prompted one young man to strike another young man? Well, it was a taunt of his being a homosexual.

These were friends. These were boys who'd shared law classes together, and yet one decided that he would tease and taunt his fellow classmate, and because that is a taunt that no young man seems to be able to deal with, he dealt with it the only way he knew how, which was to strike out and we had a young man die as a result.

Madam Speaker, there is no question that homosexuals within our society are discriminated against. Why else do we hear of the beatings that take place just in the back of these legislative grounds? Why do people feel that they can discriminate against an individual because and only because they are a homosexual? What kind of fear does it arouse in us that we feel we must stomp it down?

I don't understand the homosexual lifestyle; I probably never will. That does not mean that I cannot accept that an individual must be what they are and I must tolerate that being and accept what they are as a human being.

Madam Speaker, I don't think anyone in our society would say to you that we are making homosexuality equivalent to heterosexuality. They are entirely different means of performing one's sexual lifestyle, but I don't believe that there is anything in this act that encourages

that lifestyle. I don't think it can be found in employment. I don't think it can be found in accommodation, nor do I think it can be found in service, in stores or restaurants or whatever.

If we are worried about volunteer organizations, we need not be worried about them. A young mother whose child is in Big Brothers and has a Big Brother and if that mother has concern about that Big Brother, for whatever reason, I'm sure that volunteer agency will arrange another Big Brother.

But let's take a look at the situation that hasn't been spoken of and that is below the surface of Big Brothers and that is the issue of homosexual role models in employed positions. Let's take a look at the teacher who might be a homosexual. Well, Madam Speaker, I've taught with homosexual teachers and lesbian teachers and none of them ever tried to force their lifestyle on a child that was in their care. Nor do I think we have to worry about that any more than we have to worry about a heterosexual who may believe in free love trying to inculcate that among their class and their students.

Madam Speaker, if we have in our society a fear - I have I think more to be feared in the case of my daughters being taught by a heterosexual male who might want to in some way press his lifestyle on them than I have of a homosexual male trying to press his lifestyle on that of any other child. I don't worry about either because, if either one of them did it, I would expect the teachers to discipline that teacher and indeed if committing an act which was contrary to law, to immediately remove that teacher from the teaching profession.

But what we really get down to, Madam Speaker, I think is, is it a family issue? Must we not pass this because in some way it denigrates the family. I would ask those opposed to this legislation, where do they think homosexuals grow up, except within a family? They are born to heterosexual parents. They grow up experiencing through their whole life a heterosexual lifestyle. They still become homosexual. And I can't help but say to myself, because I have daughters, what would I do if one of them came home and said to me, Mom, I am a lesbian? My first reaction would be shock - and I'd have to admit that - because it is not my lifestyle. One tends to be shocked by a lifestyle other than one's own when one's child announces it to you.

My next one, I hope, would be an understanding of the pain of that child, pain on two fronts: (1), that she would have to tell her heterosexual parents that she had chosen or was possessed of a lifestyle different from ours; and the second pain would come from knowing that she was going to have a tough time in this world because, even with this legislation, there will still be a tremendous lack of acceptance for what she is. But I would then, Madam Speaker, get very angry indeed if someone denied her employment, denied her accommodation, or denied her service because of what she was. That is why I support this legislation.

We must be tolerant, Madam Speaker. We can go through the whole history of this nation and, as much as we pride ourselves on our tolerance, we can all quote incident after incident on acts of intolerance, whether it was intolerance towards Canadians of Japanese descent in World War II, which was nothing other than discrimination based on colour. Madam

Speaker, we did not discriminate against Canadians of German origin in 1941, and we were just as much at war with them as we were with Japan. We didn't inter them, we didn't move Canadians of German ancestry into camps, we didn't move Canadians of German ancestry away from their homes. We took Canadians of Japanese origin, and we did put them into camps and then we moved them into the interior of British Columbia and the interior of Alberta. We, Madam Speaker, can show over and over again acts of intolerance in Canada. It is only with bills such as this that we will bring a more tolerant climate.

We cannot legislate individuals. If an individual doesn't wish to have someone different from his faith as a friend, he won't choose to. If another individual chooses not to have someone of a different colour as an associate, he won't choose to. But, Madam Speaker, on those things that we can govern, on those things that we can legislate, we must set an example. We must say very clearly that a human being living in this province is equal to every other human being and no one can deny them accommodation, employment, or service because of what they are.

Thank you, Madam Speaker.

MADAM SPEAKER: The Honourable Member for Emerson.

MR. A. DRIEDGER: Thank you, Madam Speaker.

Firstly, I want to indicate that I am not going to be speaking in support of the bill but in opposition to the bill. Madam Speaker, possibly in the almost ten years that I have been in this Legislature, this is probably one of the more difficult speeches that I'm going to be making.

Madam Speaker, my first reaction when the bill was introduced was one of anger and frustration for the simple reason that we should be even debating an issue of that nature in this House. But, Madam Speaker, I'm fortunate that the bill has been sort of moving along at a slow pace. As a result of that, I took the opportunity and, rather than do like some members who have spoken, indicated that we speak in hate to some degree or with a lack of understanding, what I did, I took the time and made a special appointment with the minister of my church. I went to see him and explained my dilemma, because my first reaction was one of misunderstanding and possibly even some of the not hatred necessarily but on the verge of that, that has been alluded to from time to time.

Madam Speaker, I'm glad that I had that opportunity to do that, because it gave me a better understanding of the dilemma and the problems that have been alluded to in the House here. Madam Speaker, it hasn't changed my position in terms of how I feel about the bill, but I think I have a better understanding of what is involved because, when I spoke with my minister of the church, he gave me a bunch of material. I have all kinds of material. You know that the General Conference of Mennonites in North America, who coped with this issue last year in Saskatoon at their annual conference, spent a lot of time, and he gave me the understanding and gave me a perception in terms of how people who are good Christians, conscientious Christians, looked at this thing. It has been mentioned from time to time in

this House, people who feel that, in spite of somebody doing wrong, we should not condemn them. We should basically give them an opportunity, we should try and work with them.

The Minister of Health alluded to some of these people who are homosexuals are sick, they cannot help themselves. It's been mentioned by others, and that is the perception that the Mennonite Church basically has taken is that nobody should be condemned. I basically oppose this bill, Madam Speaker, because I believe deep down that it is morally wrong. It is biblically wrong and I will try and outline some of the concerns.

Madam Speaker, from the time that this bill was introduced, driving up and down the one hour that I drive home, I have made many speeches to myself. I've changed them many times and, finally, today in the morning when I realized that I possibly would be speaking, I just jotted down notes ad hoc and I'd like to cover those points because, to me, it is a very, very emotional issue.

Madam Speaker, it's been relatively not easy, sometimes difficult, but not as difficult as this to debate bills that the government brings forward in terms of economics, in terms of laws that they pass, but this is an issue that touches each individual on a different basis. It's like the abortion issue, it's like the private schools issue.

This is that type of an issue, and that is why I find it difficult, Madam Speaker, to get up in here and speak on this because I profess to be a Christian. But that does not mean, Madam Speaker, that I adhere to all the biblical laws. I probably have a slippage from time to time and possibly most everybody does, but I am very sincere when I say that I have difficulty understanding why this kind of legislation is before us.

As I indicated before, I believe it is morally and biblically wrong. After speaking with the Minister, and he indicated to me that the General Conference of Mennonites of North America - and it's a big group, Madam Speaker, it's not a minority group. It's a big group that is basically dealing with something like that. They dealt with it out of compassion and love as Christians, looking at the impact that it would have on humanity, with the understanding, as I said before, that everybody, in spite of what they do, their shortcomings should be given consideration.

Madam Speaker, that is what sort of tempered my remarks. Otherwise, I possibly would be making remarks that would maybe reflect on a bad attitude from my part. Madam Speaker, Mennonites generally have not been known as people that are violent. They are more forgiving. The example is the members on this side and even the ones on the other side - sometimes I have my doubts about - but we have sort of a gentler nature, and in most cases we do, Madam Speaker. Now maybe that remark takes away from the seriousness of it because you hear the jeers from there, but, Madam Speaker, generally our churches have been a very compassionate type of people and they dealt with this on a very sincere note.

After I was through with discussions with my Minister, and in fact, Madam Speaker, he came in yesterday and we had further a discussion on that because I still don't have a proper grasp on how to deal with something of this nature; but the General Conference of Mennonites of North America passed a resolution after

much debate and much controversy because the older sectors in the churches felt very strongly that, you know, this has been an issue that is not an issue as of today.

In the Old Testament this was a problem already. That is why biblically, and it was quoted by the Member for Brandon West, you can read the Scriptures where already in the Old Testament it was a problem that was dealt with and that's why it's there. It was dealt with in the New Testament.

Madam Speaker, I could read all the various Scripture verses into the record; I don't think that's necessary. But that is the point where I started to grope with it and tried to get a proper understanding of what is happening with this kind of legislation, and it bothers me, Madam Speaker, and not too much bothers me from time to time, though I get a little noisy once in a while, but this kind of legislation bothers me and I have great difficulty with that. A lot of this has been covered to some degree, but I'd like to touch on some of the points that I think are pertinent when we consider something like that.

First of all, we, as elected members, and that was my first reaction when I started thinking, you know, I should give my knee-jerk reaction to this legislation. I said no, that is not right. I think that we all, as individuals here in this House, have to assess what we're doing with some legislation of this nature because this is a moral issue.

One thing that my Minister told me, he says governments should not legislate morality. They should not legislate morality. They should deal with economics, they should deal with the basic structure of the services, but they should not deal with these issues, Madam Speaker. That is what we're doing. We're actually breaking new ground by doing this, Madam Speaker, and that's what bothers me.

I'll get to some of the comments I want to make in terms of how each one of us, I think, should maybe view it, because now we're using it as a political football and I think that is dangerous. That is a dangerous precedent we're setting with this kind of legislation.

Madam Speaker, when we look back to society, morality, based on biblical laws, the Commandments that were set forward and the Bible that I think most people use as a base, then we have difficulty dealing with something like this here. Madam Speaker, we should not be dealing with this kind of thing.

When we consider where does the base of our society stem from - other members have alluded to that, including the Member for Brandon West - it is the family unit. A man, a wife, two people fall in love, get married, have a family. That has been the basis of our development of society from Adam and Eve, that's what it's been about. What we're meddling with is we're trying to change that perspective to some degree, and it bothers me. I have difficulty with that, Madam Speaker.

In our permissive society, Madam Speaker, we don't discriminate in my mind against homosexuals. If anybody wants to live a lifestyle of their own, we have not made a point to get into anybody's bedrooms at this stage of the game and I don't think we should. That's not our place, as legislators. But what we're doing now, we're trying to impinge rights on society in this province that the majority of people do not want, do not understand, Madam Speaker, do not even want to understand, because it is against their basic religion, irregardless of what their religion is.

With the exception of a few comments that have been made by certain church organizations who have indicated, well maybe it's not that wrong, we have to look at the human side of it because anybody who's a religious individual should be forgiving of somebody who is maybe not on the proposed path that the church has chosen. But we should not discriminate against these individuals because they're also human beings.

Madam Speaker, I have compassion for that. I suppose, in our own lifestyles from time to time, we sometimes discriminate, whether directly, indirectly or mentally, against people who do not necessarily agree with our lifestyle. Madam Speaker, I do not support, do not understand and have a real problem with the aspect of homosexuality.

Now the Minister of Health indicated that these people are sick. The Minister of the Environment indicated that - how did he put that? - these people were raised in proper homes and it is an illness. He alluded to the same thing. Madam Speaker, should we then allow kleptomaniacs who are compelled to steal? Should we pass legislation so they should not necessarily be fined? I use that as an example because it's an illness. Should we now pass laws against alcoholics?

You know, what we're doing, what I find so dangerous, Madam Speaker, is the fact that we're taking one group in society, a small group who has put up a tremendous lobby to the Attorney-General, and coming forward with legislation for this. I think that is the dangerous thing because, once we do this, we set a bad precedent and that's what bothers me. Coming back to what my minister indicated, governments should stay out of the morality issue. We should stay out of the morality issue, Madam Speaker, because it's not within our rights to do that because, once we start that, then we will legislate everybody into a slot. And I think that is wrong.

Madam Speaker, another thing, I think governments have responsibility. We, as elected members, have responsibility to the people who have elected us in Manitoba, all of us. We should not pass legislation, especially in this area, that offends most people. Madam Speaker, I dare say that, if a poll was conducted and it has been through various organizations, through our party, when 80 percent to 90 percent of the people are opposed to giving certain rights, the Attorney-General and the members opposite have used it and said, we're not giving anybody special rights, we're protecting something.

Well I take offence at that, Madam Speaker, when we give a group like the homosexuals certain rights, you take away my rights and you take away the rights of 80 percent to 90 percent of the people because we now say - employment factor.

Well, let's just consider that a little bit. For example, Madam Speaker, my children have all graduated. My last one graduated last week. So I have no children left in school, but I have grandchildren. Madam Speaker, and just let's talk about this a little bit because, for example, if my grandson - and I have a grandson and I hope to have more - went to a school and there was a teacher who was a homosexual, realistically speaking, aside from anything else, can you imagine even if that teacher, as the Member for River Heights indicated, would never molest a child, but the subtle influence on the children is there and that's what bothers them. Just gradually, because eventually everybody would

know because he's now protected under this legislation, that he's a homosexual, you cannot fire him for that. The subtle persuasion; children are so influential. All of sudden, this starts to be a role model in life, that homosexuality is an accepted standard. It is not an acceptable standard, Madam Speaker, not morally nor biblically is it an acceptable thing.

I certainly don't want to be prejudiced against the people who practice homosexuality; I don't want to, but I don't believe in it. I don't want my children, my grandchildren or great grandchildren to be exposed to that, because it is not a right thing. It is not right, Madam Speaker, regardless, we can use all the fancy words and the Attorney-General is a man of great words, great influence and he's quite intelligent. Madam Speaker, he is an intelligent individual. He did a great job on this government in the French Language Debate when he is the one who initiated that controversial bill that we debated with almost a whole year. He sold it to his caucus and then stepped back. Then the Minister of Municipal Affairs, the Member for Springfield, Andy Anstett, took it over and got the beating on it. But, Madam Speaker, this is the same Attorney-General who is now initiating a very controversial thing.

I'm very surprised, Madam Speaker, that the government members to an individual, man or woman, are supporting this because we're talking of moral issues now and certainly the whole Conservative side, the 26 members here, can't be that much different because we have different views on it. How can all of government members have a view that supports something of this nature which I find very difficult that everyone of them would be supportive of it. But the Attorney-General is shrewd, and I indicated that before. He did the selling job to his caucus, sold them the bill of goods saying no, we are not condoning homosexuality, we're just taking and protecting them from abuse. We're protecting their jobs and discrimination. Not so, Madam Speaker.

Those people have the same rights as I have. They have the same rights today as I have. Madam Speaker, what they want to do in their bedrooms is their business and what I do in my bedroom is my business. But for us to deal with an issue of this nature in this Legislature is what I have the difficulty with. I have great difficulty with that because, Madam Speaker, I predict that this is the tip of the iceberg that we have barely gone, you know, started on this. This is just the start of it.

With this group, with the homosexuals, as well as many other groups, and this is not a minority group, because when we talk about minority groups and the Member for River Heights indicated that, we're talking of blacks, we're talking of Native people, we're talking of people who have come into this country. We're not talking of minority groups at this stage of the game. We're talking of a lifestyle for one particular group and they've done a tremendous lobby on this thing.

Madam Speaker, I have some difficulty with this because, for example, the Minister of the Environment made reference to the MARL group, the Manitoba Association for Rights and Liberties. We've had them make presentations in this Legislature right from the time that I've been here, defending the rights of the various people from time to time. But do you know who was a secretary of that group? Chris Vogel was a secretary of the Manitoba Association for Rights and

Liberties. Members opposite, many of them have been members of that group and I can see where this legislation is coming from. That is what bothers me. Madam Speaker, now we're dealing with moral issues in this House. We should not be doing that. Which is the next group that we'll be dealing with? Which is the next group? And it's coming, Madam Speaker, because now we've got the foot in the door. It's coming.

Madam Speaker, the difficulty I have is that the government has put the whip on this bill, this section. I'm not talking of Bill 47 per se. I'm talking of the sexual orientation aspect of it. Sincerely, Madam Speaker, I would like an amendment that would remove that section out of there. I cannot live with this. If I had my way, Madam Speaker, I would stand here and debate nine hours, ten hours, as long as it took, together with the people who feel the same way so that this bill would not be passed. I think it is a bad, bad legislation. In some of my earlier speeches, Madam Speaker, I indicated that from time to time - you know each Session, we have about four, six, eight bills which are not good legislation, but an individual Minister who has a good selling point sells it to his caucus and then we deal with it, and that's what we're doing with this case.

Madam Speaker, I know that government members are not comfortable with this bill. I can see in the debate that's taking place the agitation and the nervousness when they do debate this, that they are really not convinced that this is a good bill to come forward with - this portion of it. They hang their hat on the whole bill, on the whole Human Rights Code, but they don't feel comfortable with the sexual orientation aspect in here. They have been sold a bill of goods by the Attorney-General, and he is a good salesman and he is a strong individual in your caucus. That is what bothers me, that members opposite, certainly, to everyone of you - you cannot be totally supportive of this bill, not when it comes to moral issues.

We have differences when it comes to moral issues, when it comes to religious issues, when it comes to these kinds of things. We have differences and you have differences, but to have everyone on the government side support this bill and everyone on the Opposition oppose it on a moral issue is dangerous. That means that either we have no understanding of the issue or you don't have a full understanding of the issue - that, or the whip's on. If that is the case, on a moral issue, then you're not fulfilling your responsibility as elected representatives in this House because your people that elected you expect you to do the best within your means. If you follow that through, then you have to take differences with your party from time to time. That has happened in the 10 years that I've been in my caucus. There have been issues of that nature, but we haven't dealt with moral issues of this nature to the extent that we're dealing with it now.

That is why I find some disappointment in members opposite that you've taken such a strong position, that you allow this to be a government bill. Why wouldn't sexual orientation be brought forward then as a private member's bill? Why not bring that forward as a private member's bill so that members could vote as to their personal conviction about how they feel about it? You know, bring in the Human Rights Code but take this aspect of it, which we knew, and you know has been controversial for a long time when the lobby group had started.

Why wouldn't you bring it in separately and let us deal with it on that basis? But you haven't done that. You've tied it in with other issues and now you have it as a government bill. The whip is on and you're supporting many members opposite, obviously - and I don't care what comments you make - they cannot really, in their own conscience, support this kind of legislation.

That is the thing, Madam Speaker, where sometimes I suppose, as politicians we get criticized that we do not follow our convictions. But, I have a relatively good relationship with most members opposite and their views are not that much different. Maybe politically they are, on some issues, but morally their views are not much different than mine.

I think everybody basically believes in the humanistic approach. Politically, we have differences - yes. But when it comes to moral issues, I think we have a good understanding along the same lines. Maybe not totally, but how can we be so divided on a bill of this nature, where the government all say, homosexuality should be protected and that the government (sic) says, no, we oppose that kind of thing. It is too cut and dried, Madam Speaker, on an issue of this nature. On a budget matter, on the bills - in our Order Paper we have over 70 bills.

A MEMBER: 72 bills.

MR. A. DRIEDGER: We have over 70 bills. Most of these bills are not being even contested to some degree. We express some concerns; they go on to committee. It comes down to a few bills basically, where we have real differences of opinion, politically and otherwise.

And then we come to Bill 47, The Human Rights Code, and one portion of that is what creates all the problem. Madam Speaker, the one thing that we have failed to address in this House in the debates to some degree is the issue of AIDS and the source of where AIDS has developed from. In our society we are a little gun shy of talking about this kind of thing, but it has been established that AIDS started with homosexuality and that is expanding now. Now we say, no, it's not just restricted to homosexuals. It's restricted to heterosexuals, etc. But where did it start?

Madam Speaker, that is where initially I had some difficulty. You know, my first gut reaction was going to be, as I indicated before, and I'm not trying to profess to be a perfect Christian, but comments that have come out of my community, they've said, because of AIDS, that this is God's way of punishing a permissive society that's going too far.

I could get into the issue of - you know, I have lots of religious material here. We could go back to the days of Sodom and Gomorrah, and how the good Lord treated that corrupt society. But, Madam Speaker, we can make light of it, but it is a serious issue. Maybe this is one way that the Good Lord is punishing this society for its permissive attitude.

A MEMBER: I think you're right; I think you're right.

MR. A. DRIEDGER: Madam Speaker, we make light of it and it's easy to do that but I think we have to do some real soul-searching and I would ask government

members who are pushing this bill to look to yourselves and say, is this what we would want for your children, for your grandchildren? Is this a society that we are going to be promoting, indicating that we will condone, make it a way of life? The fact that we're debating this bill in this House now already has given them credibility. What's even worse is that we'll pass this; the government will obviously pass this bill. Those people who I thought would morally not be able to support it, or religiously, have already indicated that it's a government bill and they will support that, and try to justify that in their minds, and that is the difficulty I have with something of this nature, Madam Speaker, because I'm prepared to take and get into a real match with government members on almost any legislation. But something of this nature, as I've indicated - and I want to repeat that - this is a moral issue and we're starting now by studying the precedent, the tip of the iceberg, just a little tip. We've put our foot in the door and it's going to mushroom from there. We will just keep on; the pressure groups will build from here on in.

Madam Speaker, I feel strongly about this matter. As I indicated I maybe haven't been that consistent in my total approach to the whole thing because I've made so many speeches in my mind already prior to this, but I thought I would maybe just speak as I felt today, and I've done that, Madam Speaker, I've indicated my concerns. I wanted to put them on the record and I want to indicate once again that I don't think government should meddle in these kinds of issues. You cannot legislate morality and we're trying to do that; and once we get into that we're going to have great difficulty. We're going to have great difficulty in this House and we're going to have great difficulty in society.

Madam Speaker, I'm hoping that the Attorney-General, and I gave him credit of being a relatively intelligent individual, although I don't agree with most of the things that he does, I would hope that he would reconsider this position and I hope that members opposite can reconsider their position, that they will maybe talk to your Attorney-General, ask him to remove this portion because this is the most misunderstood area that we have in life possibly; and maybe there should be an educational program, there should be research done on it, but why take and isolate this now in legislation?

Why don't we put this aside and allow some reaction from the public on this thing? Surely, Madam Speaker, a government that believes in polling pretty extensively, if you've done any polling on this as you did with the gas issue, then you should know what the reaction of the public is, that the majority, far the biggest majority is totally opposed to putting this kind of thing into legislation. And certainly if we're going to start passing legislation for people who have the same rights as I have now, passing that kind of legislation, we're courting trouble.

Madam Speaker, I appeal to government members. Get the whip off, if nothing else, because there's no way that all members can be supportive in their own mind if they're really conscientious about what their responsibility is in this House, that they can totally support this.

Thank you, Madam Speaker.

MADAM SPEAKER: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Thank you, Madam Speaker.

The most disappointing thing about this legislation is that this government would place this legislation in a human rights bill with all of the other sections in it, many of them that could be supported, but unfortunately that this section in it, this section that we're discussing and has been spoken on by previous speakers and colleagues will do more harm to the people of Manitoba and the society and the morality and everything that we hold dear in Manitoba than the other parts of the bill will do good.

Therefore, it is disgusting that the government and the Attorney-General would place this in this bill. It's not only that, it's cowardly, because you're afraid, you're absolutely afraid to bring it in on its own. The bill, because it has all of these sections in that the honourable members stand up and say, this section says this can't be done, this section says this can't be done, this section makes sure that it won't affect other people or other parts of society.

That is proof that you sat around in your caucus and didn't let this bill come to this Legislature until you are all satisfied with it because you all found things wrong with it. You all made sure that these sections were in it because you felt guilty about what was coming forward. That's right. You start with a premise that it's wrong and, if you start with the premise that it's wrong, it's wrong, but you all sat around and tried to put things in to make it right.

Madam Speaker, that is cowardness. That is saying I haven't got the courage of my convictions and I have said what I think about this government's courage of their convictions.

The Member for River Heights talked about school teachers. Let me talk about them. She says she never had any bad experiences. I was a prefect at St. John's College School for Boys. I went there for a good part of my life. The last two years of my life I was a head boy in charge of a flat and also in charge of the little boys' dormitory. My other prefect on the flat one night, the two of us who were in charge of these young people caught a teacher in playing with and molesting those young people, young boys.

She says it doesn't happen. It happens. It's happened, it's happening and will continue to happen, no matter what you write into this legislation. The fact that you have put forward this legislation saying they have special rights - they can now say that I am; you can't do anything to them. You are taking chances which has been proven by statistics that it's almost like taking a gun and blasting apart things that you don't want to have happen because they will happen and you will now - I believe it was the Minister of Health says, "flaunting it." That can happen; nothing can be done. Nothing can be done to stop the situations that I saw in a boys' school. As a matter of fact, three times we had to get rid of teachers.- (Interjection)-

Oh, I heard somebody say, the act doesn't allow it. You know the Attorney-General got quite excited when our leader mentioned that the Minister of Health said that he wasn't worried about it because his grandchildren or children would go to a private school.

He jumped up and said he didn't say that. But let's read it. It says, then in the next page, also I'd like to read, for example, to deal directly with the kind of point that I'm raising, can a Catholic school insist on a Catholic teacher? Yes, of course, they can. Moreover, Catholic schools can insist on Catholic teachers to live by the church ordinance and conventions. Quite right. Then he goes on to talk about teachers. Then he says there's no way that someone who flaunts it, someone who wants to live that way will be able to teach my kids or my grandchildren, he's got another think coming. I went to a private school, a boys' private school. He's got another think coming and he better wake up and realize it.

Let me tell you that those teachers are the ones that my other prefect and I discovered one night, was out of there within five hours, packed and gone, and he left Winnipeg. If he hadn't, there'd have been trouble, because the other prefects, including myself, if he'd have stayed or if he had have been around the next day, I don't think the headmaster could have stopped us, because we didn't like him in there molesting six- and seven- and eight-year-old boys in a dormitory in a private school.

Now let me tell you what you've done to the homosexual and gay society. You've put them in more danger than you've ever put them in before. Chris Vogel and North have done more to harm people with this lifestyle than anybody else could ever do. You talk about the fact that there's people getting out of cars and ganging up on homosexuals. Why? Do you really think that they're standing out there along the east side of the building at night - and you've all seen them standing, waiting to be picked up, selling themselves, flaunting it - do you think that doesn't encourage a group of people to come out and start this type of activity, of fighting? What have you done?

For years, two fellows have lived together, my buddy and I have an apartment, not married, both have different jobs, aren't homosexual. What have you done? Anybody that lives together now is going to be accused. Two ladies dancing at a social, you know, what are you talking about? I hear the Minister of Education who feels guilty about this, saying only in my mind. Let me tell you, right now, the Minister of Health just said these people are sick. What are you going to say to me if I pointed to you now and say, "You're sick?" What's your answer after your Minister of Health said homosexuals are sick? Are any of you sick? What are you starting?

Are you starting a situation where somebody at a stag makes a joke, or somebody at a shower makes a joke, anybody out on a social activity says something to somebody else, we all of a sudden start accusing them. What are you doing to the people of Manitoba? You don't have any conscience about those things. You know that it's wrong. You started out with the wrong premise, as I told you; you started out on a wrong premise regarding this subject and you tried to make it right by putting in all of these little parts of the legislation.

Now let me tell you, you talk about minorities. Madam Speaker, are they all dumb over there? Do you think the people of Manitoba will take that kind of a sham when you talk about minorities, when you insist that homosexuals, lesbians are minorities? The Member for River Heights talked about the blacks. They are a

minority. It was terrible that they lived on the dump. It was terrible, the segregation, and nobody has ever argued that. Chinese may be a minority in this country; Filipinos may be a minority in this country, and now you're telling me that there's no homosexuals in those communities? You're saying that there's a minority within a minority. How do you recognize a person that's a minority and the Indians that are a minority? How do you say? Are you asking them to now identify themselves? I'm an Indian, but I'm also a minority but I'm also a homosexual minority. It's stupid and you're shaking your head because quite frankly you don't understand it. They are not a minority. It's a lifestyle. That lifestyle can be in any religion; it can be in any race. It can be just about any group of people who are put together, a mixed group of people. It is a lifestyle; it's not a minority and you people are just creating a sham by saying it is.

In St. James-Assiniboia, where we are, where I happen to be a Member for Sturgeon Creek, I know many people in that area. I happen to know every United Church in that area. I'm a member of it, of the Deer Lodge United. I happened to have the heads of the United Church meet with us in our caucus room and I told them bluntly, you do not represent the congregation in the district I live in anyway, in St. James-Assiniboia, because I have, from the Member for Kirkfield, the Member for Assiniboia, and I, myself, and I'm going to send one out in the Member for St. James' area, a questionnaire that has that question on it, and 94.6 percent of the answers that are back so far say that there should be no special legislation for homosexuals. A leading questionnaire.- (Interjection)- Okay, what do you want? Send me over the way you would like me to ask the question and the Minister of Labour, St. James constituency, and I'll ask it in his constituency and I'll tell you the answer that will be gotten. That Minister has fought his constituency on the amalgamation of the City of Winnipeg, the French issue, and now this one. But I don't have any more comments to make about that, but I'm quite aware.

(Mr. Deputy Speaker in the Chair.)

Then this group over here laugh and chuckle about a questionnaire that goes out. You asked the question the wrong way. You see, they're doing the same thing; they're trying to justify what was wrong that they're doing. They're trying to say that this is a minority group when it's a lifestyle. There's an article in The Sun today that says that the people on one of the streets down here are going to take the hookers to court to get them off the street. It's not illegal. Are you going to pass legislation to say that they can be on the street? Are you going to say that those people in the stores have no rights? I wonder if we should go back to changing the legislation for the Seventh Day Adventists that says you can have more than one wife. It's a lifestyle.- (Interjection)- The Mormons? I'm sorry, it was the Mormons. More than one wife? I apologize to the Seventh Day Adventists. But should we change it? The members over there, the three in that top row are the most joking, silly people I've ever met in my life, who have absolutely no care for the people of Manitoba.

A MEMBER: It's a picket-line mentality back there.

MR. F. JOHNSTON: That's right. They have no thoughts about what is right for the people of Manitoba. Now, I understand it better than you. I've been here longer, I'll tell you that.

But anyway, Mr. Deputy Speaker, we're talking about something that is morality. I don't agree with the morality of what we're talking about. I think it's immoral. I don't believe that I, at any time - as I said to the United Church people, I'm very disappointed that the church that married my wife and I now believes that a homosexual relationship between two men is equal to mine. That's what they've said and that's what you're saying. Then go home and tell your families that. Listen to him. He gets upset when he hears the truth. Go home and tell your children who are going to school that you have voted to say that a homosexual relationship is the same as yours and your wife's, because there you are putting it on the same plane. If you don't like that statement, I don't care, because that's the truth.

The Attorney-General can't even tell us whether there could be adoptions, whether the other partner has the right to pensions, etc., has the right to dower rights and what have you. He can't even tell us that, and yet he's putting this legislation on the books.

Let me tell you a little story about the Minister of Health. When Mr. Vogel and Mr. North were married by the Unitarian Church several years back, it was in the Schreyer years. It was in the paper, they finally got married. I think Mr. Peterson's church married them. They came to have their marriage registered, and do you know who finally stopped it? The Minister of Health. Now he says it's okay. Here we have a situation where the Minister of Health, in his whole speech, tells us how wrong the morality of homosexual activities are. He talks about it all the way through about how wrong it is, and he is going to stand up and vote for it.

The Minister of Labour runs over and congratulates the Member for River Heights. Quite frankly, she made a speech that she believes in and very sincere. I don't agree with her. But let me tell you, I happen to know from past experience and the length of time I've known the Member for St. James that he's having trouble with it as well.

Mr. Deputy Speaker, we all have 40 minutes to speak on this bill. I don't think it takes 40 minutes to tell this Legislature and this government how wrong they're being in this legislation, how they're using the statement as minority as a complete sham. I have read from this in this House before. It's the 1919 thing that was found in Dusseldorf, Germany. It's how the communists rule for revolution. I read from it because Peter Warren read from it on his station and I got it from him.

It does say, break down the moralities of the country. Get people to not have beliefs in the things that they've had beliefs in all their life, and gradually you'll finally start to depress them and government can rule them.

I have always said to the Attorney-General that the statements about communists that come across the House towards him is one that I told him one night. It was on the top floor of the Winnipeg Inn at a social gathering, and I didn't know that I could agree with those things and I didn't know that I'd ever say them. But I'm now having trouble wondering why, every time there is legislation that is harmful to this society and the people of Manitoba, that causes confusion, that

causes people to go against people, how it happens to come from the Attorney-General. Maybe you people over there should take a look at it.

Do you really believe that, when there's the gay society or the homosexual society says, I'm homosexual. You can't stop me from having this job. I'm not going to be told what to do and what not to do. Do you really believe that isn't going to take sides with people in this province? Do you really believe that they will not be opposing one another more than they are at the present time because, if you do, you're naive little boys because there will be trouble. There will be trouble. So why do we have this type of confusion that this government wants to place with the people of Manitoba?

(Madam Speaker in the Chair.)

So you go ahead, you go against the people. You're famous for it. It will come to an end though, because the people of Manitoba know that you can't be trusted. I don't agree with them either. If the Minister of Education wants to know what I think about the Federal Government's decision, I think it's a lousy decision also.

But you know, Madam Speaker, how consistent we are? Since when did the Federal Government say that homosexuals were a minority? They said they're equal.

HON. L. DESJARDINS: You're wrong.

MR. F. JOHNSTON: You're wrong. You said they are equal. You see, the Minister of Health with his big mouth always gets himself in trouble because he doesn't know the facts.

A MEMBER: Think first.

MR. F. JOHNSTON: Yes, and then talk.

So, Madam Speaker, I don't have to go the 40 minutes on this bill. I just want the members opposite to go home and tell their wives and their children that they have voted to make a homosexual or a lesbian relationship equal to that of their married relationship. Tell that to your wives and tell it to your children, and then see if you can sleep nights or look them in the face.

MADAM SPEAKER: The Honourable Member for River East.

MRS. B. MITCHELSON: Thank you, Madam Speaker.

I move, seconded by the Member for Arthur, that debate be adjourned.

MOTION presented and carried.

PRIVATE MEMBERS' BUSINESS

DEBATE ON SECOND READING

BILL NO. 55 - AN ACT TO INCORPORATE SOUTHWOOD GOLF AND COUNTRY CLUB

MADAM SPEAKER: The time being 5:00 p.m., Private Members' Business.

Debate on Second Reading, Bill No. 55, standing in the name of the Honourable Member for Emerson.

MR. A. DRIEDGER: Thank you, Madam Speaker.

I just want to indicate that I think there's an understanding that we will be dealing with the Private Member's bills today, and that we will try and maybe call the Private Member's committee for Thursday at ten o'clock. Hopefully, maybe we can deal with all three bills today.

I just want to indicate that we have no objection to Bill 55. We're prepared to pass it on to committee and, hopefully, presentation will be made by anybody who has concerns for or against it at that time, along with some of the other bills.

With those comments, Madam Speaker, we're prepared to let this bill go to committee.

QUESTION put, MOTION carried.

BILL NO. 17 - THE MUNICIPAL ASSESSMENT ACT (2)

MADAM SPEAKER: Debate on Second Reading, Public Bill No. 17. The Honourable Member for Kildonan has seven minutes remaining.

The Honourable Member for Kildonan.

MR. M. DOLIN: Thank you, Madam Speaker.

I just want to make a few comments for a couple of minutes. I don't even think I will take all of my seven minutes -(interjection)- The honourable member says I don't have to. Well I think it's incumbent upon me to do that, because I think the Member for Emerson would like to see this bill come to a vote today and I would like to see that happen too. I would also like to state my position and basically reiterate some of the points I made before.

I am concerned that the bill is not inclusive enough. It does not include exemptions for organizations such as the Salvation Army, the YWCA's, the community health Centres, the YMHA, etc. I think what is needed here is a review of The Municipal Act to look at exemptions for service organizations and educational organizations serving the community.

I have no qualms about the particulars that the Member for Emerson is suggesting in this bill, but I do have concerns that the bill does not include organizations of equal worth. I feel for that reason, and not the reason I'm against those organizations, I feel that it should be more inclusive. We should be reviewing the entire act. Madam Speaker, unfortunately, I feel I cannot support the bill because of those reasons. I think it should encompass a much wider swath than it does.

Madam Speaker, thank you.

MADAM SPEAKER: The Honourable Member for Emerson.

MR. A. DRIEDGER: Thank you, Madam Speaker. I just want to close debate.

In closing the debate, I want to first of all thank members on both sides of the House for their participation. Different views were expressed. We pleaded our case and, Madam Speaker, to have a Private Member's bill of this nature pass sometimes is a very sensitive issue. It doesn't take that much to

offset some of these things. Maybe some comments by certain members gets it back into political diversification. That is one of the difficulties in getting some of these bills passed.

Madam Speaker, I think all members speaking to the bill have expressed their real feeling on this matter. In almost all of the comments, fairness was one of the things that was stressed. That was stressed even by those members who indicated that they might not be prepared to support the bill because there's a lot of unfairness generally. Suggestions were made that we even include day care, that should be part of the package.

Madam Speaker, you have to start somewhere. I'm appealing to members, those who feel that they would like to hopefully support the bill, that we gauge it on the basis of starting from somewhere and moving onward from here on in. I want to also compliment the colleges involved in terms of the lobby that they've done. They did that very sincerely. Very often some of these organizations maybe do not fully understand the process of legislation in this House, but they've done what they could in terms of trying to impress on all members of this House the injustice of what they feel is being imposed on them and that they've lived with.

Madam Speaker, I do not regard any members that vote in opposition to the bill, that if they feel that way, certainly that is acceptable.

I plead for support in terms of getting this bill passed into committee. It is my understanding that possibly the colleges will be presenting their case. They can't come into the Legislature and plead their case. They have to use members like myself or members from the government side to bring their case forward. At committee stage, they can come forward and present their case.

As it looks right now, possibly, Madam Speaker, if the bill passes, hopefully, we will be dealing with it in committee on Thursday morning when the colleges themselves can come forward and present their case. Then after that, we go through the normal process.

So, Madam Speaker, once again, I want to thank all members that have spoken for and against it. I think that is the process that should take place in this House. I want to commend the colleges for their determined effort in terms of bringing this to the Legislature and once again, hopefully, the bill will pass and get the support of the majority of the members of the House. Thank you.

QUESTION put, MOTION carried.

**BILL NO. 54 - AN ACT TO VALIDATE
BY-LAW NO. 3678 OF THE RURAL
MUNICIPALITY OF ST. ANDREWS**

MADAM SPEAKER: Debate on Second Reading, Public Bill No. 54, standing in the name of the Honourable Member for Charleswood.

MR. J. ERNST: Madam Speaker, I had stood the bill earlier for the Member for Arthur.

MADAM SPEAKER: The Honourable Member for Arthur.

MR. J. DOWNEY: Thank you, Madam Speaker.

Just a couple of comments to put on the record so it can be passed into committee as well. I think, in my review of the act and the desire of which the R.M. of St. Andrews and the Larter family are trying to accomplish here, Madam Speaker, I say is very commendable.

As I understand it, the act is to put into perpetuity the care and maintenance of a historical piece of property which was the property of the Larter family, a reeve of the Municipality of St. Andrews from 1916 to 1936, as it's explained in the attachment. I think the Legislative Assembly should feel good in passing this piece of legislation to put into perpetuity the care and maintenance of a historical piece of property for this family.

It is to make sure that the property is maintained along the proper manner and used for the purposes which are listed in the agreement and I have no difficulty, as critic for Municipal Affairs, on behalf of the Conservative Party, supporting this private member's bill for the Municipality of St. Andrews and the Larter family.

MADAM SPEAKER: The Honourable Member for Lac du Bonnet.

MR. C. BAKER: Thank you, Madam Speaker.

I'm sure that what remains for me would be to, on behalf of the Larter family and the residents of the St. Andrews Municipality, who are represented by Reeve Duchek and the council. I'm sure that they would want me to thank the indulgence of the members of the House and thank them for their cooperation; and I'm sure that the people of Central Manitoba, east of the Red River, will all enjoy the property, whatever it becomes, whether it becomes a park or a golf course.

With that, Madam Speaker, I would just like to thank the House and adjourn debate.

QUESTION put, MOTION carried.

MADAM SPEAKER: The Honourable Opposition House Leader.

MR. G. MERCIER: Thank you, Madam Speaker.

I wonder if I might suggest to the Acting Government House Leader that we revert back to debate on Bill 47 until six o'clock.

MADAM SPEAKER: Is that the will of the House? (Agreed)

**ADJOURNED DEBATE
ON SECOND READING (Cont'd)**

BILL NO. 47 - THE HUMAN RIGHTS CODE

MADAM SPEAKER: The bill is standing in the name of the Honourable Member for River East.

MRS. B. MITCHELSON: Thank you, Madam Speaker.

I rise today, Madam Speaker, to add my comments and my concerns to Bill 47, The Human Rights Code, a piece of legislation which is supposed to recognize the individual worth and dignity of every Manitoban.

No one can argue the principle that all human beings should be treated fairly and equally not only under the law but as a result of love, respect, compassion and caring by all members of society for their fellowman regardless of race, colour or creed. However, Madam Speaker, we cannot legislate this love, human kindness, compassion, caring and sharing.

I speak with conviction, Madam Speaker, and according to my conscience when I speak against the section of this legislation that includes sexual orientation. As stated by my colleague, the Member for St. Norbert, section 2 of the Canadian Charter of Rights and Freedoms says everyone has the following freedoms: freedom of conscience and religion; freedom of thought, belief, opinion and expression; freedom of association. As John Diefenbaker once said, and I quote, "I am a Canadian, a free Canadian, free to speak without fear; free to stand for what I think right; free to oppose what I believe wrong." Everyone, Madam Speaker, can interpret this statement and apply it to their point of view and to their moral standards.

I'm glad, Madam Speaker, that we on this side of the House can speak freely on this legislation, to support those parts that we feel right, and speak in opposition to those parts that we believe wrong, according to what our conscience dictates and what we feel in our own hearts.

In Ontario, Madam Speaker, when similar legislation was debated, all members of that House were allowed to speak freely without fear, to stand for what they felt was right, to oppose what they believed wrong.

This is a moral issue, Madam Speaker, and moral issues do cross party lines. When one must speak and vote according to conscience, no political party can or should dictate what you feel in your own heart, and each and everyone of us must be respected for our point of view.

Capital punishment is another moral issue, Madam Speaker, and I commend the Prime Minister for allowing a free vote so all MP's could speak and vote according to their conscience and what they felt in their heart was right.

Some members opposite say the NDP caucus has not been ordered to back this bill. Well, Madam Speaker, the Attorney-General should stand and make it absolutely clear to all Manitobans that members of the NDP will be allowed to vote according to their conscience, their moral beliefs and what they feel in their hearts is right.

Some members opposite, Madam Speaker, say they morally don't agree with or condone homosexual or bisexual behaviour and it goes against their religious beliefs, what they have been taught, but still can support legislation that is the first step to making a homosexual or a bisexual behaviour or lifestyle equal to a heterosexual lifestyle.

Whether homosexuality or bisexuality are chosen behaviour or not, most Manitobans are clearly opposed to this type of behaviour. I'm sure most members opposite do not consider homosexuality or bisexuality a normal lifestyle. But there appears to be some fear on their part to stand up and to be counted as opposed to legislation giving special protection in certain instances only. I say special protection, Madam Speaker, because only in certain instances will protection occur.

If a particular behaviour in some person is morally unacceptable, should not parents or employers or

owners have a right to freedom to choose, for the benefit of their own piece of mind or for the safety of their children, what is best for that particular situation. How can governments legislate what is morally right for me or for any member or any group in society?

If I have a good heart, Madam Speaker, and I can be kind and caring and compassionate and love all fellow human beings equally, but I can dislike a certain behaviour or a lifestyle in a fellow human being that goes against my moral values and my religious teachings, no one can legislate me to condone a certain behaviour in anyone. No one should be required to accept morally unacceptable behaviour.

Madam Speaker, one of the gay rights leaders in our community says this legislation will not make a homosexual lifestyle equivalent to a heterosexual lifestyle. Its only purpose is to prevent discrimination. You cannot prevent discrimination with legislation, and I've said this before. No matter how much all of us, I'm sure, in this House would like to see a law passed that would immediately see every person in society respect and love every other person and not discriminate, Madam Speaker, this will never happen. We cannot legislate murderers to stop killing, whether they kill a relative, a friend, a policeman, a complete stranger, a homosexual.

Let me quote from an excerpt from Hansard, from the Legislative Assembly of Ontario from December 1, 1986, when Susan Fish, the MPP for St. George, was speaking in favour of similar legislation and quoting from a letter of one of her constituents. I quote from the letter: "We are shockingly aware of the serious abuse and violence directed against the homosexual community. Ontario alone documents two deaths attributable to homophobic violence within the last year. Those who have spoken out against Bill No. 7 in Ontario seem totally unaware that the victims of this abuse are our sons, daughters and friends. They deserve the same equality under the law as everyone else," and that's the end of the quote.

The question I have to ask is: Would Bill 7 in Ontario, or Bill 47 in Manitoba have prevented these two senseless deaths? There is no bill that can prevent senseless murders of any kind, just as there is no bill or no legislation that can prevent any other violent crime such as rape, child abuse, or any other abuse of any segment of our population or of our society. We do have laws within our judicial system to deal with offenders, Madam Speaker, but we cannot prevent them from committing the crime.

This portion of the legislation, Madam Speaker, has very little value but to attempt to satisfy the demands from a very vocal gay community. In the same breath, this leader in the gay community goes on to say - and I just have to find the quote - that "some people have expressed concern that Bill 47 might involve the extension of family benefits under employee benefit plans to the partners of homosexual employees. Do you think that it is equitable that we should be forced to make equal contributions to an employee benefit plan which denies us equal benefits? We must pay as much as our co-workers for a plan which systematically discriminates against us in the benefits which it provides. Do you think that is fair?" Well, Madam Speaker, in my mind, this is just the first step by the gay community to obtain equal rights and equality with

the heterosexual lifestyle. Members opposite, unfortunately, have fallen into the trap of going along with this lobby.

Madam Speaker, the Member for Kildonan when he spoke on this bill said, and I'll quote: "The Code clearly provides for a limited amount of differential treatment where the views or lifestyles of a certain person or a potential employee run contrary to the honestly held religious beliefs of another person or employer. The new Code will no more force the Catholic Church to accept homosexuals as church leaders than the present Human Rights Act would force a Jewish congregation to accept a Catholic as their rabbi." But, Madam Speaker, it will force other segments of society to accept homosexuals, even "... where the views or lifestyles of a certain person or potential employee run contrary to the honestly held religious or moral beliefs of another person or employer."

Madam Speaker, also the Member for Kildonan, when he was speaking, said: "Homosexuals of either sex do not look any different than you or I. They do not act any different. They are people who have a different sexual orientation. They dress as we do, they work at the same jobs as we do, they ride the buses the same way we do, and they rent accommodations the same way we do. They have a right to do that, Madam Speaker. They have an absolute right." And I agree with him there. But, Madam Speaker, he goes on to say - I've lost it. He also says, before that, they have a right to do that as long as they do not interfere with me, and I have no right to interfere with them. Well I do believe that personal lifestyles are a private matter.

I agree, and they have rights to live their private lives according to the way they feel, Madam Speaker, until they start interfering with my lifestyle or my moral feelings. If I feel in my heart that it is morally wrong to be a homosexual or to lead a homosexual lifestyle, I do not feel that I should have to have a homosexual teaching my children or renting accommodation to a homosexual. Now those people, as the Member for Kildonan says, look the same as we do, ride the bus the same as we do and unless they are flaunting their homosexuality and their immorality in my mind, Madam Speaker, they will live the same type of lifestyle and they will ride the same bus and they will have the same jobs as we do. But if they are flaunting their immorality, Madam Speaker, that is when I take offence to their lifestyle, because it is interfering with my lifestyle and I believe that I have rights in my lifestyle also.

Madam Speaker, the Minister of Health states that he is voting with his conscience. I know he made a sincere speech and I listened very carefully. He did make some good points and I wouldn't want to argue with some of them, but I must question most sincerely some of his rationale for support of this bill. I agree with him that everyone was created equal and there should be no discrimination against individuals, against people.

He talks about the time he spent in the Navy during the Second World War, when some of his shipmates went ashore to have a fun evening, finding queers to rob and to beat. I know the Minister of Health back then did not condone or participate in that type of activity, and he doesn't now either. I don't either, Madam Speaker, and I don't believe anyone in this House or, in fact, the majority of Manitobans condone or would

participate in that type of behaviour or that type of activity today. But the fact is, Madam Speaker, that it still goes on.

However this legislation, Madam Speaker, with the inclusion of sexual orientation will not prevent this type of activity. We cannot legislate that small minority of misfits in society who get pleasure in assaulting other human beings for any reason. Under the law, yes, we can charge them after they've committed the offence, but we cannot prevent the offence from happening.

The Minister says over and over again, the Minister of Health in his support for this bill, that we shouldn't discriminate against individuals. Yet he says, if a homosexual is playing the game, we don't want him and we won't have him. Is this not discrimination? He also states, there is no way that someone who flaunts it, someone who wants to live that way, will be able to teach my kids or my grandchildren.

I believe that the Minister is saying that, because he is Catholic and his children and grandchildren have gone to or will go to Catholic schools, they will be protected against homosexuals. They can discriminate in Catholic churches and in Catholic schools, Madam Speaker, and know that they're secure because, in the Catholic community and Catholic schools, despite this legislation, there will be no homosexual influence. But, Madam Speaker, those Catholics who choose to send their children to public schools or, for financial reasons, must send their children to public schools should feel compassion for homosexuals, should be forced by law to allow homosexuals to teach, to flaunt their sexual preferences in our public schools, and that those parents have no rights to choose who is teaching their children. To me, that's a double standard.

What the Minister is saying is, that as long as the law protects him and his children and grandchildren in the Catholic community, he can support it. Let's not worry about the rest of society. Surely if the Minister of Health has miraculously somehow found some personal comfort in this piece of gay rights legislation, he might be forgiven for supporting it. But how can he support this portion of the bill with a clear conscience when he knows full well that it goes against the moral beliefs of the Catholic community, his moral beliefs, and the moral beliefs of the majority of those that he was elected to represent?

This recently acquired personal view of the Minister of Health borders on hypocrisy. Perhaps the Minister of Industry, Trade and Technology will stand up and speak in favour of this legislation also, and state that because of his religious beliefs and because of the Mennonite faith, because his children and grandchildren can be protected in private religious schools, that he can support it too.

The Minister of Health in his speech on this piece of legislation, also states that homosexuality is not a natural act. It is a sickness and we should help them. Are we really helping them with this piece of legislation?

If it's a sickness, should we not be providing some help through our health care system, setting up programs to provide assistance, counselling therapy, to help these people get through or cope with their illness?

I want to just look for a minute at the legislation. You know, any other characteristic that is to be protected under the Human Rights legislation, like being

a certain colour, being of a different nationality, having a different ethnic background, a different religion. In my mind, those are not illnesses. There isn't one other illness that is specifically covered in this legislation besides sexual orientation.

The Minister of Health is calling it an illness and in the legislation it says that physical or mental disability or related characteristics are covered under this legislation - so why do we need to include sexual orientation or give any special preference to sexual orientation under this legislation? If it's an illness it will be covered under the legislation. Well, the Minister of Education says that pregnancy is a sickness. It might be a sickness in his mind but I believe most Manitobans feel that it's a very precious moment in most women's lives when they are able to bear a child. - (Interjection) - Yes. For the husband too, I agree.

Madam Speaker, the Member for River Heights, when she spoke this afternoon, discussed at great length Blacks and how they've been discriminated against and related homosexuality to colour - a different colour. If you're a different colour, you're discriminated against. If you're a homosexual, you're discriminated against. She sort of grouped them into the same category. I would have to disagree with her statements that Blacks and homosexuals are the same thing. There are homosexuals and bisexuals throughout every aspect - in every ethnic origin, in every religious background, in every colour and in every age group, Madam Speaker. There is no group, I am sure, that is free of some homosexual or bisexual behaviour. I don't call being black as a specific behaviour or lifestyle, Madam Speaker, but being homosexual certainly is a behaviour or a lifestyle. I don't think that you can equate them and lump them both into the same mould, so to speak.

The Member for River Heights also talked about the years when she taught school and how that was the worst possible condemnation for one child to call another a "gay" or a "fag." Madam Speaker, I asked really what relationship it has to this legislation because those children are still going to call other children "gays" or "fags" and is this legislation going to prevent that? I say absolutely not.

Madam Speaker, we can tolerate certain lifestyles, and if I have a good heart and care for other people genuinely, I can tolerate other people for what they are. I have no aversion to homosexuals as such. I have an aversion to the behaviour or the lifestyle that they lead, Madam Speaker. I can tolerate who they are but I cannot tolerate the way they behave, Madam Speaker.

This legislation, in my mind, really doesn't prevent any teasing or any taunting of any segment of our society. We're not ever going to stop by legislation, those acts of violence that are committed by those, as I said before, misfits in society, who are going to commit those crimes.

Madam Speaker, the Member for River Heights also says that she's worked with homosexual teachers, and they do not force their lifestyles on children. Well, I will tell you that those homosexual teachers who don't flaunt their behaviour or their lifestyle will not be discriminated against, Madam Speaker.

I just want to indicate that we had some homosexuals come and lobby us and ask us to support this legislation. The one lesbian that I did speak to was a school teacher in the Winnipeg No. 1 School Division. Madam Speaker,

she went to her principal and she told her principal that she was a homosexual. I said to her, asked her at that point - I said, does that mean that you're going to be discriminated against, or you're going to lose your job? She said, oh no, oh no, I'm not going to lose my job; I'm not going to be discriminated against, but there are those who are discriminated against.

Madam Speaker, I rest my case. She is not going to be discriminated against. Obviously, she has taught in the Winnipeg School Division No. 1 for a considerable length of time, and she has not flaunted her behaviour or her lifestyle in any way, and she is protected obviously under legislation now. She doesn't need legislation to be protected, because she is conducting herself in a manner that is acceptable to the school division.

Madam Speaker, the Member for River Heights also said that it's a family issue. She said that if one of her daughters came home and said that she was a lesbian, she would be first of all shocked, and then she would feel much pain. She would feel pain for that child that had to live a life that wasn't, maybe acceptable.

But, Madam Speaker, you can equate that to many things. If your child is diagnosed as having a mental disorder or is a schizophrenic - I don't believe there's any difference. The pain is still there and that child is not going to be accepted by society as a whole. I believe that we have to accept and understand. I don't know how I would feel, until I was actually confronted with a child that came home to me and said that they were of a different behaviour or lifestyle or wanted to practice a different behaviour or lifestyle than I practise, Madam Speaker. But I do know that it is not any different and there is no reason why we should be specifically singling them out and providing extra protection for someone who is a homosexual that we're not providing for any other type of mental illness or problem.

If indeed, as the Minister of Health says, it is an illness, Madam Speaker, we should be providing the same protection for all illnesses and I believe that it's covered under 9.(2)(l) in the legislation that says it's "physical or mental disability or related characteristics or circumstances," are all covered. So what's the purpose of having a special clause for sexual orientation?

Madam Speaker, I believe in my heart and I believe members on this side of the House, in their hearts, as individuals, do not support this legislation, have made a moral and a conscious decision based on moral thoughts and beliefs and what we have been brought up and what we have taught. I don't believe that this legislation, Madam Speaker, is really going to solve the problem. There will still be discrimination in certain segments of society. Obviously, churches are still going to be able to discriminate, so to speak, and they're not going to have to hire anyone with any moral practices that don't coincide with the go-along-with church belief, Madam Speaker, but those out in society that maybe have just as strong moral convictions and moral beliefs are going to be forced to employ, to hire and to rent and to have their children taught by someone who doesn't live up to the moral expectations that they have.

Madam Speaker, I stand up here freely and speak as opposed to this legislation and I encourage members opposite to really seriously think about what they feel deep down in their hearts is morally right and vote according to their moral judgment.

Thank you.

MADAM SPEAKER: The Honourable Member for Arthur.

MR. J. DOWNEY: Thank you, Madam Speaker.

I rise to speak on Bill 47 and want to, at the outset, say that I am adamantly opposed to the bill and to the inclusion of sexual orientation into this piece of legislation. Madam Speaker, I do so, and in my thoughts in coming to this particular time and when I've been a member of the Legislature, I think we all should stop and reflect, Madam Speaker, on what we hear daily from the Speaker of the House.

I'll make reference to it, and that's the daily prayer that this Assembly stands and hears you repeat: "O Eternal and Almighty God from whom all power and wisdom come; We are assembled here before Thee to frame such laws as may tend to the welfare and prosperity of our Province; Grant, O Merciful God, we pray Thee, that we may desire only that which is in accordance with Thy Will."

I think each one of us should really stop and search our own souls, Madam Speaker, to see that would be in accordance with God's will and that we may seek with wisdom and know with certainty, and I say, and I underline certainly. "Know with certainty that we're doing the right thing and accomplish it perfectly." Madam Speaker, those words stand out very loud and clear, large and clear, in my mind. "For the Glory and Honour of Thy name and for the welfare of all our people."

Madam Speaker, I can't, for the life of me, see what we're doing in Bill 47 living up to what we hear daily in our prayer.

A MEMBER: From your own lips, Madam Speaker.

MR. J. DOWNEY: Madam Speaker, I think it would be time for members of the government to really reflect on what we're doing. I ask the question: Why are we doing it? I ask the members of the government: Why are they doing it? Not one of them has presented a substantial supporting case for the inclusion of sexual orientation in this legislation.

To make such a major move in our society, you would have thought that they would have stood in their places and given example after example of people who were either discriminated against or that they had major problems in society with this particular piece of legislation. But, Madam Speaker, I have not heard one of them stand and truly substantiate what they're doing.

In fact, Madam Speaker, what they are doing when they stand to speak is try to tell us that our perception or our interpretation of the act is all out of whack; how we're interpreting it is not correct. Well, I ask them, Madam Speaker, to tell us what are they doing and why are they doing it? I haven't been told.

As a member of the Legislative Assembly, I believe it is my right, and it is the right of my colleagues, to be told by members of the government who feel they're doing the right thing in the interests of all the people of Manitoba, in the interests of the welfare of the people of Manitoba, but I haven't had one convincing argument cross my ears.

I've heard some excellent speeches from my colleagues. I've heard some excellent speeches. In fact, in the 10 years that I've been in the Legislative Assembly, this has probably been the quietest time of any debate. No heckling, nobody poking fun at anyone, because it is so serious. It is extremely serious what this Legislative Assembly is being asked to pass in this bill.

I say this, Madam Speaker - it's almost as if it's an embarrassment to this Assembly and to the people of Manitoba, because I'll tell you how long the people in my constituency like to talk about it. They like it hushed up as quickly as possible. It's not because people are being discriminated against. It's because this particular government feels that they're compelled to move in an area that they consider preserving or protecting rights. Well, Madam Speaker, I'm not even going to get into that because my colleagues have done such an excellent job, I believe, in saying that what you're doing is legislating an abnormal lifestyle and trying to make it equal with what we consider a traditional and normal lifestyle.

You cannot legislate what is wrong rightly. I don't care how hard they try - they can't do it. Politically, we shouldn't be discouraging the government from passing it. We should be saying: March ahead; go right ahead. The problem is, Madam Speaker, the reason we're so serious about our position in opposing it is because of the consequences that it is going to place on our society - and our young people, particularly - and people who are influenced by their peers and by people who are their teachers or influenced by people who are leaders in their particular society.

I say, Madam Speaker, and I take great exception - and I want this clearly on the record - to what the United Church put out in a brochure. I take strong exception. They do not speak for me, and I'm a member of the United Church. In fact, what it has done, Madam Speaker, has driven me and my family away from the United Church, and I'll have a hard soul-searching before I go back with the kind of ill-conceived leadership that we're seeing coming from . . . particularly when they haven't even got their own act cleaned up as far as the ordination of the ministers within the church. That's not leadership, Madam Speaker, that we're getting from the United Church. It's political interference in an area in which I don't think they have any right to be involved.

Madam Speaker, I invite the Liberal member of this Assembly to put in her platform for the next election the sexual orientation act which she's supporting in this Legislature. I invite her to come to Arthur Constituency, I invite her to go to her own riding and stand on the highest pedestal and speak in support of it, Madam Speaker; and I'll tell you - (Interjection) - Oh, she will all right, and she'll find out what the majority of the people in Manitoba feel.

And my colleague from River East, I think, did a very good job in saying that if I were in any coloured minority group in our society that I would take strong, strong exception to being put in the same category as the homosexuals. Really, that's what we've heard. And I take strong exception on behalf of those coloured minority people because I feel differently than that, Madam Speaker, a lot differently than that.

Madam Speaker, I was at a graduation just recently - and my colleague from Sturgeon Creek used an

example that I thought was very telling in his involvement with young people - but I was at a graduation the other night, of which I was extremely proud of the graduating class, and they had the teacher come back to speak to them, who taught them in Grades 7, 8 and 9, and he made an excellent presentation. They looked up to him, Madam Speaker, as a real influential factor in their life.

Madam Speaker, I am concerned about us, in this Legislative Assembly, making sexual orientation a normal activity in our society equal to the normal practices in our lifestyle of taking away and placing before the young people in our schools something that isn't normal and what is not considered morally right and not natural. That's right, Madam Speaker.

And where is our society heading? Where are we heading? I ask you, Madam Speaker. I haven't got any answers from the government. There isn't one person on this side of the House that wants to discriminate against anyone, Madam Speaker. We're fair-minded legislative people and in today's society there isn't one of us that would feel comfortable in discriminating against anyone for any reason - I can tell you that. I know my colleagues and I know a lot of people, Madam Speaker, who wouldn't discriminate over that.

But I'll tell you, we've got a more serious concern, Madam Speaker, before us, and that is the intrusion of the state into the decision-making process, into the whole lifestyle of our society. Where are we headed, Madam Speaker, when the state now can have more control over you, your business, your lifestyle, your home, your property rights and what you can do in those areas? That is an even far more serious issue that isn't being addressed or hasn't been addressed to any great extent.

It's fine to be a bleeding heart, Madam Speaker, and try and be all things to all people. Well, Madam Speaker, you cannot legislate and you cannot pretend to legislate that you are going to remove the discrimination from our society. It will never be done.

In fact, Madam Speaker, what we find and what I'm hearing is that people become actually compelled to put their backs up and even challenge it on the principle that they don't believe the government has the responsibility or the right to get involved in areas such as they're delving into in this particular aspect, and trying to force onto society an abnormal activity or the rights that are perceived not to be there. Nobody has come forward with one example of a person who is a homosexual or a lesbian who has been discriminated against. We have asked for it, Madam Speaker. We plead again to tell us where and when it has happened.

Madam Speaker, I think there are some serious concerns with anyone who would want to invest in this province. The continued intrusion of the state into what has taken place and what we consider a normal society is now not going to be that normal any longer, Madam Speaker. We, in fact, will pay the price morally, and the province will pay the price financially insofar as our climate is concerned.

Madam Speaker, what is the next step? Madam Speaker, the next step, is it the quota basis? Is it an affirmative action so that we make sure that the homosexuals and the lesbians in our society are placed in a position where hiring or board appointments have to include a person who carries out that kind of a lifestyle? Is that the next step, Madam Speaker?

Madam Speaker, I think it's time and I can tell you that it's time that the Progressive Conservative Party of this province went on a major campaign to tell the public what the government is doing. Madam Speaker, I'll even go so far as to say that I can assure my constituents that, if I have any influence following the next election, it wouldn't bother me to reverse the sexual orientation legislation that is being introduced. Yes, Madam Speaker, I wouldn't be afraid to go on record and say that without any reservations, because I believe that firmly, that it is bad legislation, the inclusion of sexual orientation.

It's wrong, Madam Speaker. It's not in the interests of the people of the Province of Manitoba - (Interjection)- Yes, people will judge. People will judge, 90 percent of the people of Manitoba will judge. They will judge this particular government, you know, Madam Speaker.

I think it's important to note that this particular government feels very strongly that they're moving down the right path. What has motivated them, they haven't told us yet. So we have to assume, equality or additional status.- (Interjection)- oh yes, additional privileges, additional privileges, not equal but additional privileges as far as the inclusion of a lifestyle.- (Interjection)- Sure it is. It's additional status for a particular lifestyle, which is against the wishes of the majority of the people of Manitoba.

This government feels that they have the support of the working majority, of the labour people of this province. Madam Speaker, I can bet you that, given the opportunity to clearly understand the true sense of what this government is doing, the labour movement wouldn't have a bit of difficulty in supporting the Progressive Conservative Party on the coming election, based on this kind of an issue.

Yes, Madam Speaker, they truly believe in protecting of workers' rights, protecting their whole interests, Madam Speaker, but I don't believe they believe in giving additional rights and placing a lifestyle which is abnormal and considering it with one which has been traditionally normal. I don't think, if the Minister of Education for one minute really sat down and thought about where he has come from, his traditional upbringing, where he wants his family to go, that he would truly support this.

I ask the Member for Brandon East, is this Brandon East? Is this really what the people of Brandon East want? Does this really reflect the wishes of the constituents of Brandon East? Do they? Has he spoken on the issue? He hasn't spoken on this issue. Why hasn't he spoken on the issue? He hasn't spoken on the issue because he knows that he's doing the wrong thing.

Our friend who is the committee chairman, Madam Speaker, does he feel he's doing the right thing? Does he feel that giving homosexuals additional rights or privileges in this province is the right thing to do? He hasn't stood in his place and told us the reasoning why he's moving on it. You know, Madam Speaker, there isn't any hard evidence to support legislation.

As far as I'm concerned, Madam Speaker, bad legislation has to be changed. I can give you this commitment. As long as I'm a member of the Legislative Assembly, I will endeavour to have this kind of legislation reversed, even though the government have the majority to pass it.

So in concluding my remarks, Madam Speaker, I would just hope that each member of the government benches would truly listen to what the prayer says. Every day at the opening of the Legislative Assembly - and I'll repeat it again, I'll read it again for the benefit of the members who don't particularly pay attention to it because it does have a considerable amount of meaning to it. "O Eternal and Almighty God from whom all power and wisdom come, we are assembled here before Thee to frame such laws as may tend to the welfare and the prosperity of our province. Grant, O merciful God, we pray Thee, that we may desire only that which is in accordance with Thy will. Amen."

Madam Speaker, sexual orientation, as has been quoted earlier from scripture from the Bible, is not in accordance with God's will. "We may seek it with wisdom and know it with certainty." I think, Madam Speaker, really down deep that members of the government don't know with certainty that this is right for the future of our young people, for the future of our society.

The Member for Thompson, surely to goodness has more - no, I guess he hasn't, Madam Speaker. I'm sorry, I was going to give him more credit than he deserves. The people of Thompson, Madam Speaker,

aren't pounding his door down for him to vote for this legislation. In fact, Madam Speaker, he probably hasn't even told them what he's introducing in the Legislature.- (Interjection)- I'll talk to your constituents, all right. Oh, the Member for Thompson says they support this bill. We'll find out, Madam Speaker, one phone call against it.

Well, Madam Speaker, I'll conclude by saying: "and accomplish it perfectly for the glory and honour of Thy name and for the welfare of all our people." Madam Speaker, I don't see the inclusion of sexual orientation as being in the welfare of all our people, and I have to adamantly oppose this legislation.

MADAM SPEAKER: The Honourable Member for Charleswood.

MR. J. ERNST: I move, seconded by the Member for St. Norbert, that the debate be adjourned.

MOTION presented and carried.

MADAM SPEAKER: The hour being six o'clock, the House is now adjourned and stands adjourned till 1:30 p.m. tomorrow. (Wednesday)