

Time: 2:30 p.m.

OPENING PRAYER by Mr. Speaker

MR. SPEAKER, Honourable Peter Fox (Kildonan): Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees.

MINISTERIAL STATEMENT AND TABLING OF REPORTS

MR. SPEAKER: The Honourable Minister of Consumer and Corporate Affairs.

HONOURABLE RENE TOUPIN (Springfield): Mr. Speaker, I would like at this time to table and distribute to honourable members a discussion paper prepared by my department relative to the future development of Broadband Cable Services in Manitoba. As honourable members are aware, the Government of Canada and Manitoba signed last November a landmark agreement in Cable television. That agreement, in addition to recognizing the responsibility of the Federal Government for broadcasting services' also recognized the responsibility of the province for the regulation and supervision of non-broadcasting services on cable.

The document which I am tabling today sets out the background and rationale of that historic agreement. More importantly this discusses a number of issues which arise in regard to the responsibilities to be exercised by the province under the Canada-Manitoba Agreement. I hope that the document I'm tabling will provide a basis for informed discussion on these issues by members of the House by cable industry, by members of the business community in Manitoba and by interested members of the public. Wide discussion will help formulate provincial policies which will govern the orderly extension and development of non-programming electronic services on cable, including future provision of things like home alarm services, computer communications, digital information retrieval, teleshopping, electronic newspaper and other elements of what is referred to as a wired city. Thank you, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. R. (Bud) SHERMAN: Thank you, Mr. Speaker. I appreciate the Minister's statement and his introductory remarks with respect to the Canada-Manitoba Agreement. I think it's brief, and perhaps intentionally so, because there are a number of questions that Manitobans will be interested in. He has now distributed the paper itself and I think those basic questions, Sir, really revolve around the preparation of the paper, whether it was agreed upon by the Department of Communications, whether the province is proceeding with unilateral definitions in the area of programming as to what affects programming generally, what programming is and what broadcasting is and I think it raises some serious questions, Sir, as to the particular interest of the Manitoba Telephone System in this whole subject area. I would ask the Minister, just for the record, in my response, Sir, who wrote the position paper and whether the Manitoba Telephone System had significant input into its writing. There will be much more discussion and debate on the paper in the days to come, of course, but my initial reaction on behalf of my party, Sir, was that it raises many questions that are of import to all Manitobans and to the communications system in the province generally and they will have to be answered in the public interest.

MR. SPEAKER: Any other Ministerial Statements or Tabling of Reports? The Honourable Minister of Mines.

BUSINESS OF THE HOUSE

HONOURABLE SIDNEY GREEN (Inkster): Mr. Speaker, I've just conferred with the Minister of Labour with regard to proceedings of the House. It would appear that there is enough work for the Committee on Statutory Orders and Regulations that they would use up tomorrow all day and therefore, we are suggesting that that committee meet tomorrow all day for the purpose of briefs and tonight as well.

The Minister of Labour also had announced that he thought that the Industrial Relations Committee would be ready by tomorrow afternoon because he did not think that there would be, or couldn't forecast, yes, couldn't forecast that the other committee would be going all that time. It's now contemplated, and I just want to test the honourable members, that we meet tonight and tomorrow in Statutory Committee on Regulations, that Industrial Relations Committee start on Monday morning, rather than tomorrow afternoon so that members of that committee wouldn't have to sort of have a half day tomorrow where they are not required and then the afternoon where they are and that anybody making briefs could consider it on Monday morning and that we would then convene the House at 2:30 on Monday with the Industrial Relations Committee meeting in the morning; and if necessary, Statutory Regulations could meet Monday morning as well if they haven't finished by Saturday. So, I'm throwing that out as how we propose to proceed, that means tonight, Statutory Regulations, tomorrow all day Statutory Regulations, Monday morning Industrial

Relations Committee at 10:00, the House at 2:30.

MR. SPEAKER: The Honourable Member for Morris.

MR. WARNER H. JORGENSEN: Well, Mr. Speaker, I think that after arrangements meets with the approval of the opposition far more than the one that was originally announced, so we're quite happy to go along with the proposal that has just been made by the House Leader.

MR. GREEN: Mr. Speaker, I would ask the Clerk to notify those people who've indicated that they would be interested in Industrial Relations and any others who've been contacted, and I'd like to indicate that the previous arrangement was based on not knowing just how far we are, and we are now in a better position to deal with the question.

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

ORAL QUESTIONS

MR. SPEAKER: The Honourable Member for Portage La Prairie.

MR. GORDON E. JOHNSTON: Mr. Speaker, I direct this question to the Minister responsible for the Manitoba Telephone Service. Is it this Government's policy or is it the Manitoba Telephone Service policy to enter into competition with telephone answering services?

MR. SPEAKER: The Honourable Minister of Consumer and Corporate Affairs.

MR. TOUPIN: Well, Mr. Speaker, it has been indicated during the Estimates and during discussion under Public Utilities, when we discussed the development of Manitoba Telephone System itself that that would be the case. I've had representation made to myself last evening like the Honourable Member for Portage I presume has, in regard to a particular company, which claims that files were stolen from them in regard to clients. But, that I don't approve of it if that's the case, and that's being investigated.

MR. G. JOHNSTON: Relating to the same firm that the Minister mentioned, Mr. Speaker, is the Minister aware that the Manitoba Telephone Service requires by law, that they receive the list of clients supplied by the Telephone Answering Service. And is the Minister also aware that the Telephone System is using this list to actively solicit the customers of the answering service. Not only that, but is he also aware that they are undercutting the rates, and offering bonuses by way of a free-month service for a certain period of signed-up time?

MR. TOUPIN: Well again, Mr. Speaker, the source that I have been made aware of by, I believe, is the same source that informed the Honourable Member from Portage. I can't accept or reject the assumption or the allegation made. I can only investigate and then report back.

MR. SPEAKER: The Honourable Member for Minnedosa.

MR. DAVID BLAKE: Mr. Speaker, my question is to the honourable the Minister responsible for Renewable Resources. I wonder if the Minister could inform the House the results of his meeting with the Federal Fisheries Minister, Mr. LeBlanc, in order to bring us up to date in connection with the Inland Fishermen Association?

MR. SPEAKER: The Honourable Minister of Renewable Resources.

HONOURABLE HARVEY BOSTROM, (Rupert's Land): Well, Mr. Speaker, we had a meeting this week with the Federal Minister of Fisheries, which was attended also by the Minister responsible for Fisheries in Saskatchewan. The Federal Minister did not make a positive commitment to any of the provisions that we had requested. We had asked for certain improvements with respect to the operation of the Freshwater Fish Marketing Corporation, as well as asked him to support us in our negotiation with the Federal Government to prepare a major program for the assistance of the fishery in Manitoba. We did not get a positive response to any of those requests, Mr. Speaker, but we will be following this up with meetings with other Federal Ministers, and hopefully arrive at a satisfactory program to assist the fishery in Manitoba.

MR. BLAKE: Mr. Speaker, in light of the Federal Minister's statement that it's responsibility of the Provincial Government to initiate changes in the operating guidelines of the Freshwater Fish Marketing Corporation, could the Minister now inform us that he is planning to sit down with the fishermen and redraft the operating guidelines for the marketing corporation?

MR. BOSTROM: Well, Mr. Speaker, that is something we will be working on. The one commitment we did achieve in our discussions with the Federal Minister of Fisheries is one in which he did agree to sit down with us and look at the total operation of the Fresh Water Fish Marketing operation with a view to moving the control of the Fresh Water Fish Marketing Corporation more over to the fishermen rather than through the Federal Government as the owner and operator of the Fresh Water Fish Marketing Corporation so that there is a possibility, I believe, to negotiate a greater representation on the Board by fishermen and thereby make the Fresh Water Fish Marketing Corporation a servant of the fishermen rather than has it has been operating, in the opinion of many fishermen, as the master of the fishermen.

MR. BLAKE: A supplementary, Mr. Speaker, to the same Minister. I wonder if he could inform the House if at the same meeting he had further discussions in endeavouring to obtain funds for the

freight subsidy that they tried to obtain from the Federal Government last year to subsidize their own program.

MR. BOSTROM: Yes, Mr. Speaker, that was part of a package that we proposed to the Federal Minister of which, as I mentioned, he gave us no definite, positive reply. I believe that we will be able to follow this up, however, with meetings with other Federal Ministers who do have some responsibility in this area. We're not giving up the fight. I believe that the Federal Government is responsible to assist the fishery in Manitoba and to some extent they recognize that responsibility in the area of research at the University of Manitoba and in other ways, but we believe, Mr. Speaker, that there should be a greater part to play by the Federal Government and that they should assist the fishery in the area of freight equalization as well as in other areas of support to the fishermen.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. LLOYD AXWORTHY: Mr. Speaker, I would like to follow up with the Minister of Renewable Resources. Can he confirm the statement made by the Federal Minister that in fact the Federal Government is presently putting in proportionately more money per fishermen, the in the prairie region than is this Provincial Government by a sum of close to \$600.00 per annum? '

MR. BOSTROM: Well, Mr. Speaker, the Federal Minister tabled certain information at the meeting that day which we have not had the opportunity yet of fully evaluating. But, Mr. Speaker, in all of the areas that we have requested Federal Government assistance in recent years, we have not been able to get them to co-operate with us in very essential services to fishermen and the very essential means of assisting fishermen in this province.

MR. AXWORTHY: Well, Mr. Speaker, to the same Minister. Is it not true that under the agreement signed by the Federal and Provincial Governments, that the province did accept responsibility in those very areas in which he is now asking the Federal Government for money for?

MR. BOSTROM: Mr. Speaker, there certainly is dispute in that area and it's one in which we take the position, Mr. Speaker, that the Federal Government does have a responsibility for inland fisheries as it does for other fisheries in Canada. To a certain extent, Mr. Speaker, they recognize this responsibility and do assist in areas of research. For example, one of the areas which they apparently have spent a considerable amount of money is in the area of what they call "remote sensing" in South Indian Lake in which they have followed the sediment flows or whatever, in that lake, and Mr. Speaker, this is an example of an area that we do not believe is a high priority and yet the Federal Government will not agree with us in assisting the fishermen in the really essential areas of high priority such as pre-equalization and assisting the fishermen directly on the lakes.

MR. AXWORTHY: Mr. Speaker, considering that those are still areas which are within the provincial responsibility, per the agreement signed between the Province of Manitoba, is the Minister also prepared to acknowledge that in the creation of the Fresh Water Fish Marketing Corporation, such a corporation in its present structure was initiated on the request of the provinces of Manitoba and Saskatchewan and if the Federal Minister has offered to this Minister that they are prepared to give up all responsibility or to change the formation or arrangements of that corporation at any time the province so requests. Therefore, my question would be, is the province prepared to assume its responsibility and make that request?

MR. BOSTROM: Mr. Speaker, the Federal Government has through their Minister of Fisheries made an offer which I believe we will follow up on and it will remain to be seen if the Federal Minister of Fisheries will be able to carry out the kinds of commitments he gave us, an indication he was prepared to negotiate with us. But we will be following up and we will be attempting to make the best possible deal for the fishermen of Manitoba.

MR. AXWORTHY: Well, Mr. Speaker, let's just pin the Minister down a bit more explicitly. Is he now saying that he is prepared to request of the Federal Government that the Fresh Water Fish Marketing Corporation be totally reorganized and come under provincial jurisdiction or come under some co-op arrangement with the fishermen? Is that the decision of this government?

MR. BOSTROM: Mr. Speaker, this will be a matter for discussion between myself, the Minister responsible for Fisheries in Saskatchewan, the other governments that are involved within this corporation, such as Alberta, the Northwest Territories and Northwestern Ontario, and in these meetings that we will be convening very shortly, we will be assessing all the possibilities and we will attempt to achieve the best possible arrangement for the fishermen in Manitoba.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. SHERMAN: Thank you, Mr. Speaker. My question is to the Honourable, the Minister reporting for Communications. Can the Minister advise why the discussion paper on cable communications should have been timed to come down for this particular date in relation to next Tuesday's important CRTC hearings in Manitoba, in Winnipeg, and whether he considers that that permits the public and the CRTC sufficient time to absorb and digest the contents of the paper?

MR. SPEAKER: The Honourable Minister of Consumer and Corporate Affairs.

MR. TOUPIN: Well, again, Mr. Speaker, I believe the timing has not been necessarily

predetermined that closely. There has been communication between the CRTC, between the Federal Department of Communications and ourselves. There has been consultation. The Department of Communications provincially takes responsibility for issuing this statement and this position paper but there has been consultation between the Manitoba Telephone System, the Provincial Department of Communications and the Federal Department of Communication in regard to the content of this document. The Federal Minister, Madame Sauvé, has issued herself a position document which she has sent to the CRTC which falls in line with the position paper that we have before us.

MR. SHERMAN: In the same connection to the same Minister, Mr. Speaker. Can the Minister advise the House what the connection is between Home Cinema Limited and the Manitoba Telephone System?

MR. TOUPIN: Well, again, Mr. Speaker, the Manitoba Telephone System, being the common carrier, would be working very closely with the Home Cinema group.

MR. SHERMAN: Mr. Speaker, can the Minister confirm that a certain Mr. Frank Johnston — not the member of this Assembly — who used to be a Manitoba Telephone System's lawyer, is now the President of Home Cinema Ltd. and also retained as a consultant to the Manitoba Telephone System?

MR. TOUPIN: Well, the latter part I can't confirm, Mr. Speaker. He was retained by the Manitoba Telephone System quite correctly; he is now involved with Home Cinema. I don't know exactly his position but that is certainly the case and they had been discussing their communication needs with the Manitoba Telephone System.

MR. SHERMAN: A final supplementary, Mr. Speaker. Can the Minister advise the House whether the Manitoba Telephone System is setting up Home Cinema Limited to do closed circuit programming in the province?

MR. TOUPIN: Well, at this stage, Mr. Speaker, it is impossible for the Manitoba Telephone System to be helping Home Cinema set up service for consumers. They have first of all to be licensed by the CRTC and hopefully that can be achieved on the 7th of June or the two days following.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, to the same Minister on the same topic. I'd like to know if the Home Cinema Limited has already made application to the Manitoba Telephone System for approval for certain broadcasting rights such as Broadcast News, that the government asserts is their jurisdiction under this discussion Paper and I would like to know why it is that MTS is already giving approvals in an area in which they say is still open for discussion?

MR. SPEAKER: The Honourable Minister.

MR. TOUPIN: Well again, Mr. Speaker, this document before us is a clarification of an agreement that the honourable member knows, that was signed last November between the Provincial Government with the Federal Department of Communications. So, this is nothing really new. The Manitoba Telephone System has not agreed, yet, in the offering of service by Home Cinema. If they had, it would only have to be conditional on them receiving a licence and I'd rather that that wait until their licence application is considered by the CRTC.

MR. AXWORTHY: Mr. Speaker, I would like to have the Minister clarify. . . Is he saying that in these areas, that the province asserts is going to be within its jurisdiction, they are still going to allow the CRTC, which is a Federal Communication's Regulatory Body, to determine which applications should be granted a licence or not?

MR. TOUPIN: No, Mr. Speaker, the jurisdiction there lies with the CRTC. In regard to the Manitoba Telephone System being the common carrier for services offered within the province, the appeal body in province, would be the Public Utilities Board.

MR. AXWORTHY: I thank the Minister, Mr. Speaker. I'd like to ask a related question, following from that, and that is considering that the CRTC has just recently turned back the Bell Telephone Company request, and has asked them to rescind the charges on pay-telephone back to 10 cents, is the Government of Manitoba prepared to make a similar request to the Public Utilities Board that the charges on pay-telephones in Manitoba be returned to the same 10 cent level?

MR. TOUPIN: That's all, Mr. Speaker. The question in Ontario is a bit different than we have in Manitoba as the honourable member is aware. First of all Bell Canada is not a company owned and operated by the people of Ontario. And secondly, Ontario does not have an agreement with Ottawa pertaining to the field of communications.

MR. SPEAKER: The Honourable Member for Fort Rouge. Final question.

MR. AXWORTHY: Mr. Speaker, in that case I would ask the Minister if he would agree that under Section 76 of the Public Utilities Board statute that either he or any individual can raise a complaint with the Public Utilities Board and ask them to investigate such a matter, and therefore, I would ask him that if I was to send him a note in the next minute asking the Public Utilities Board to investigate whether or not the pay charges should be returned to 10 cents that it would be in fact agreed upon. . .

MR. SPEAKER: Hypothetical. The Honourable Member for Roblin.

MR. J. WALLY McKENZIE: Mr. Speaker, I have a question to the Honourable Minister of Highways. I wonder if the Minister of Highways will investigate the concerns and the charges by people in the Powerview area, that while public road No. 219 is being rebuilt between Powerview and Stead, the new curves that are being constructed are unsafe and the contractor is not building the shoulders that were promised.

MR. SPEAKER: The Honourable Minister of Highways.

HONOURABLE PETER BURTONIAK, (Dauphin): I would say, Mr. Speaker, that that is all 'Dutch to me what the member is talking about.

MR. McKENZIE: I wonder, Mr. Speaker, if the Minister will check with his field staff in the area to find out if in fact the allegations are accurate and the people have a right to be concerned about the way the road is being built?

MR. BURTONIAK: . . . information, I check with my staff on a daily basis, and I'm sure that if curves on the road are such — there have been curves on the road which have been dangerous — naturally what we do we improve them rather than build curves which become dangerous. I'm sure that what information that the member has — I don't know where he got it from but I can't accept it as factual.

MR. SPEAKER: The Honourable Member for Thompson.

MR. KEN DILLEN: Mr. Speaker, my question is to the Minister responsible for Renewable Resources and I would like to draw his attention to Item 12 in the British North America Act and ask him if that isn't conclusive evidence. I'll read it for his benefit, "Item 12 Sea Coast and Inland Fishery as being the undisputed responsibility of Federal Government as it applies to Sea Coast and Inland Fisheries."

MR. SPEAKER: The Honourable Minister of Renewable Resources.

MR. BOSTROM: Mr. Speaker, the position we take is that the Federal Government is responsible and does have responsibility in this area and that section the honourable member has read is indeed the section we're basing our argument on.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. ARNOLD BROWN: Thank you, Mr. Speaker. My question is to the Minister of Health and Social Development. Can the Minister of Health inform this House as to what is the current status of discussions or plans for a Personal Care Home in Pine Falls area?

MR. SPEAKER: The Honourable Minister of Health.

HONOURABLE LAURENT L. DESJARDINS (St. Boniface): This could change from day to day, Mr. Speaker. I'll have to take that as notice.

BUSINESS OF THE HOUSE

MR. SPEAKER: The Honourable Member for Flin Flon.

MR. THOMAS BARROW: Please Mr. Speaker, I would like to make some changes on Committees. On the Statutory Regulation of Orders, the Member for Gimli will replace the Member for Ste. Rose; the Member for Point Douglas will replace the Member Churchill.

And on Industrial Relation Committee, Mr. Speaker, the Minister of Mines will replace the Member from Radisson. Thank you.

(Agreed)

MR. SPEAKER: Is it agreed? The Honourable Member for Gladstone.

MR. JAMES R. FERGUSON: Yes, I have some substitutions too, Mr. Speaker. I would like to substitute the Member for La Verendrye for the Member for Roblin on Industrial Relations Committee and on Law Amendments I would like to substitute the Member for Pembina for the Member for Fort Garry.

MR. SPEAKER: Is it agreed? So ordered.

ORAL QUESTIONS Cont'd

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Speaker, I would like to direct one further question to the Minister reporting for Communications, going in to the CRTC hearings scheduled for next Tuesday. Will the Minister and the province be taking the position that hence forward closed circuit television broadcasting should not come under the jurisdiction of the CRTC?

MR. SPEAKER: The Honourable Minister.

MR. TOUPIN: Mr. Speaker, it's not as simple as the question would lead us to believe. I would refer the honourable member to paragraphs in the statement that he's just been presented and to the agreement that was signed last November pertaining to jurisdictional matters whether it be programming, licensing and/or the responsibilities of the common carrier being the Telephone System.

MR. SPEAKER: The Honourable Member for Thompson.

MR. DILLEN: I have another question for the Minister responsible for Renewable Resources, Mr. Speaker, and I would like to ask him if it is not the responsibility of the Federal Minister of Fisheries to

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appoint the President and Chairman and all of the members of the Board of the Fresh Water Fish Marketing Corporation?

MR. SPEAKER: The Honourable Minister.

MR. BOSTROM: Mr. Speaker, that is the case at the present time. Under the agreement which was signed to establish the Fresh Water Fish Marketing Corporation. The Federal Government has that responsibility and power.

ORDERS OF THE DAY

ADJOURNED DEBATES ON SECOND READING

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, will you call Bill No. 65 please.

BILL (NO. 65) — AN ACT TO AMEND THE EMPLOYMENT STANDARDS ACT (2).

MR. SPEAKER: Bill No. 65. The Honourable Minister of Labour shall be closing debate. The Honourable Minister.

HONOURABLE RUSSELL PAULLEY (Transcona): Mr. Speaker, in closing the debate on Bill 65 I think at the offset I should put the record straight as to what has happened over almost the last two years in respect of the dispute at Griffin Steel. I did indicate to the House and to the public on a number of occasions that I, as Minister of Labour and my department, have been involved in this dispute for a long period of time and that there was, in my opinion, accusations levied at me both within and without the labour movement and within and without this Assembly. So I think it is only fitting and proper, Sir, for me to list the chronological events and dates as to the dispute at Griffin Steel.

They started, Sir, or our involvement started on January 18, 1975, over two years ago, when we first heard of rumblings of discontent at Griffin Steel. On that particular day, January 18th, the company had scheduled two full work shifts for work that day. A notice to that effect had been posted on the bulletin board at Griffin on January 13th. Four employees who did not report for work were issued warning letters and the matter was taken through the due course of the grievance procedure at Griffin Steel. As a result of this, at the request of the two parties and in accordance with the collective agreement, I was asked to appoint a chairman of an arbitration board to look into the dispute which, of course, I did.

On August 19, 1975, I received the report of the Arbitration Board and the majority report, that of the company nominee and of the Chairman of the Arbitration Board indicated a rejection of the position taken by Griffin Steel and that they had no right under the collective agreement to discipline or dismiss the employees concerned.

On December 23, 1975, that matter was considered by Mr. Justice Hamilton of the Court of Queen's Bench, who upheld the jurisdiction of the Board of Arbitration. The matter before him was not as to whether it was a proper decision or not, Mr. Speaker, but whether the Arbitration Board had the right to hear the complaint.

Then on May 26 prior to that the Union had imposed an overtime ban in order to attain an interim wage increase during the life of the current collective agreement and the Union issued to its members a directive that they were not to work any more overtime unless the company increased their wage rates which, of course, Mr. Speaker, is contrary to the principles of collective agreements during the life of a collective agreement and I have photostat copies of the notice that was put on the board at the plant.

Then on June 8, 1975, the Union notified employees that effective June 5th the company was to give 15 cents an hour increase with a further review to take place in December 1975. The Union was not satisfied at that particular time with the reply that they received from the company and imposed a further overtime ban for which there was, as I understand the reading of the collective agreement, provision through co-operation where required overtime would be worked.

On July 2nd, the Union notified me as Minister of Labour as to the requirements under Section 71(1) that negotiations were being held between the parties and that their collective agreement was to expire on July 20th.

On June 16th, 14 days later the union notified me that negotiations had been in progress since June 19th and requested the services of a conciliation officer. There were outstanding issues regarding wages, fringe benefits, terminology and the length of the agreement.

On August 19th I appointed a conciliation officer to check into the dispute.

On September 22nd of last year, 1976, I received the first report from the Conciliation Officer in which he had reported that he had eight meetings, eight meetings with the parties when most of the 40 outstanding issues were resolved.

On September 16, 1976, the company submitted a final proposal which, on September 18th, the membership of the organization rejected and on September 19, 1976, a strike commenced.

On October 12th I met with union representatives and a delegation of employees from the firm to see what steps we could take to resolve the differences.

On November 9th of last year, the Conciliation Officer submitted his second interim report to me in which he had met with the parties on October 6th and again on November 3rd.

On November 25th I met with union representatives to endeavour to resolve the differences within that dispute.

On December 15th, I got a third report from the Conciliation Officer in which he reported to me that he had had meetings with the parties together on December 8th and 9th and December 14th. At the meetings on December 8th and 9th the parties worked out a compromise solution which was agreed to by the negotiator subject to subsequent approval of their respective principals.

On December 14th the Conciliation Officer was notified by the Union that their union membership had rejected the compromise and wanted total voluntary overtime and would not accept anything else, the situation being that when the union and the company were bargaining as a result of the action of the union in banning any overtime by its membership, the company had made a counter proposal that there be a certain amount of overtime on a compulsory basis so that they could carry on their business.

I do want to say this, and I'm not attempting to condemn the union, but I feel, and I have been advised by legal officers, that had action been taken against the union instead of the individuals concerned, they could have been held in breach of the collective agreement entered into. But that's an aside.

On January 25th of this year, I met with union representatives and the union negotiating committee and requests were made of me by the union on January 25th that I should introduce legislation to force the company to resolve the differences, a step which I believe, Mr. Speaker, has never ever been taken in the Province of Manitoba. On January 28th, I received the third interim report from the Conciliation Officer in which he reported that he had two days of meetings' January 10th and 11th, wherein the company modified its position of the requirements for overtime. Then the Conciliation Officer called the parties together on January 24th and 25th in an effort to try and resolve the dispute. The company once again modified its position. The union rejected that position and notified the Conciliation Officer that as far as they were concerned, they were inflexible in their demands on the company.

On February 3rd, I met with company management and their legal counsel and I made a suggestion to the company to modify its position and attempt to resolve the dispute, without success.

On February 8th, the Conciliation Officer submitted to me report number five; reported that he had met on February 7th; the company reduced its compulsory demands on overtime and also modified its overtime provisions to provide for double-time after four hours of overtime on Saturdays. This modified suggestion of the company was rejected by the organization and they stated that there was no compromise that they would be prepared to accept.

On February 11th, the company's legal counsel met with me to notify me of the company's intentions to reman and open their plants. At my request, Sir, counsel agreed to delay this action until after the end of the month of February.

On February 25th, I received interim report number six, in which he reports meetings were held with union negotiating committee on February 23rd and with union and company negotiating committees on February 24th. The company clarified and reiterated its position and stated they could move no further. We were so notified.

Again, on February 28th, I met with union representatives concerning the present status at that time. I was requested on the 28th of February to appoint an investigator under section 21(1) of the Labour Relations Act and an Industrial Inquiry Commission to look into the dispute.

Three days later on March 1st, I appointed an investigator to look into allegations that were made at that particular time and notified the union and I also notified them that because of the involvement for so long, I did not feel that an Industrial Inquiry Commission would serve any useful purpose.

Again, I met with representatives of the union and their solicitor on March 14th for about two hours regarding the possibility of getting the disputants back to the bargaining table. That was at the request of the organization. As a result of that meeting, I and my Deputy Minister met with legal counsel for Griffin Steel and he said that while he had had reservations about a meeting — the legal counsel that is — however, he was prepared at my request to see whether or not they could not go back to the bargaining table to resolve the differences. He assured me that he would give serious consideration to the proposition of getting back in negotiations.

A couple of days later, March 18th, I met with the legal counsel for Griffin and again a request was made to get back to the bargaining table.

On March 19th, legal counsel for the company and my staff and Deputy met for over three hours in an endeavour to get the parties concerned back talking to each other.

On March 21st, there was a meeting between my officials and the union negotiators from ten

o'clock in the morning until three o'clock in the afternoon and from four to six o'clock and also once again, a meeting held on March 22nd.

This, Mr. Speaker, is a scanty chronological listing of the meetings and the endeavours that were put in to try and resolve the strike by myself, as the Minister of Labour, the Department of Labour. I was accused — and I suppose it's a valid accusation — that I did nothing to try and resolve the difference and I say that is just not true. What pinpointed this whole thing was not really the fact of the strike in itself, Mr. Speaker, because the union withdrew its services — as is their right — on September 19th, 1976. It wasn't until February, I believe the 28th, when the company tried to use its rights and privileges under the Labour Relations Act, an attempt to reopen their plant, that members of this Assembly, members of the labour movement and the political parties became aware of the fact that there was a strike. Then, as the Member for Fort Garry said in his remarks the other day, the majority of the labour movement and also the Minister would have been happier if the overtime issue at Griffin had not become a political issue. Of course I would have been but it did become a political issue. We talk of receiving communications in respect to Bill No. 65. Heavens-to-Betsy, Mr. Speaker, I have received condemnations from coast to coast of fellow New Democrats, fellow trade unionists, and other people condemning me because I didn't adhere to the basic principle of a 40-hour, 8-hour day. But all through this time, Mr. Speaker, figuratively speaking, I had to sit on my butt and say nothing, because of my involvement and because of the necessity for confidentiality as to how the negotiations were processing.

I don't think anyone really, knowing the whole truth, will fault me for the confidence that I had with the people concerned. The Honourable, the Member for Assiniboia, the other day said when he took part in this debate, asked me why the delay in legislation. Mr. Speaker, the legislation that is presently on the books of the Statutes of Manitoba and the Employment Standards Act, have been there for over twenty years, and this is the first time that I have been able to find anywhere in the records that there has been an industrial dispute, a strike or lock-out, related to the question of overtime, be it compulsory or voluntary. And my honourable friend, the Member for Assiniboia, points a finger of accusation at me, asking why the delay in the legislation that we're dealing with this afternoon and will consider in the committee.

There's only one body that can change legislation, and that is this Assembly. When the Throne Speech was read by His Honour on February 17th, reference was made to overtime, and I can appreciate the political position — and it's only a political position — taken by the Member for Assiniboia, namely, why is the delay, only because of an emotional incident or incidents that took place following the endeavour for the reopening of the plant on February 28th, I don't think that the man is being fair when he talks of delay; when he knows as a member of the Legislature should have known — indeed as I should have known — the section in the Employment Standards Act making reference to the requirement of an employee to work overtime. And I say to him, I think that he is most unfair when he suggests that we have delayed introducing legislation into this House, from February 17th when we commenced, when the legislation that dealt with this matter had been on the books for twenty years.

And Mr. Justice Rhodes Smith, the Chairman of an arbitration board dealing with another union, only recently made reference to the interpretation under the present Employment Standards Act dealing with the word "required", and it was because of my involvement with this dispute since January, 1975, that I became fully knowledgeable of it, and as a result of that becoming known the words were placed in the Throne Speech. Why is the delay? Why is the delay?

I say to my friend from Fort Garry, you're right, I would have been far happier if this hadn't have become a political issue; and it's only because of the likes of those who want to take political advantage of the situation in my constituency, such as the Honourable Member for Assiniboia, that aggravates the whole situation. — (Interjection) — It is true. Never mind the Member for Thompson, because I said a few moments ago, Mr. Speaker, that I was condemned and criticized by members of my own party, the Trade Union Movement and others, and I have to take it and say nothing. I'm not under that constraint now. I feel that the time has come, not when I'm trying to justify my position, but to establish the peculiar and particular position that I was in as the Minister who was meeting with both sides of the proposition. And when my friend the Honourable Member for Thompson spoke, I could not reply to him any more than I could reply to other critics at that particular time, but I had to take it and roll with it because of the principles that I happen to have, properly or otherwise, a principle that when one receives confidential — or is involved in confidential treatment in industrial disputes or other disputes — you cannot or should not carry on a public debate either through any political advantage, correspondence or through the press, and I adhere to that principle.

Now then, the Honourable the Member for Assiniboia did introduce a bill which in our opinion did not meet the criteria of having voluntary overtime; and our bill suggests that where, in the process of free collective bargaining a union and its employer comes to a mutual and voluntary agreement under a collective agreement to make some provision for working overtime, that is in our democratic process, and should be understood and allowed; because the difference being with Griffin Steel they

attempted to use the clauses of their agreement to force the employer to jack up wages. And they freely entered into collective agreement, where union negotiators with the approval of their membership, enter into an agreement to provide for overtime, I say that that is a voluntary agreement.

And Mr. Speaker, there has been some express the fear that because of the incident that has taken place out in Transcona, where management on one side said, "You have to work overtime," the union on the other side says, "No" there are those that fear that unless there was a ban on compulsory overtime that bargaining might be harder at the bargaining table and that some employers may take advantage of that situation in order to cause strikes or lock-outs.

But, Mr. Speaker, isn't it a fact that it didn't happen for twenty years, and also that the causes of strikes because of that fact, have not been on the basis of an overtime input, but generally speaking, on a dollar and cents input or a wage scale or something like that. I would suggest, Mr. Speaker, in all due respect to the employers of Manitoba, that they will not as is feared in some cases, or by some, they will not endeavour to use the issue of compulsion or otherwise, or voluntary overtime as a cause for a strike or lock-out. It didn't happen before and it's an endeavour to overcome the situation, that we are proposing this basic legislation.

You know, Mr. Speaker, I could have recommended to the government that we introduce a bill which would be compulsion, to make this firm and its employees return to work. Imagine, Sir, what a hell of a clamour there would have been from all lovers of freedom and democracy from both sides of the proposition, the free enterprises and the unions, if I had of convinced my colleagues and I never ever had any intention of so doing, to have introduced into the Assembly, legislation compelling a return to work. I said time after time, Mr. Speaker, to all of those concerned that I would not do it, and while I am chided sometimes from some of my friends opposite, because I have walked out once or twice in respect of a disagreement between myself and some of my colleagues in industrial disputes, I definitely would have walked out and stayed out, if this government and if this Assembly, had of agreed to a compulsory return to work, which was a hue and cry of peoples of all inclinations not only here in Manitoba but elsewhere as well.

I have every faith that with proper negotiations and bargaining, we will not have a repeat of the situation that prevailed and still continues to some degree in Transcona. And you know, Mr. Speaker, it's peculiar, in a sense, that I am knowledgeable of the contents of many collective agreements, collective agreements that provide — I should say collective agreements mutually arrived at — that provide in those collective agreements, provisions for so-called compulsory overtime, due to certain circumstances or requirements for the operation of the plant. And among some of the agreements that I've looked into are agreements with the union concerned in Transcona, United Steel Workers, and a number of others that recognize that in free collective bargaining, and I support that contention. I support it because I believe it's voluntary compulsion, if you can use those two words together, because it's freely arrived at by the unions concerned.

My honourable friend, getting right to the contents of Bill 65, which has raised a considerable amount of controversy, says that he cannot accept it because of the effect on the economy of Manitoba. I wonder, Mr. Speaker, if my honourable friend, the Member for Fort Garry, or indeed, the Member for Assiniboia, have taken time out as indeed I have, to see what is the incidence of overtime in Manitoba. You know, we're going to ruin everybody in Manitoba if we insist that fringe benefits form part of the base rate to compute overtime. And if those fringe benefits are less than one and three-quarters, that one and three-quarters holds true. But I wonder if my honourable friends have taken the time out to ascertain how many hours of overtime are worked in the Province of Manitoba. There is not one of the normal groupings that we have in manufacturing, in the clothing industry, in the leather products industry, and others, not one of them worked, on average — I appreciate the fact that maybe some individual corporations have had to pay overtime rates — but on average, Mr. Speaker, in the Province of Manitoba, almost no one or segment of the community, works overtime. That is with the 40-hour work week. The construction and highway engineering sections do exceed, according to the statistical information that I have, do exceed, from time to time, the 40-hour work week. But, Mr. Speaker, there is contained in the provisions of Bill 65, an exemption for those in the construction industry, or those to whom the Construction Wages Act applies, so that they can go over the 40 hours per week.

But, Mr. Speaker, supposing they didn't? The latest statistical information that I have, based on the annual average for 1975, indicates that even in the construction engineering, the average work week is 42.3, two hours overtime. I indicated the other day the effect of that would be less for four hours. It would amount to approximately two percent increase, the one and a half vis-a-vis the one and three-quarters.

The majority of industries reported average weekly hours below 40 hours a week and in many cases below. The hotel and restaurant industry, I believe, is somewhere down around about 35, 36 percent. The only two industries reporting hours worked in excess of forty were engineering construction and highway and bridge maintenance. That's the facts, or at least the statistical facts made available to me and most of the figures are DBS figures, which possibly sometimes are

challengeable, but what else have we got to go by but these figures.

And yet the opponents to Bill 65, and I, too, have received letters galore from the likes of the Canadian Manufacturers' Association, the Fashion Institute of Manitoba, and the mining industry, and when I look at the statistical record most of those organizations that are condemning this bill on the average don't have any overtime anyway. What the hell are they crying about?

I wonder, again I say, Mr. Speaker, how much depth has the investigation of my honourable friends taken into obtaining the figures. I know there is going to be some difficulties with some, and I have already said that by way of amendment I intend to cause to be moved an amendment which indicates that if fringe benefits are included in the base rate to equate the one and three-quarters, then one and one-half will apply. I don't want to impose — I, that sounds arbitrary, doesn't it? — we have no intention of imposing a double penalty on anyone in Manitoba but trying to arrive at a fair shake, so that those benefits that the employee has obtained quite frequently as a result of a reduction in the actual hourly rate, that those figures and cents per hour are included in arriving at punitive overtime. Is that not fair, Mr. Speaker?

My honourable friend the Member for Fort Garry says, "Well, who has been asking for this?" I don't know whether my honourable friend will ever become the Minister of Labour, but I know that during my tenure of office, Mr. Speaker' on a number of occasions the request's been made of me, to have that matter considered that the fringe benefits are included in the total basic wage. But my honourable friend, the Member for Fort Garry, I don't fault him because after all he is a politician, rants and raves about the effect on the economy of Manitoba because of the proposal of the one and three-quarters. I've indicated or tried to indicate that this isn't a factor, because on the average in most of the industries other than construction, the weekly work week is less than the standard 40-hour week at the present time. And as I said the other day, that the difference between one and a half and one and three-quarters for four hours of overtime is two percent increases in wages.

I suggest, Mr. Speaker, that the portrayers or doom and gloom, who say that this is going to ruin the economy of the Province of Manitoba and drive industry out or prevent them from coming in, should take another look. They tell me, they tell the members of this Assembly, that this will be ruinous. You know, Mr. Speaker, just yesterday an announcement was made in respect to wages, and so on, straight wages, that the Province of Quebec intend on the 1st of July, to increase their minimum wage rate to \$3.15 per hour. They and my honourable friend, the Member for Fort Garry, says that we will not be aiding and abetting to create any more unemployment here. Quebec who has one of the highest unemployment rates in the whole of the Dominion of Canada are going to, as I indicate, increase the minimum wage rate to \$3.15. What effect will that have on employment?

There's no necessity other than in an emergency, Mr. Speaker, in my opinion, for overtime to be worked. We have one of the lowest unemployment rates in the whole of the Dominion of Canada, and I suggest that if proper balances in judgment were used and overtime ceased entirely where it is being worked, there could be jobs provided for some of those that are on our unemployment rolls today. But I like the verbiage of my honourable friend, the Member for Fort Garry. He said that the bill was unacceptable in its present form at this time. Oh, I don't know what my honourable friend really means by that. He talked about the depressed economy and said, in effect, if I understood him, that he wouldn't introduce this, he would introduce — he's implied to me — that such measures should be introduced when we have no unemployment, the economy is booming.

I'm going to help the economy to boom by making provisions whereby overtime will not be worked at punitive rates and at greater cost to the employer. My honourable friend spoke of the cost factor having an influence on consumer prices, and yet by the same token, Mr. Speaker, he and his gang constantly tried to compare wage rates here with other wage rates in other jurisdictions and say, "This is why the consumer in Manitoba has to pay more for their goods." Well, you can't have your cake and eat it too' because if depriving or attempting to reduce the incident of overtime at time and a half or time and three-quarters, I don't care what figure is used, is justifiable or justified, that surely has an effect on consumer prices to a greater degree than indicated by my honourable friend.

I appreciate and I realize, Mr. Speaker, that from time to time there are differences of opinion as to what is meant by voluntary, what is meant by compulsory. We are attempting to establish in this bill, a basic principle of the freedom of individuals at the work place. We are trying to do what we can to see that unlike the legislation that has been on the books for over twenty years, that there are provisions of non-requirement for compulsory overtime unless freely and voluntarily entered into in collective agreements. I know that the President of the Manitoba Federation of Labour has indicated that labour won't be happy with this because they can conceive of the possibility of some disputes. I don't fault him, either do I fault management for a similar observation.

The purpose of this bill is to eradicate that so that voluntarily, through collective bargaining, agreements can be entered into. I indicated in my chronological list of the events at Griffin Steel where overtime was used in my opinion, as a gun to the head of the employer, and the employer retaliated at the bargaining table and caused most of the trouble coupled with an inflexible attitude of a couple of individuals on either side of the bargaining table.

Mr. Speaker, I have coming over my table almost constantly collective agreements freely entered into between management and labour. And I am somewhat amazed from time to time to find in free collective bargaining, overtime rates, not at one and a half, not at one and three-quarters, but at twice the basic rate, at three times the basic rate. The Chamber of Commerce, one of the complainants against Bill 65, but I want to thank them for some information that just arrived on my desk today, called Labour Contract Information Service, issued by the Winnipeg Chamber of Commerce, in one or two incidents they are listing new collective agreements entered into in the process of free collective bargaining.

Listen to this one. Overtime, in a collective agreement with the University of Manitoba and the Service Employees International Union. "Overtime: All must be authorized by the department head. All overtime at two times, except as noted below. Call backs guaranteed two hours at twice the basic rate. Call back on a rest day guaranteed four hours at twice the basic. Call back on a second rest day guaranteed four hours at three times the basic rate. Holiday work, four hours at three times," and so on. That's one agreement.

Another agreement in this latest issue indicates double pay for overtime. A collective agreement entered into at International Nickel at Thompson to have effect up until the end of 1978 makes provision for, in certain circumstances, work performed on a general holiday, not at one and a half times as provided for in the present Employment Standards Act, but two and one-half times, and twice the basic rate in other cases.

So I say, Mr. Speaker, it's not unusual for me to observe these agreements that call for a greater amount of percentage above the basic rate in collective bargaining freely entered into. Yes, Sir, I know that the actual application of the figure one and three-quarter does indicate that once again we are leading the universe. I have stated in this House that if there is provision in the basic rates for fringe benefits, the one and a half will apply and an amendment will be forthcoming. I have indicated, in response to most of those who have written to me, and copies to the Member for Fort Garry and I presume the Member for Assiniboia, complaining about this legislation, are not working overtime on average in any case. So what's it all about?

I suggest that rather than some considering that this is hastily drawn up legislation as a sop to the unions, that that is erroneous because I've been damned by the unions, I've been damned by management, but there's one outfit that I haven't been damned with and that's my own conscience on a matter of principle of attempting to bring about a fair deal.

One of the honourable members opposite suggested that because I am shortly going to go into pasture in retirement, that I'm building an epitaph for myself. I want to say, Mr. Speaker, that this certainly isn't an epitaph at all. It's fair play; it's justice. And while the indications have been from opposition, with the exception of the Member for Assiniboia, that this is a bill that will be opposed — he says that he will support it to go to Committee so that the people can be heard and I welcome that — I have never deprived anybody of an opportunity of being heard. If I have, over my 25 years come next Thursday, built an epitaph in this House, it is because over those 25 years I have adhered to the principle of let the public be heard. Sometimes, after we have listened to them, we don't pay too much attention, I would agree with that, but that is a principle.

So in conclusion, Mr. Speaker, I suggest that this isn't bad legislation. It's good progressive legislation and what's wrong if the Province of Manitoba does lead the country by getting away from one and a half to one and a half including fringe benefits, and if not included, to one and three-quarters?

I noted, Mr. Speaker, that at a City of Winnipeg Council meeting the other night, there were some questions arising insofar as the application or the section dealing with emergency work and I believe my honourable friend, the Member for Fort Garry, referred to it, referred to storms and water breaks and the like of this. I can understand where there could conceivably be a misunderstanding or a lack of information in those sections as to what constitutes an emergency. I want to say, Mr. Speaker, it would be my intention to have that clarified. I realize full well that if a watermain broke between here and Deacon or Deacon and Shoal Lake, it could conceivably require overtime. Or even if a watermain going out to the Constituency of Fort Garry broke at an unfortunate time and somebody was required to work, that this could be construed as being within the terms of the emergency insofar as the legislation and I'm taking steps for that clarification.

I also want to say, Mr. Speaker, because there may be some problems with the effective date of the one and three-quarters, which would be September 1st, I'm considering extending that date to possibly December 1st in order for the payroll sections of industry to gear their figuring out to accommodate them. It is not a bill, Mr. Speaker, aimed against management; it is not a bill aimed to further gains for labour. In my opinion, it is a bill that is worthwhile and a bill that I have no hesitation in suggesting for the serious consideration of the Members of this Assembly.

QUESTION put.

MR. SHERMAN: Yeas and Nays, Mr. Speaker.

MR. SPEAKER: Call in the members.

The Motion before the House is the adoption of second reading of Bill No. 65.

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

YEAS: Messrs. Adam, Axworthy, Barrow, Bostrom, Boyce, Burtniak, Cherniack, Derewianchuk, Desjardins, Dillen, Doern, Evans, Gottfried, Green, Hanuschak, Jenkins, Johannson, Malinowski, Miller, Osland, Patrick, Paulley, Pawley, Petursson, Schreyer, Toupin, Uruski, Uskiw, Walding.

NAYS: Messrs. Banman, Blake, Brown, Einarson, Ferguson, Graham, Henderson, F. Johnston, Jorgenson, McGill, McGregor, McKenzie, Minaker, Sherman, Steen.

MR. CLERK: Yeas 29; Nays 15.

MR. SPEAKER: In my opinion, the yeas have it. I declare the motion carried.

The Honourable House Leader.

MR. GREEN: Mr. Speaker, I wonder if you would proceed with Bill No. 85.

BILL (No. 85) - AN ACT TO AMEND THE CITY OF WINNIPEG ACT (2)

HONOURABLE SAUL A. MILLER, Minister of Finance (Seven Oaks) presented Bill No. 85 - An Act to Amend the City of Winnipeg Act (2), for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister.

MR. MILLER: Mr. Speaker, this bill is really a technical bill with numerous changes in the Act, proposals that are requested by the City of Winnipeg. As I say, many of them are technical changes. They make changes to the Assessment Provisions of The City of Winnipeg Act, so they are similar to the amendments already incorporated in The Municipal Assessment Act. There are also some technical changes affecting the City's powers to deal with animals. Generally, the amendments are important to the City of Winnipeg and to the functioning of the city. The major one is giving the power to the city to establish benefit boards to deal with pensions and other benefits, and investment committees to administer the city's benefit programs and to give the city more power to better invest the funds of the benefits programs. This is apparently something the city feels it needs and a large portion of the bill gives them those powers.

It will also give them powers with regard to ambulance programs. As well, there is an amendment there to give the city power to deal with terraces. Apparently there has been some difficulty with terraces and the city's ability to enforce provisions of The Public Health Act and The Safeties Act.

So, Mr. Speaker, there are a number of amendments. There was a list of explanatory notes distributed with the bill itself explaining some of the clauses in the bill, which I think will assist members in dealing with it, and of course it will be dealt with clause-by-clause, if members so desire, in Law Amendments.

MR. SPEAKER: Is it the pleasure of the House to adopt the motion? The Honourable Member for Sturgeon Creek.

MR. JOHNSTON Mr. Speaker, I would like to thank the Minister for the explanations that he distributed with the bill when he presented it to the House. I have had the opportunity to examine the bill and I have had the opportunity to go over his explanations and check them out. The Minister is correct in saying that they are technical. He is correct in saying that the City of Winnipeg made the requests. I do have some concern, being a dog lover, but I think that I can go along with the legislation as it is and maybe question the Minister on those particular aspects, in Committee. So we would be prepared to let the bill go to second reading, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, the reading of the amendments to The City of Winnipeg Act, I think, are generally approved by our caucus with one reservation about the powers related to the use of terraces. It involves a number of questions related to the bill. You provide for code enforcement in this area and the division of responsibilities between the jurisdictions as to the building code and the definition of buildings and it begins to look at a real question of fire safety. But I, in looking the bill over, felt that perhaps we should wait, and I would hope that the City of Winnipeg would make representation at Committee on this so that we would have their full explanation and at that time we will express our reservations about it.

MR. SPEAKER: The Honourable Minister of Finance shall be closing debate.

MR. MILLER: Mr. Speaker, if it is the desire of the House, by speaking now, I can close debate and it can move. Mr. Speaker, I am pleased that members found the explanatory notes of value and I'm sure the details can be discussed in Law Amendments when the city staff, I'm sure, will be present to explain the bills. I share the Member for Sturgeon Creek's concern about a certain aspect of it because I happen to be an owner of a dog too.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, would you call Bill No. 67, please.

BILL (No. 67) - THE CREDIT UNIONS AND CAISSES POPULAIRES ACT

MR. SPEAKER: Bill No. 67, proposed by the Honourable Minister of Consumer and Corporate Affairs. The Honourable Member for Rhineland.

MR. ARNOLD BROWN (Rhineland): Thank you, Mr. Speaker. This bill was necessitated because of a tremendous growth of the credit unions and there was a need to update credit union legislation. There was also need to bring some consistency and uniformity into existing legislation. Therefore, this bill has been brought about at the request of the credit unions. I am pleased to see that the rights of the individual will be maintained by this bill, that is, one member, one vote. This bill will make it mandatory that credit unions release full information regarding their operations to the membership. This of course places a greater responsibility upon the directors.

The bill also provides that credit unions must establish larger reserves at the local level, and a stabilization fund will be set up at the central level. Previous stabilization funds were set up on a voluntary basis. Under this Act, stabilization funds will be compulsory, thereby safeguarding the deposits of the members. I believe that this is definitely required because credit unions are now making much larger loans than ever before, and the membership, the depositor, requires this protection.

Credit unions play a very important role in my constituency, and indeed, a very important role in all of southern Manitoba. In my constituency, for instance, you would not have such a progressive farming area, or you wouldn't have nearly as much industrial growth as what you have if it wasn't for the local credit unions or the Caisses Populaires, whatever the case may be.

Credit unions will risk capital to establish local business and industry, thereby fulfilling a void left by the banks, who are more interested in providing working capital. Because of the larger loans to business and to industry, it is necessary to have a larger stabilization fund, which safeguards the money of the depositor. Credit unions have provided many people with work, thereby creating thriving towns and communities.

With these few remarks, Mr. Speaker, I hope this bill will be passed on to Law Amendments Committee.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, the bill before us is one that I think deserves some very careful attention by members of this House, because we're dealing with an area of financial institutions, which, as the Minister himself said in his speech and which everyone else acknowledges, has now become one of the most important investor-savings groups and organizations within the country.

I must confess, Mr. Speaker, to being somewhat surprised at the way in which the bill was introduced at this particular time, because the credit union societies, or belonging to that category of operations called "near banks" are presently under some serious review and assessment in terms of the decade review of the Canadian Bank Act. A number of proposals were put forward under the Bank Act review by the Federal Finance Department, that would have a very large impact upon the ability of credit unions to operate and the nature in which they operate, and furthermore, to some degree, the constitutional responsibilities that the provinces have for the operation of their own institutions, and that the ability of the credit unions in Manitoba, as in other provinces to provide for an effective localized regional financial system, is something that I think deserves somewhat more than just the rewriting of the Act that we had here. I think it probably deserved much more of a policy statement on the part of the government as to how they saw the role and activity of the credit unions in our own province.

I took note that other provinces have already made very strong representations concerning the degree to which credit unions should become part of the national fiscal system, and to what degree they should be required to have reserves kept with the Bank of Canada, to what degree they should be joining the Canadian Financial Assistants Payment Plan, and to what degree they also begin to have responsibility in terms of the general monetary and fiscal control of the country.

Credit unions are no longer sort of the small corner store operation that provided a depositing arrangement and a few small consumer loans. I think that the sheer volume that they ARE NOW CREATING REALLY REQUIRES A MAJOR ASSESSMENT OF WHAT PARTICULAR ROLE THEY'RE GOING TO PLAY, NOT ONLY IN THE PROVINCE, BUT AS PART OF THE NATIONAL FINANCIAL SYSTEM. I understand, Mr. Speaker, for example, that close to 50,000 cheques per day are transacted through the central credit society here in Manitoba, amounting sometimes to \$20 million in transactions. Now, if the credit unions in Manitoba are to become part of the national checking system, that there is a full exchange, what does that do in terms of the ability or accountability within the province itself?

This bill, I think, Mr. Speaker, must be seen against the backdrop of a major shift in financial fiscal

responsibility in this country, and I would have wished almost that we had, as a companion piece to this bill, a series of statements by the government as to the position that they see credit unions and the role they want to play.

Let me raise just a couple of examples of the kind of things that might have been done. One area where I think that the credit unions play an enormously important role, is they balance off the centralized lending practices of the banks. Canadians, for a long time, have taken a degree of pride on our national charter bank system. What is beginning to become clearer, though, as time evolves and more evidence is brought forward, is that there tends to be areas of distortion or bias in the lending practices of banks, primarily because of their centralized nature.

This is most obvious, for example, in the mortgage field, where it is highly unlikely that the banks, which set their mortgage lending guidelines in a 20-storey office somewhere in Montreal and Toronto, are necessarily going to provide the kind of mortgage money that is appropriate for different kinds of neighbourhoods or communities in Manitoba, where the housing conditions are different and where the lending conditions are different. The Mortgage Officer at the Royal Bank Tower in Montreal says, "Look, I've got \$300 million this month to put out in mortgages", and he writes a memo that goes to all the managers across Canada, and it may not have anything to do with the requirements for certain lending practices in the city.

I can give an example of this, Mr. Speaker, which I have referred to in the House before — private lending institutions very rarely lend money for older housing or for home improvements in the City of Winnipeg. While I don't know if you would want to describe it as red-lining, it comes very close to the practice that there is, at least statistically, a great reluctance to lend money in a wide variety of communities and neighbourhoods in this city, in areas where it's most appropriate.

Now it would seem to me, Mr. Speaker, that those are areas where a provincially oriented regional financial system such as a credit union, would have an important role to play, but the ability of the credit unions to play a specialized role in our own province, are in fact limited by certain missing ingredients in our fiscal system. The whole problem of liquidity of mortgage money is a very important one, and that there is no ability for credit unions to turn their mortgage money around, to make sure that there is a high degree of liquidity. So, should we be setting up a system of buying second mortgages from credit unions, as they do in several American jurisdictions, as a way of giving them the incentive or ability to provide for more effective lending practices in localized neighbourhoods, and not have their total lending practices dictated by the centralized banks?

That would be one area where we could take advantage of the peculiar nature of the credit union movement in our province, to provide for a lending program that would be of particular value to our own community, and yet, the credit unions, I believe, Mr. Speaker, are limited because there is no accompanying form of support or sustenance for that kind of lending activity.

In fact, Mr. Speaker, it's interesting that the credit unions in our own province, as of yet, — and I believe this is true, the Minister could correct me — are not used as depositories for government funds, and yet the ability to have the credit unions as depositories for the funds of the government, would provide them again with an additional amount of capital, higher degree of stability, and also, that those funds could be used with a certain degree of leverage to enable, let's say, the credit unions to go into the kinds of mortgage business I've been talking about. It would give them the kind of stability and the kind of reserves that would enable them to do it. I don't believe this government, and the Minister who has indicated a great deal of support to the credit union movement, the government itself has not taken steps in its own account, to strengthen the credit union movement in those particular capacities. I believe I'm correct in saying this, that the government has not provided the sorts of thing it should be doing to support the credit union movement in these areas.

Further, Mr. Speaker, I think that there should have been some statement in relation to what is the constitutional responsibilities, and how does the Provincial Government view the breakdown of responsibilities in these areas. I believe that the provincial credit unions have referred a brief to the Bank Act Review, but I don't know if the government has, indicating its position in these areas. If it has indicated its position to the Bank Act Review, then I think Mr. Speaker' we should have an equal examination in this House of that. Because when you've got a \$600 million business being discussed under this Act, I think it deserves some explanation and articulation on the part of the government. — (Interjection)— Pardon me, 750, the money keeps going up, year by year.

That is an extremely important asset, Mr. Speaker. It doesn't say much about how we would see the credit unions fitting into the industrial capital investment programs of this province.

The Member for Rhineland indicated that the credit unions have provided for a lot of the industrial incentive in his own area. I think that's true. There are many rural communities, in fact, where many city communities the credit union finance some of the most interesting places. I gather they have now become the major benefactor of the Carlton Club, that new watering hole for Winnipeg businessmen, the mortgage is now held by the credit union movement, which I'm sure comes with some degree of shock for our friends opposite to realize how far they're expanding their webs of financial support, considering that I'm sure it's a watering hole that all the Ministers of the government will be using. . . .

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Pardon me? Probably a good investment, considering the membership, the signatories are pretty substantial.

The fact of the matter is that the credit unions, again, with that kind of money, should have some guideline and direction as to the role they're going to play as part of the industrial development program. Now, Mr. Speaker, the reason we don't have that is that we don't have an industrial development investment program in the province anyway, with the exception of MDC, which is now in cold storage. We don't have any statement by the government as to what they see as the industrial investment program in the province. So I suppose you can't be too critical. They're not saying what the credit union's role should be, but they don't know what anyone else's role should be, so I guess it is simply into the matter that the credit unions are put in the same cold storage as everyone else is, they sort of have to do it on their own without any kind of guidance and support. But I think that that's a mistake, Mr. Speaker, because there is an opportunity, as the credit unions do become such a substantial measure on their own in this province.

I would simply point to the experience of the Caisses Populaires in the Province of Quebec, where the Provincial Government of Quebec, for close to fifteen or twenty years, has provided a whole range of special incentives to the Caisses Populaires movement, and it has enabled the Caisses Populaires, as far as a whole range of loans in that province, to far surpass the influence of the banks. They are now probably the most important financial institution in the Province of Quebec, and they are now taking on many of the important responsibilities for industrial investment —(Interjection)— The territory of Quebec, that's right, the sovereign territory of Quebec.

In fact, what I was interested in, Mr. Speaker, was, taking an article which I think appeared in the Financial Post three or four weeks ago, where the Caisses Populaires in the Province of Quebec were now beginning to develop part of a partnership with government, into venture investment corporations, and using their funds in joint enterprise activities, with certain amounts of guarantee supplied, to get into industrial investment regional development programs, using the best advantage of the private investment capacity of the credit unions, with certain guarantees by the government. Now, I would say, Mr. Speaker, without having the opportunity to fully examine the feasibility of it, again it indicates at least there was one provincial government, or near provincial government, which for a long time has examined the potential of credit unions in a much wider social economic way.

Mr. Speaker, that is one point that we want to raise in this bill, that we really think that the time has come for us to look seriously at the role of the credit union movement as our own form of investment financial institutions in the province, and it should really have been accompanied by a statement of policy.

Now, in terms of the bill itself, I think there are some items that we would want to raise. We recognize that this bill has been worked out in close consultation with the credit union societies and their lawyers, and everything else, and I think that from that point of view, we can only assume, without having to look at the particular details of the ninety some odd pages, that the bill has been drafted properly and satisfies many of the concerns of the credit union movement.

Let me raise one point. There is a very strong emphasis in this bill upon the role of the Board of Directors. That, I think, is probably an important step to take, that they're now creating the Board of Directors of a Credit Union as a much more serious organization, that the ability for the credit unions to take initiatives really will rely upon the Board of Directors to take a higher degree of responsibility.

What is not provided, at least as I can see, Mr. Speaker, is some protection for any liabilities that those directors will acquire. One of the serious difficulties, if the credit union boards have the same difficulty in getting liability insurance, that private Boards of Directors do today, then you will find, Mr. Speaker, the likelihood of talented, skilled individuals prepared to take a seat on the Board of Directors of a credit union becoming extremely cautious about that. Because all of a sudden, the member of a Board of Directors of a credit union, is subject to a whole range of liabilities, on salaries, on investments and everything else, and yet the protection for that individual is increasingly hard to come by. —(Interjection)— Well it is so. I think the protection of liabilities of members of Board of Directors — it's the same question that we raised when the Corporation Act went through last year — that it is not an easy matter to get it. I would think that the question we raise, and it can be dealt with again, perhaps, by the Minister or in examination in the committee, we certainly want to know what the particular role of the Board of Directors would be in terms of protecting them against liabilities. That would be one question about the bill.

The second one comes down to the ability of the Stabilization Board. This is a question that I really want to raise to the Minister. The government has full power to nominate the members of the Stabilization Fund as suggested or recommended by the Credit Union Society. Mr. Speaker, I think there's an interesting principle at stake, and that is, should the members of the Stabilization Fund all be from the credit union movement? In other words, if the Stabilization Fund is increasingly going to play the role, a regulatory role, a monitoring role, then should they be drawn out of the members of the societies to which they are regularly being held accountable? It may be, Mr. Speaker, that there is

room in the bill to at least provide for some degree of independent or non-credit union people to be on the Board of the Stabilization Fund, to make sure there is some balance of interest. — (Interjection)—

Well, I realize that, but I think it is an important issue. When you really look at it, the Stabilization Fund, as I read the Act, — (Interjection)— Yes, that's right, get the competition on it. The government maintains the power of appointment but the power is based upon a list recommended by it. Now it seems to me that a Stabilization Fund, which has more important regulatory activities, I wonder if it should be totally done by members that are drawn from the credit union movement itself. That is a question I would really like raise to the Minister. He might want to think about that to be able to respond to it. It's a question I would ask, I think, at Law Amendments Committee, because it does say something about the degree of autonomy or independence of that fund itself, and the degree to which it is able to provide for some outside observation, of a degree of objective opinion as to the role it should be playing in the activity of a union.

Mr. Speaker, those are the particular questions we would raise in relation to the principles of the bill. We do think, though, that this bill, we would hope, in its passage — and we certainly approve of it — would not be the end of our examination of the role the credit unions should be playing. We think that the timing of change in the role of economic institutions in this country is very important, and that there should be a parallel development and review of our own provincial financial institutions at the same time as the Bank Act is going on, because we believe that there should be, and it's absolutely essential, that we develop a much more decentralized financial system in this country to provide a much greater degree of fiscal aid for local communities and neighbourhoods so that they can begin to get capital assistance for the investments and enterprises which are much more attuned to their beliefs, and we think that the credit union movement is perhaps the best opportunity to do that if it is going to get into specialized fields like mortgage lending in a different kind of way. We know that over forty percent of its loans are now in certain kinds of mortgages, but we think that it could be getting into places like older neighbourhoods, and we think that there is a real opportunity to make the credit union a much more active socioeconomic agency in our province.

MR. SPEAKER: The Honourable Minister of Consumer and Corporate Affairs will be closing debate. The Honourable Minister.

MR. TOUPIN: Mr. Speaker, first of all, I would like to thank the Honourable Member for Rhineland for his comments in regard to his party's support of the bill before us. I would like to equally comment on some of the remarks made by the Honourable Member for Fort Rouge pertaining to related matters, as I take it, pertaining to the bill before us. They are related in the sense that when we talk of jurisdictional matters in regard to financial institutions operating within the province, we are talking of a group of financial institutions that are of provincial jurisdiction. The representation made by quite a few departments of government to the Federal Government has been that credit unions have been in the past, are today, and were wanting them to continue to be of provincial jurisdiction. To my knowledge, Mr. Speaker, that has been the position of all provinces in Canada and more specifically of the Province of Quebec, who has been given responsibility going back to 1900 and starting credit unions in Canada, and helped start credit unions in the States in 1906, I believe.

So that is the position that I have taken, that's the position taken by the Minister of Finance at Inter-Provincial Conferences. That is the position that has been consistently taken by, to my knowledge, NACU, the National Association of Credit Unions, by the Co-Operative Union of Canada, and Francais Canadienne le Corporation of Canada, in regards to the jurisdictional matters.

That, Mr. Speaker, does not solve the related problem as we have it discussed now pertaining to Credit Unions in regard to certain rights that we believe Credit Unions should have, although they are not and will not, in our opinion, become federally chartered. In regards to compensation rights at a comparable rate and I say comparable to the banks in regard to having certain rights of clearing cheques within and without provinces. That is something that has to be discussed very actively with other provinces and with the Federal Government.

The borrowing powers of Credit Unions are limited as the honourable member is quite aware, in regard to being able to borrow directly from the Bank of Canada. And that has been a hindrance to the credit union movement.

The different points that have been somewhat a hindrance to the movement prior to 1969, I believe, have been to the greatest degree rectified. And here I am talking about impairments that were contained in certain statutes, provincially. To my knowledge again I must say that I don't know of any provincial statute that has to be amended making it possible for agencies of the Crown to do business with credit unions. That wasn't the case a few years ago. Municipalities today, school boards, hospital commissions, hospital districts, that is, any provincial agency that is being funded by the Crown can and some do, have business with credit unions. In regard to larger components of the provincial government business is being had through centrals and I think that that is a proper way to do it. I wouldn't see the provincial government directly doing business with locals. That can be done and should be done maybe more actively in the future by means of the two centrals that we have, The

Co-operative Credit Society and Le Centrale Des Caisses Populaire. So that is something that is being now made possible and to some degree there is exchange of financial matters between those two levels.

We have no intention, Mr. Speaker, of making it compulsory that agencies of the Crown do business with credit unions. We agreed that credit unions are completely autonomous and that is a decision that they must make themselves.

The liquidity requirement of credit unions has been a problem and I so indicated in the tabling of the bill, and that is one of the reasons why we are making certain major amendments to the Act itself in regard to liquidity requirement to be set by regulation. Credit unions today have assets of approximately \$750 million in this province. If you compare that to just a few years ago, it has more than tripled. If you take Canada, we have over 4 million members in Canada that are active in credit unions. The Province of Quebec, as an example, who started in 1900, it took them 60 years to reach \$1 billion in assets. It took them another six years after that to reach the second billion. I don't know where they are at now in Quebec. They could be at ten, twelve billion dollars in assets. They are larger I believe than any federally chartered bank in the Province of Quebec. And they are working very closely especially with the newly elected government in Quebec, I am told. Again I am only informed of that by the credit unions there, not by the government. So we do, by all means, have to look at the borrowing powers. We do have to look at the responsibilities, the added responsibilities of the directors, but I don't agree with the Honourable Member for Fort Rouge, Mr. Speaker, that this will make it a hindrance to new people that get involved as directors of credit unions.

We have had now, by means of different companies, and I am talking about Cuna Mutual, Co-Operative Life Insurance, and L'Assurance . . . an insurance policy offered to directors, to managers, to employees, other members of committee, blanket coverage policies. It does take up the responsibility by means of a very small premium, so there is no real concern in that sense in regard to liability by any members of boards. I do insist that the Act before us, Mr. Speaker, does not abolish any boards like it had been indicated by some people. It reserves the right of the members, who are the ultimate deciders of policy in credit unions, to at all times have a Board of Directors, have a Credit Committee, and a Supervisory Committee. They can delegate the appointments of the Supervisor and Credit Committees to the Board of Directors, that is still contained within the provisions of the Act.

The honourable member had an interesting point pertaining to appointments to the Stabilization Funds. There are two funds, and credit unions and Caisses Populaires are at liberty to choose either of the Funds. In regard to the appointment of members to those Funds — I wouldn't necessarily want to contemplate the possibility of appointing outsiders to the Funds themselves, but I certainly want to have a mix of say, possibly the Managers of credit unions Directors, ordinary members, and have a cross-section of interest on these Stabilization Funds. And I have so indicated to the Directors of both centrals, who have responsibility of submitting names for appointments.

We are giving more and more responsibilities, Mr. Speaker, to the Stabilization Funds in regard to auditing of books, and taking more financial responsibilities for their members. Here I am talking about credit unions and Caisses Populaires that are active members of the Fund. So in that sense we can't have our cake and eat it too. If we are giving them additional responsibilities and if we refuse, and I have refused over the years, and I will in the future refuse to, what some have said, bailing out of credit unions. I don't believe that is a responsibility of government. That is a responsibility for credit unions to see that they set aside enough reserves for that purpose. That is now being done. I am quite confident it will be done even more so, more effectively in the future, based on the accumulative assets of credit unions.

I can't let the opportunity go by, Mr. Speaker, in saying, "Where was the honourable member when the Estimates of Co-operative Development were discussed in the House?" We spent over twenty hours on Consumer and Corporate Affairs and I believe two hours and ten minutes on Co-operative Development. The points raised by the honourable member are quite justified and I would love to be able to discuss them with him and any other member of the House, but that was a good opportunity, Mr. Speaker, right here in this House, to look at the Estimates, to contemplate new policies in the Co-operative Development Department of government, including credit unions. I do hope that following the acceptance of this bill in Committee and here in third reading that we can pursue existing and future policies of the credit union movement.

I would like to indicate, Mr. Speaker, that I will have a few amendments in Committee, not very many. Most of them technical. The bill was drafted after a lot of discussion with mainly the two centrals and credit union members in the province, and we do have to bring in a few amendments at the Committee stage. But I don't believe that they really deal with a change of principle as indicated in second reading.

Thank you.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, would you call Bill 69 on page 4, please.

BILL (NO. 69) — AN ACT TO AMEND THE PUBLIC SCHOOLS ACT

MR. SPEAKER: Bill 69. The Honourable Minister of Municipal Affairs.

MR. BILLIE URUSKI: Thank you, Mr. Speaker. I will be very brief. We are prepared to let the bill go to Committee to hear representations from the Brandon School District and School Division, to hear the position on the bill because as it was explained earlier it seemed like a change of position from an earlier requested situation, but we are prepared to let it go to the Committee and hear the representations to be made.

QUESTION put, MOTION carried.

MR. SPEAKER: Oh, I'm sorry. Did the Honourable Member wish to close debate. The Honourable Member for Brandon West.

MR. EDWARD MCGILL: Mr. Speaker, I merely wanted to acknowledge the contributions made by members opposite in connection with this bill, which embodies a request from the Brandon School Division to permit the election of its school trustees in a manner somewhat differently than is now contained in the Act.

I think the principle here really is that of whether or not the various and individual school divisions should have the right of self-determination in respect to the holding of elections for the school trustees.

I am pleased that the Minister is now permitting this bill to go to Committee in order that any representations from the Brandon School Division might be heard at that time. But I do think that it is important to remind the members that the bill is intended merely to deal exclusively with Brandon School Division Number 40, and its rights.

Inadvertently, however, there were some changes introduced by the drafting of this bill which impinged upon and affected some of the options presently available to other school divisions. So it is the intention, Mr. Speaker, to introduce amendments of a technical nature in order to remove that impediment which crept into this bill, and which was unintended. Thank you.

QUESTION put, MOTION carried.

BILL (NO. 17) — THE FREEDOM OF INFORMATION ACT

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Call Bill No. 17, Mr. Speaker.

MR. SPEAKER: Bill No. 17. The Honourable Member for Flin Flon.

MR. BARROW: I adjourned this bill for my colleague, the Member for Radisson, who I think is ready to speak anytime.

MR. SPEAKER: The Honourable Member for Radisson.

MR. SHAFRANSKY: Thank you, Mr. Speaker.

A MEMBER: What's the bill number?

MR. SHAFRANSKY: Bill No. 17. This bill has appeared before us the second year in a row and it is something that most of the members on this side have very adequately described why it is not necessary under parliamentary system of government.

The Member for Fort Rouge seems to be enamoured with the congressional system of government in the United States, which is based not on the responsible system of government — the parliamentary system of government — that we know in Canada, that the people who are given responsibilities are put in that place or position by being first elected, unlike the American system which is simply that the senior positions are based on the Most of the senior government officials still appear to be merely on sabbatical leaves from the boardrooms of industry and finance.

Therefore, Mr. Speaker, I don't think it requires much comment to indicate that I do not support this particular measure.

Therefore, Mr. Speaker, I move, seconded by the Honourable Member for Flin Flon, that the motion be amended by deleting all the words after the word "that" in the first line and substituting the following: "Bill No. 17, An Act to amend The Freedom of Information Act, be not now read a second time but be read this day six months hence."

MR. SPEAKER: Would the Honourable Member for Radisson, on a Matter of Procedure, pick someone else to second it, since the Member for Flin Flon spoke today?

MR. SHAFRANSKY: The Member for St. John's.

MR. SPEAKER: Thank you.

MOTION presented.

MR. SPEAKER: The Honourable Member for St. John's.

MR. CHERNIACK: Thank you, Mr. Speaker. When the Honourable Member for Radisson was looking for a seconder, I pleaded with him to make me the seconder because, Mr. Speaker, I have

listened to the debate on this issue several times now. I find that the arguments presented on this side of the House are rather persuasive. I, on the other hand, have the desire to keep the subject matter open and to feel free to explore it in future debates and on future occasions. I like the principle involved in the six-month hoist because I do feel that it is a matter which requires continuing review, and therefore, I take literally — although I know the effect of a six-month hoist — and accept it and support it in this case, I still take the view that it is not a complete rejection of the principle involved. I say that again agreeing that the — and incidentally, Mr. Speaker, I said the arguments that I heard from this side of the House are sort of persuasive, I include in that the arguments presented by the Member for Morris — and I am not prepared to support the bill, but I am not prepared to reject the principle out of hand completely. I do want to feel that we will have further opportunities at future sessions, and in society generally, to review the principles involved and not feel bound by previous decisions. That is the main reason why I do support the principle of the six-month hoist in this case.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, I'd like to make some comments in reply to the initiative just taken by the government to effectively kill the bill. I think as much as the Member for St. Johns indicates that this is to be reviewed, I think that if the government was serious about wanting to review the principle of freedom of information, then there is a much more effective way of doing it, and that was to have passed it in second reading, send it to committee where a full range of public representation and comment could have been heard. I think that that would have been a much more useful, a much more open, much more democratic way of proceeding, perhaps getting it outside the cloistered corridors of government where their own experts may — and I doubt whether they will — but may examine it. It would have been much more useful considering the wide degree of public concern about this issue.

Mr. Speaker, there's a strange phobia expressed by members opposite that somehow the freedom of information bill is an infernal device manufactured by those Yankees to the south of us, who after all we know, get themselves involved in a perfidious form of congressional government that has all these iniquities to it; and that we here in the parliamentary system are much too perfect and pristine to have to have any truck or trade with the kinds of machinery that they are about to devise. Mr. Speaker, of course that's nonsense and if the members opposite had bothered to listen or read the Hansards or listen to what other groups in this country have been saying, they'd know that it is not something which is foreign or alien to the parliamentary system. It has been part and parcel of the parliamentary system.

I've pointed out in the past that the State of Sweden which has always been used by members opposite as the touch-stone for their legislation, for their ideas, for their inspiration, in fact has had a Freedom of Information concept for 200 years. They also have a form of parliamentary government. So I find that it's not something that is a recent invention by the Americans, it's something the Swedes have been working on for 200 years. I would suspect that if when the members opposite go off on their annual junkets to Sweden to investigate social welfare policies and how to undertake public ownership, they might as well have stopped a little while in the Chambers of the Swedish Parliament to discuss how the Freedom of Information system worked. It's too bad, Mr. Speaker, that they are much more concerned about the — there'd be economic policies in Sweden and not their parliamentary policies because then he might have learned something from them.

Furthermore, Mr. Speaker, I find it exceedingly odd that — well, I don't find it odd. I know the reason why — that the members of the New Democratic Party nationally are very supportive of a Freedom of Information bill, very identical to the one I introduced. It's not something that they find so foreign, so congressional, so American that Mr. Broadbent and his colleagues in the Federal House of Commons haven't supported.

In fact, Mr. Speaker, to carry it one step further, considering the high degree of concern and sensitivity expressed by both the Conservatives and the New Democrats about the Aryan nature of this bill to the parliamentary system, that a measure like this was introduced by a Conservative Member of Parliament, Mr. Baldwin, and in fact is supported by the full federal caucus in Ottawa. It is their bill. It's their motion, and I would suspect, Mr. Speaker, that the Conservative Party nationally has within its numbers, a number of people who are as well versed in the precedents of parliamentary government as anyone in this House. The fact is as Conservatives they would be as much concerned about tradition, as much concerned about maintaining the hallowed institutions of our country, and yet as a party they not only endorsed it, they have been in the nature of promoters of it in the Federal House of Commons.

So for the Member for Morris and the Minister of Mines to get up and rail against this mission as being totally unnecessary, again I find a little unusual because it's not outside of the parliamentary system. It is very much within our traditions and it has received really partisan support from every political party in different areas. I think the difference is this, Mr. Speaker. It's the government that doesn't want to bring freedom of information in. It's government that's afraid of freedom of information. It has nothing to do with parties. It has nothing to do with how does one believe, it is if

you happen to be in government or not. And if you're in government, Mr. Speaker, you really don't like the idea that all of a sudden some of those privileged areas of information that are yours to reserve, that are not to see the public glare which gives you your advantage over the opposition, that gives you your advantage over the private citizen, that's the real reason.

Mr. Speaker, the thing that I find most disturbing about this is a high degree of myopia that's expressed. I found it very interesting, Mr. Speaker, on the very day that the Member for Morris and the Minister of Mines and Natural Resources were railing against freedom of information, saying it was absolutely necessary, the Minister of Industry and Commerce responsible for the Manitoba Housing got up in this House and said he was not going to divulge certain pieces of information. Interesting? Don't you find that an irony, a paradox? That the Member for St. Matthews says, "There is nothing privileged in our government." The Minister of Mines and Natural Resources says, "Leave it to the politicians." Well, Mr. Speaker, when they were saying those things, the Minister of Industry and Commerce was in fact saying, "I'm sorry, certain land dealings and prices of Manitoba Housing will not be divulged."

Furthermore, Mr. Speaker, the Minister of Mines and Natural Resources in his own department has privileged documents, which the government has gone through an amazing dance on several twinkle toes about why they won't release studies dealing with Hydro environmental dangers. The First Minister has again, an enormous capacity to only look at the garbage in other people's backyards because when I asked him why Manitoba Hydro and the Department of Mines and Natural Resources were not prepared to make public a study that was done by this government on hazard, he said, "Well, because the Federal Government should make their studies available." But he wasn't prepared to offer his study and that study's still not public, that study still has not been divulged, they're still not prepared to make it available for those who want to see what it's doing.

So when members opposite say, "There is nothing secret in this government," I only have to say, that's sheer nonsense; because by their own words and their own admissions in this House, they have had to admit it. So I don't know, Mr. Speaker, I suppose truth comes in many versions and it's strange that on the very same day that one can be saying, "There's nothing secret," a Minister of the Crown can be standing up and saying, "Yes, there is."

But it goes beyond that, Mr. Speaker. There is also the problem, not to deal with the great issues of debate that happen in this House. I think my primary concern about freedom of information goes back to individual cases. As any government — not just this one — but any government grows larger and its bureaucracy extends, it involves itself increasingly more in the day by day affairs of individuals. We have seventeen or eighteen different boards, agencies and commissions. We have a Welfare Advisory Board, we have a Workmens Compensation Board, we have Pension Benefit Boards, we have Social Health Development Commissions, all of which begin to acquire certain pieces of information about individuals and people start writing reports about their clients. People start putting down on paper their assessment. The Manitoba Telephone System begins getting certain privileged pieces of information, computers on it, there is a whole range of information that government begins to store up, and all of a sudden the private individual standing outside there, doesn't know why and where decisions are being made about him or her.

Why is the Workmens Compensation Board deciding that that person should or should not receive benefits when that individual does not have the right to get the medical file? Now, I wonder if the Member for St. Matthews, in his little sort of investigations, found that out? And found out that there are many individuals — injured workmen — who are not able to make any kind of responsible appeal to the Workmens Compensation Board because they don't know what's being said about them? And they can't get access to that information. I wonder if the Member for St. Matthews, in his supercilious sort of posturing — (Interjection) — about the purity and pristine perfection of this government in giving information, knows that that takes place? I would want to know if he feels that it's right to have an individual to appear before the board, to have judgments made about that individual, without having any recourse or access to that information. Now is he prepared to defend that with those constituents of his who say he says this government is so open and so clear?

Mr. Speaker, I am prepared, you know, to say look, as an opposition we can ask questions in the House, we can put Orders for Return in, but that is not much help to the individual which by statute and by regulation does not get access to those kinds of files. The same thing is true as the Minister knows in certain dealings with the Welfare Advisory Board. Reports are written, assessments are made of clients in the social assistance field, decisions are made as to how much they should receive or not receive, and yet they don't have access to that information. There is in fact, Mr. Speaker, I gather a court case pending trying to do that, trying to get that very same information available.

So I find it, Mr. Speaker, frustrating I guess to say the least. I feel badly about the Member for St. Johns saying, well, he agrees to the six-month hoist, and he's persuaded by arguments on the other side because, Mr. Speaker, I haven't been persuaded because I know what the facts are. I know, I've talked to the individuals who say they can't get that information. I don't know what more has to be said. I don't know what more evidence had to be brought forward in this House to convince

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reasonable members like the Member for St. Johns that perhaps it was time for the government to take a look at this particular piece of legislation.

I didn't say at the beginning that I thought that it had to be rammed through in the last days of speed-up. I simply asked that it be given agreement in principle and go to committee for examination at which time the public would have an opportunity, and individuals could come forward and say, this is the way it affects me or doesn't affect me. The Manitoba Bar Association has asked for that, Mr. Speaker. We were sitting in a committee on Family Law where a great deal of deference has been paid to the commentary of the Manitoba Bar Association. Why are we not prepared to allow them to come and speak on a bill like this? What are we afraid of that we're not prepared to have public representation, when the Canadian Bar Association which has never been known as a radical organization — in fact I would say as things go it's pretty conservative — was prepared in its convention here last summer to put forward a resolution that was passed by a two to one vote that there be freedom of information bills brought in at every jurisdiction, provincial and federal in this country.

Mr. Speaker, they didn't have to listen to the Member for Fort Rouge to get some voracity to those a statements. They had all that accumulated group of lawyers who have to deal day by day with government bureaucracy who were prepared to say the time has come that we do something to get proper access in these areas. So, again, for the Member for St. Johns to say, "Well, you know, I'm persuaded that there wasn't sufficient reason that we do anything about it," bothers me, because I respect the Member for St. Johns in terms of being a relatively fair-minded man. Other members opposite, I don't. I don't believe the Member for St. Matthews is a fair-minded man and he has never demonstrated that in this House. The Member for St. Johns has. So if the Member for St. Johns is prepared to go along with this particular cutthroat measure that the member for Member for Radisson introduced, then it does disturb me. Because it does men mean to say, Mr. Speaker, that fair-minded men on the government side are prepared to buy that kind of package, that it means there really is a problem. That there really has been an erosion of sensitivity, that there really has been a degree of coarseness, a thickness of skin beginning to develop on the government side, that they are much more concerned about defending the prerogative of the public bureaucracy than they are about defending the prerogatives and rights of the individuals in this province.

Mr. Speaker, I see even more reason than I did a week ago or a day ago, for this bill to be at least introduced and passed. Obviously, for what it's worth I recognize the limitations of one member of this Legislature. I just want to express my deep disappointment that this government was not prepared to understand that there is an increasing concern on the part of many people in this province, and throughout this country, about the fact that government is acquiring a great deal of power, and that we have to continually add to the institutions of our parliamentary democracy, to try and put some checks and balances on that power.

And perhaps one of the most important checks and balances is to insure that the tremendous monopoly of information the government acquires would be broken, and that there would be a greater degree of freedom and access. It is not, Mr. Speaker, in any way a distortion of the parliamentary system. It is simply an addition to the parliamentary system. And members who don't see that, don't understand very much about how our parliamentary system has evolved over the years, that historically many of the institutions which we now accept as normal, conventional procedures in this House, twenty, thirty, fifty, a hundred years ago, were fought over the same way we're fighting over this one.

The Ombudsman, which members opposite said, why bother with freedom of information when we have an ombudsman? Well, I can recall debates in this House, which I went back to read, where exactly the same argument was being used by a Conservative Government in the days of Duff Roblin against the Ombudsman Act, that the NDP are now using against the Freedom of Information Act. Almost word for word. We don't need it, it's against the parliamentary position, we've got all the freedom and access we need right now. Almost word for word, members of that government at that time were using to fight the ombudsman as this government is using to fight the Freedom of Information.

Mr. Speaker, I can only hope that at some point in the near future perhaps the government will change, so that there can be a change in attitude as well, because maybe that's what it takes. But if nothing else there has to be a change, I think, in the perspective of members of this House on all sides, because I think to get a proper evolution of our own institutions it needs the support of all members, of all parties, as it is now receiving in the federal level. — (Interjection) — Oh yes, because what has happened is the Federal Government has agreed and has sent the bill of Mr. Baldwin to a parliamentary committee for examination, and they are holding hearings on it and have heard representations on it. They have taken a major first step, far beyond what this House is prepared to take.

Mr. Speaker, I can only say that the amendment introduced by the Member for Radisson is a very

large step backwards in the attempt to try to refine and develop a parliamentary system which is appropriate and necessary for our times. I think that maybe this is where a parliamentary system will make itself felt, that as they see this government continually taking steps backward, further and further in reverse, then they may decide that the time for a change is at hand. to substantiate his argument that there has, indeed, been a particular problem by having lowered the age of majority to 18, especially in regard to the drinking age. I have within my constituency two high schools, and there is one hotel in fairly close proximity to the high schools. I have made it a point to inquire and to find out if, indeed, there have been any problems created during the noon hour break and quite the contrary, the fact is that there is no one really interested in taking the time off to go to the hotel. In fact, the complaint has been that many of the young people who do come out, the 18-year olds who do come out, come out around 9:00 o'clock in the evening, and they sit down in a place which is air conditioned, and there's a nice band, and they enjoy themselves by taking advantage of a fairly inexpensive evening, buying a couple of beers and listening to the music and dancing.

So, Mr. Speaker, just simply trying to bring about an amendment to change the age for drinking from 18 to 19, is certainly not going to produce that type of change, which, if you're really serious about it, you should consider all aspects of the age of majority, that we should change the whole set of Acts which deal with this, not only for drinking but the fact that that is the age at which you become legally responsible, and has been established at 18, not simply a piecemeal type of change. I have heard that the change in Alberta, changing it to 19, has not produced the kind of improvements . . .

I find that young people today, Mr. Speaker, are not really that concerned with looking forward to that period of time when they are going to be able to go and have a beer. I have a son who's 17 years old, and he's quite tall for his age, well, he's taller than I am, he's well built, he plays football, and he could pass for 18, 19, 20, but he does not have time — and most of the friends that he has — to spend his money or his time in the beverage rooms. I could tell you, Mr. Speaker, from personal experience, when I was his age, it was something that we were looking forward to, and there was always, because there was only men at that time, it was a challenge, to see if you could get in and have a beer.

The Honourable Member for St. Johns related an experience that he had with the Honourable Member for Seven Oaks — when you consider the two, that I would have assumed that the Honourable Member for St. Johns would have been much larger and therefore would have been the one logically to have remained in that underage period, but he didn't look — well, Mr. Speaker, I was 19 years old — this was up in the Swan River Valley — I went in with the person I was boarding with — it was my first year of teaching up in the Swan River Valley, and the person I was boarding with was 28 years old. But he had a very youthful looking face, something like the Honourable Member for St. George, you would still swear that, unless you really knew how old he was, you'd have some question about his age.

Well, I was 19, and I sat down, and this man, the waiter, came to him and said, "Hey, you," to a guy who was 28 years old, "out!" I didn't know what the heck to do. I just sat down and drank my beer, drank his beer, finally he said, "What are you talking about?" But he didn't happen to have anything to prove that and I drank my beer, he was, in fact, 28. So I sat behind I drank his beer, and I walked out. So I don't know, Mr. Speaker, if a person wants to get in, I don't think this one year is going to make that much change.

Therefore, Mr. Speaker, I don't believe there is much more discussion required on this particular topic.

I'd like to move, seconded by the Member for Emerson, that the motion be amended by deleting all the words after the word "That" in the first line, and substituting the following: "Bill No. 49, an Act to Amend the Liquor Control Act, be not now read a second time, but be read this date six months hence."

MOTION presented.

MR. SPEAKER: The Honourable Minister of Health.

MR. DESJARDINS: Mr. Speaker, I don't intend to speak too long on this bill. I just want to state that I am opposing this last amendment that has been made. It has been a very difficult thing for me to make up my mind on this. I've been concerned with the ills of alcohol for a number of years. I've seen a lot of suffering. I would have been very satisfied to leave the age the way it is now, had we done something, or should we do something, to make sure that we try to help enforce this law. For instance, I think the best thing that we could do is probably change the system where the driver's licence would have the picture — the age is already on — the picture of the driver and that could be used as an identification card, or youngsters who want to go to the pub, if they haven't got a driver's licence, that they would have the facility of recognizing some form of identification with his picture approved by the Attorney-General.

When and if this thing comes along, then I would go along and keep the age the way it is, but in the meantime there is no doubt that it is very difficult to have this to have this Act enforced, so I will vote against this last amendment. It's not a question of ideology, I don't want to stand here today and tell people that they're crazy or that they're stupid because they think something, it is a question of — I

don't know if we can really say, I guess with some it is a question of conscience — but it is a question of something that is very difficult and I believe that every member in this House is going to do what he thinks is right. That is what I am doing now, without a question of ideologies or name-calling to anybody on any side of the House.

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. BANMAN: Thank you, Mr. Speaker. I can't support the motion either, Mr. Speaker. I think the motion effectively kills the bill. I think the Member from Radisson in doing so has not allowed the bill to go to a vote, which I would have liked to have seen happen. It's unfortunate, I believe, that this issue has not been able to see this House vote on it and I'm disappointed with that.

I realize, as a member of the Opposition and someone concerned about the problems and abuses of alcohol in society, that there are very few avenues as far as the enforcement and as far as regulations that a member of the Opposition can initiate or even actively promote. My hope, I guess, in seeing this bill not being voted on and the age limit not being raised is that the Attorney-General, who is in charge of the Manitoba Liquor Control Commission, will indeed aggressively consult with the Minister of Highways and sit down and work out a program whereby identification, such as mentioned by the Member for St. Boniface, would put a picture on the driver's licence.

I mentioned, when introducing this particular bill, that a large number of the states in the United States have gone to that particular method. Alberta, I understand, is going to that particular method of identification and I'm sure this would be a positive step forward.

The other area that has been discussed at quite a length is proper enforcement. I think that the penalties as they presently exist on people that are caught drinking under age in establishments is not severe enough. I think it's a lark for people to be caught in drinking establishments under the age. The onus should remain with the hotel owners but I think that the people that do get caught, there should be some onus on those people also.

As I mentioned, I'm sorry that the bill didn't go to Committee. I believe that it has accomplished something and that it has caused a lot of public debate as well as debate in this Legislature. That public debate and public pressure I was hoping would help the members in the Legislature to decide how they would be voting on this particular bill.

I realize, Mr. Speaker, that in the dying moments of the session when there is a presentation of a hoist such as this that that effectively does kill it for this particular session.

Now, Mr. Speaker, I could go on. There are other areas that I could possibly touch on but I would like to say that I hope that the public is concerned enough that they do write their members. Next time, after this session is closed and if there is a change, or if there isn't a change, I intend to pursue this matter further and will be pushing to see that this particular change in The Liquor Control Act is made, that we do raise the drinking age from the present eighteen to nineteen.

I hope, too, that the Minister in charge of the Manitoba Alcoholism Foundation and in charge of Corrections will also see fit to make sure that his other colleagues, the Minister of Highways and the Minister in charge of the Liquor Control Commission, as I mentioned will bring up proper identification and proper penalties for people caught in these establishments.

So, Mr. Speaker, without saying anything further I am sorry it has not gone to a vote. I think it has accomplished a certain amount of public debate. I would ask that the members on both sides of the House — since it's a free vote — would vote against this particular hoist and give this bill a chance to come to a vote and hopefully, from my point of view, pass. Thank you, Mr. Speaker.

MR. SPEAKER: The Honourable Minister of Consumer and Corporate Affairs.

MR. TOUPIN: Mr. Speaker, I won't be very long. I'd like to indicate my opposition to the resolution before us, the amendment that is. I, too, am against the six month hoist on this bill. We've had enough discussion on the matter before us and I'd like to be able to be consistent in the speech that I made on the bill. I am against the bill and I want to vote on the bill. I want to decide now. What is being moved by the Honourable Member for La Verendrye is something that I believe will not rectify the problem that we have in society and I want this to be determined now, not in six months, not in a year. So I am opposing the amendment by the Member for Radisson.

MR. SPEAKER: The Honourable Member for Birtle-Russell.

MR. HARRY E. GRAHAM: Mr. Speaker, I see we only have three or four minutes left and I would want to say quite a bit about this particular move that has taken place at the present time. I'm quite prepared to start my remarks now and complete them at some later date.

The motion that the Member for Radisson put forward, Mr. Speaker, is a move that is one that has been used from time to time in this Legislature by all political parties. However, Mr. Speaker, I think it is very seldom . . .

MR. SPEAKER: Order please. The Honourable Member for St. Matthews state his matter of privilege.

MR. JOHANNSON: Yes, the hoist or the motion moved by the honourable member is not a motion on behalf of our party. It is a personal motion, not a motion on behalf of the government caucus or the NDP Party. Let me make that very clear.

MR. SPEAKER: The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Speaker, I feel very sorry for the Member for St. Matthews if he can't understand or if he doesn't want to understand, that's up to him. If he would only listen he might understand something. I said a motion of this nature has been used by political parties on numerous occasions throughout the history of this Legislature.

It has been used for various reasons. In some areas, the issue may be one that is particularly unpalatable to a political party and, on that basis, they say, "Well, we will move a motion of a six month hoist which will, in essence, defer the matter or, in some people's minds, it may effectively kill it." Mr. Speaker, a sixth month hoist, if it is used properly, does not defer a matter or does not kill a matter at all. What it does do, and I hope what would be accomplished by a six month hoist, it does give the Legislature an opportunity to look thoroughly at an issue.

If that is the intention that the Member for Radisson has, if he feels that six months or, in effect, the next session of the Legislature, if 57 members of this Chamber will think very seriously about this matter and deal with it again the next time this session meets, then I don't see anything that serious about it. I think a six month hoist has in the past been used successfully for that purpose because we have found that on occasion the matter is reintroduced the next session, and it is reintroduced in a form that had improved.

However, Mr. Speaker, there are other times when a six month hoist on an issue has effectively killed the issue and it is not brought up again. If that was the intention of the Member for Radisson then I think he made a very wrong move in moving a six month hoist at this time. He would have been better to vote on the bill right now. So if that was his intention, I think he made the wrong move. Unfortunately, the Member for Radisson did not tell us, when he was speaking, what his intention was and that is the thing that concerns me. When a member stands up and expresses his viewpoints, or tells his story, I would think that he would give us some clear indication of what it is that he wants this House to do. —(Interjection)—

MR. SPEAKER: Order please. The honourable gentleman will have an opportunity to speak on this bill another time. The hour being 5:30 the House is now adjourned and stands adjourned until Monday, 2:30 p.m.