

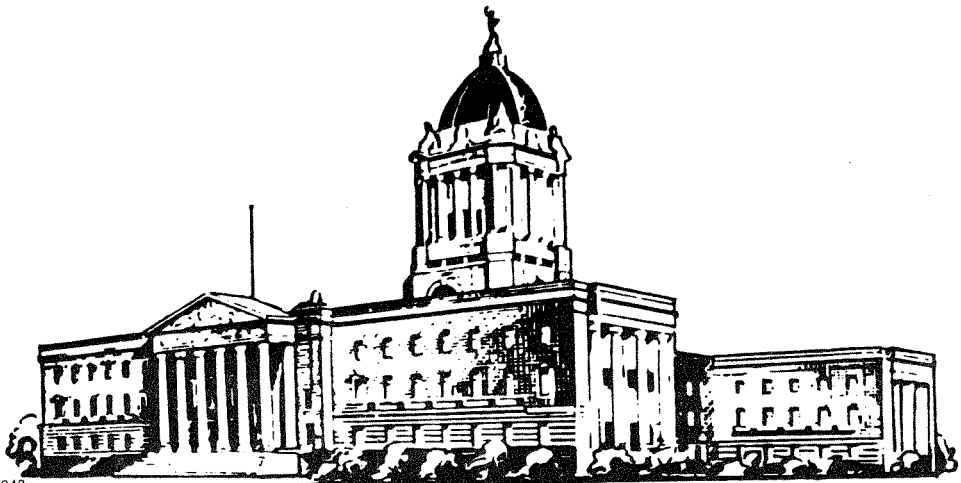


Second Session — Thirty-Second Legislature
of the
Legislative Assembly of Manitoba

DEBATES
and
PROCEEDINGS

31-32 Elizabeth II

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The Honourable D. James Walding
Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Second Legislature

Members, Constituencies and Political Affiliation

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

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, 4 July, 1983.

Time — 2:00 p.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. J. Walding: Presenting Petitions . . . Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees . . .

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Mr. Speaker, I beg leave to file the Annual Report for 1982 of the Criminal Injuries Compensation Board.

MR. SPEAKER: Notices of Motion . . .

INTRODUCTION OF BILLS

HON. V. SCHROEDER introduced Bill No. 75, The Statute Law Amendment (Taxation) Act (1983).

HON. R. PENNER introduced Bill No. 99, The Court of Queen's Bench Small Claims Practices Act; and Bill No. 101, An Act to amend Various Acts of the Legislature to facilitate the Reorganization and Expansion of the Court of Queen's Bench.

HON. E. KOSTYRA introduced Bill No. 106, An Act to amend An Act respecting the Taxation of The Canadian Pacific Railway Company by The City of Winnipeg and to amend The Winnipeg Charter, 1956.

MR. H. CARROLL introduced Bill No. 103, An Act to amend The Law Society Act.

HON. A. ADAM introduced Bill No. 105, An Act to amend The Municipal Assessment Act (2).

HON. L. EVANS introduced Bill No. 107, An Act to Amend The Child Welfare Act (2).

MR. SPEAKER: Is it the intent of the government to move 102 for first reading at this time?

HON. R. PENNER: Not at this time, Mr. Speaker.

ORAL QUESTIONS

Nationalizing of Chartered Banks

MR. SPEAKER: The Honourable Leader of the Opposition.

HON. S. LYON: I have a question for the First Minister. In view of this government's professed concern to have co-operative relations with the business community of Manitoba and to encourage employment in the private

sector in this province to help make up some of the slack in the 52,000 who are unemployed - some 30,000 more than when this government came into office - can the First Minister give assurance to the House and to the people of Manitoba that he and his NDP Government do not subscribe to the policy that was adopted by the NDP National Convention this past weekend of nationalizing one of the major five chartered banks in Canada?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, this is, of course, not a matter pertaining to provincial jurisdiction but I do support the nature of the resolution at the federal level that there ought to be a publicly-owned bank operating in Canada in the same way that Petrocan was formed in order to provide for a window on the industry. I'm not surprised at the reaction of honourable members across the way because they opposed Petrocan when the Petrocan was announced and was formed, in the same way that they will continue to resist improvement and progress for the general public.

HON. S. LYON: Now, Mr. Speaker, that we have the unvarnished truth coming forward from the First Minister that he supports this kind of mumbo-jumbo nonsense that was passed as a resolution in Regina, this business of not nationalizing five, but nationalizing one - it's like being a little bit pregnant isn't it, Mr. Speaker? - will the First Minister tell us — (Interjection) — I'm sure that's regarded as a sexist remark across the way, Mr. Speaker. Will the First Minister tell us whether or not it would be the intention of this government in the unlikely event, Mr. Speaker, that there was ever a government formed by the national New Democratic Party in Canada, would it be the intention of the Government of Manitoba to help the national government expropriate this unnamed bank, one of the big five, with funds from the taxpayers of Manitoba?

HON. H. PAWLEY: Mr. Speaker, I point out to you, just for the record, that the question is hypothetical but I'm again delighted to answer the question.

I thought that it was an excellent proposal a number of years ago when it was proposed that provincial governments - and there was agreement, in fact, by western provincial government in 1975-76, by all four western provincial governments of the day - that provincial governments ought to be able to invest up to 10 percent in a banking institution. Mr. Speaker, as far as I know, that policy commitment was made; I think it was a sound move.

The honourable member refers to mumbo-jumbo. I'm wondering what our friends in North Dakota would think of his references to mumbo-jumbo, because one of the most successful banking operations in the State of North Dakota is the State Bank of North Dakota. It's been operating for some half-century; it's been operating under Republican and Democratic

administrations. I saw their financial statement but only a few months ago and I was impressed how successful that state bank had been; so when the honourable member refers to mumbo-jumbo, it is better indeed than a paralysis of thinking that so frequently appears to be the case with Conservatives in this country.

HON. S. LYON: Mr. Speaker, now that the First Minister has not just dipped his little toe into the water - he's jumped in head first - would the First Minister tell us, emerging from this great, economic powwow that he attended over the weekend, would he tell us which of the five major chartered banks this enlightened New Democratic Party has selected as the one they're going to expropriate and nationalize with the money of the taxpayers of Canada? Would it be the Royal, or who?

MR. SPEAKER: Order please. I wonder if the member would wish to rephrase his question and make it apply to a matter which is within the administrative competence of the government.

The Honourable Leader of the Opposition.

HON. S. LYON: Mr. Speaker, with a deficit of \$600 million, the people of Manitoba will be happy it's not within the administrative competence of this crazy bunch of people who are pleased to call themselves a government. Mr. Speaker, would the First Minister then enlighten the House and the people of Manitoba and tell us the bank that he would recommend that the national party, the New Democratic Party, nationalize.

HON. H. PAWLEY: Mr. Speaker, I would also like to point out to the honourable member because I've been reminded by members on this side, it was 1935 when the government of R.B. Bennett first established a central public bank insofar as Canada was concerned, a Bank of Canada. Mr. Speaker, the decision as to banking policy and which bank, indeed, will be formed as a public bank is one that, hopefully, Mr. Speaker - and I say hopefully and I think more and more Canadians are hoping in view of the disastrous alternatives that are provided by way of Conservatives and Liberals in this country today - that that is a decision, hopefully, that will be made by Ed Broadbent in the next election.

HON. S. LYON: Mr. Speaker, can the First Minister tell us as he unwinds himself from this great hive of idealistic and 19th century thinking that he was engaged in over the weekend, can he tell us how this particular pronouncement that he has just made in the House that he supports the nationalization of one of Canada's major chartered banks, how that is guaranteed to improve relations between this present funny Government of Manitoba and the business community of Manitoba? More importantly, how is this kind of nonsense going to go about creating or helping to create any investment in Manitoba which will lead to further jobs for our burdened people?

HON. H. PAWLEY: Mr. Speaker, in case there is any doubt, this move, this kind of announcement, will improve the relationship of this government with the small-

business community of this province that has repeatedly complained to myself and to honourable members on this side of the House about the kinds of interest rates, the kinds of spread that presently exists in regard to interest rates and the rate of inflation in Canada. Mr. Speaker, I am not worried one bit insofar as this particular measure hurting the relationship of this government with the small- and medium-sized business community in the province.

HON. S. LYON: Well, Mr. Speaker, if the First Minister is satisfied that he's not proclaiming an anti-business attitude by this government, let him live on in his particular little dream world but if the First Minister is really interested in doing something for the small business in Manitoba will he — (Interjection) — do we hear something from the nether reaches again, Mr. Speaker, from the lily pads over on the far bench there?

Mr. Speaker, will the First Minister then tell the small-business people of Manitoba when he is going to repeal the 1.5 percent employment tax which impacts \$75 million on small business annually and, in turn, offers them a one point reduction in small business corporate tax, which gives them one million. If he's really interested in doing something for small business, why doesn't he take the \$75 million impost annually that his government has put on small business in Manitoba, take it off the backs of the small-business people and stop telling us this nonsense about nationalizing banks is going to help?

HON. H. PAWLEY: Mr. Speaker, in response to the speech by the Leader of the Opposition, the small-business people in this province understand full well what other Conservative Governments are doing in other parts of Canada, the imposition of and the increasing of health insurance premiums in the Province of British Columbia and the Province of Alberta. In fact, supposedly the wealthiest province in Canada just increased their health insurance premiums by some 47 percent, an increase in premiums that is being picked up by the small-business community in the Province of Alberta. Let me remind the Honourable Leader of the Opposition of that.

The increase, by way of health insurance premiums in the Province of Ontario, being picked up by the small-business community in the main, in the Province of Ontario; the imposition of user fees in the Province of Alberta; the imposition of user fees in the Province of New Brunswick. Let me indeed remind the Honourable Leader of the Opposition what his friends, what his kissing brothers and sisters in other parts of this country are doing by way of increasing health insurance premiums in various parts of this country, by way — (Interjection) — The Honourable Leader of the Opposition says it's funny. It's not funny, Mr. Speaker; it's not funny to the old and the elderly and the ill in other parts of this country.

Mr. Speaker, let me say that I am delighted to be in a position to associate myself with Ed Broadbent in saying that we're prepared to fight the Conservatives in this country on the issue of Medicare, any day at any time.

MR. SPEAKER: Order please, order please.

The Honourable Member for Elmwood.

MR. R. DOERN: Mr. Speaker, I would like to ask leave to make a short non-political statement.

MR. SPEAKER: The Honourable Member for Turtle Mountain.

MR. B. RANSOM: Mr. Speaker, we're quite prepared to grant leave to the member to make a non-political statement at the end of question period.

Layoffs

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. R. BANMAN: Thank you, Mr. Speaker. I direct my question to the Minister of Natural Resources and would ask him if he could confirm that 18 contract employees working for his department who started this May, have been fired by his department.

MR. SPEAKER: The Honourable Minister of Natural Resources.

HON. A. MACKLING: Mr. Speaker, I cannot confirm with precision the changes in staff that have occurred by virtue of the fact that we have engaged in a very tough analysis of spending, and have had to — (Interjection) — Well, Mr. Speaker, the Leader of the Opposition and others think it's funny, but we have approached government spending with an attitude that wherever possible, we are going to cut back a program that has lower priority and reinforce those areas of government spending where we create jobs. They think that's funny, Mr. Speaker.

MR. R. BANMAN: Mr. Speaker, would the Minister confirm that 18 people have been fired? They signed a 26-week employment contract with this government some time in May for reforestation of the Manitoba forests. They have now worked seven weeks and have received layoff notices, and will now not even be eligible for UIC payments.

HON. A. MACKLING: Mr. Speaker, I've indicated that I don't know the details of any layoffs that the honourable member has indicated, but I do know that this government has embarked on forestry reforestation like they've never done in decades before.

We are doubling the capacity of our forestry nursery at Hadashville. We're building a very large complex at The Pas which will see produced annually over 4 million seedlings that will involve significant employment in the North; 250 people will be employed in the North, 230 part-time, 20 full-time. The honourable member suggested that we're cutting back on forestry, that is deceitful, Mr. Speaker.

MR. R. BANMAN: Mr. Speaker, to the same Minister. He gets up and makes all kinds of pronouncements in this House - and doesn't know what's going on in his department - I have layoff notices here. Eighteen people have been laid off in southeastern Manitoba, fired by

this Minister, who were hired some time this May for 26 weeks. These poor people gave up other job opportunities to work for the government on reforestation. They have now been laid off, 18 of them, and are not eligible for UIC payments. What is this government going to do about taking funds from the Minister's department and putting it into the Jobs Fund and stop the shell game and stop playing with people's lives and firing them when they have made a 26-week commitment to this government?

HON. A. MACKLING: Mr. Speaker, the honourable member makes a very intemperate speech rather than asking a question. I've indicated that I don't need to know the details to the question he's asked. Certainly I'm going to take that as notice. I will give him and other members of the House a full response but I disagree with the thrust of the honourable member's representation.

We have done much to employ people to improve the forests in this province. We have hired people in extensive programs for cleaning up Dutch elm disease in the Brokenhead River. We've spent hundreds of thousands of dollars in respect to forestry. For the honourable member to suggest that somehow, we're not doing appropriate work is wrong, Mr. Speaker.

I will look at the particulars and it may well be that we have had to cut back in some of our initiatives, but we've done more in six or eight months than they did in the four years they were in office.

MR. SPEAKER: The Honourable Member for Emerson.

MR. A. DRIEDGER: Mr. Speaker, to the same Minister then. In view of the fact that 18 people have been callously fired in the southeast, and in view of the fact that the Minister himself on June 17th, put out a press release in Government Information Services where he indicated a recent forestry report concluded that the demands on forest resources are pushing its renewal capacity to the limit, and we must take action now to prevent serious deterioration, is this how the Minister is going to keep up the forest programs and the problems that are there, by firing 18 people that had a signed contract for 26 weeks?

HON. A. MACKLING: Mr. Speaker, as I indicated, I will take the specifics of the question as notice. The honourable member is repeating an earlier question. — (Interjection) — The Member for Pembina who is the expert on questions, says not at all. The same question was asked, Mr. Speaker, but I give the following answer, that we have been involved in extensive programs in forestry including hiring people for temporary periods for reforestation.

We have done a great deal of work in respect to Dutch elm disease cleanup within Manitoba. Further initiatives are contemplated in respect to that. We have doubled the size of our nursery at Hadashville. We are developing a very extensive forest nursery at The Pas. We are negotiating with the Federal Government now for a long-term commitment to forestry. We have done all of this in the space of time since we have been in office, and there wasn't anything like that kind of initiative launched by the members opposite when they were in power for those many years.

MR. A. DRIEDGER: Mr. Speaker, my question is to the present Minister. Considering the fact that 18 people have been fired because of lack of funds, and considering the fact that this government has introduced legislation under Bill 48 to pay for public elections out of the public purse, will the First Minister consider withdrawing that bill so that possibly there can be funds to keep these 18 people employed?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: It's regrettable that the Honourable Member for Emerson hasn't read the bill in question or he would know that there's no expenditure involved in respect to that legislation in regard to this fiscal year. We're dealing with the fiscal year '83-84.

Mr. Speaker, the Honourable Member for La Verendrye has raised some real concerns. The Minister of Natural Resources indicated that he will look into the concerns that have been raised in this House. I don't think it's necessary for honourable members to yell "deceitful," etc, etc. We will be — (Interjection) —

MR. SPEAKER: Order please. The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, I don't know whether the honourable members across the way, the Conservative members in this House, take ugly pills each morning. Certainly that is the impression that more and more Manitobans are beginning to receive. Insofar as Conservative members across the way, the Leader of the Opposition appears to take not one ugly pill each morning, but two ugly pills each morning.

Mr. Speaker, the Honourable Minister of Natural — (Interjection) — Mr. Speaker, I don't know whether we're in a zoo sometimes or whether we're in a Legislative Assembly. I wish you would make note of where indeed we are at times.

Mr. Speaker, we will be examining the enquiries and the concerns that have been raised by the Honourable Members for Emerson and La Verendrye. The Minister has already indicated he will take the question as notice.

MR. A. DRIEDGER: A final supplementary to the First Minister then. In view of the kind of money, the thousands of dollars that have been spent on this kind of advertising in the various papers advertising the "fraud" Jobs Fund, etc., if the government had not spent this kind of money on this crazy kind of advertising would they then be able to employ those 18 people for the rest of the contract?

HON. H. PAWLEY: Mr. Speaker, I am just amazed that the Honourable Member for Emerson would hold up this ad and suggest that it be cancelled, when it was the same member who chastised the Minister of Labour two months ago about not telling Manitobans about the Careerstart Program. He was chastising our Minister of Labour for not informing Manitobans, Mr. Speaker. If, indeed, there was any fault two or three months ago about not informing Manitobans, let me tell you we're not going to repeat that mistake; we are going to inform Manitobans about our 1983 Manitoba Engineering and Science Graduate Program.

Press Releases

MR. SPEAKER: The Honourable Member for Springfield.

MR. A. ANSTETT: Thank you, Mr. Speaker. I, too, would like to commend the Premier and the government for the advertisement that the Premier was just showing to members opposite. But I have a question for the Premier about this advertisement, because when I first saw it this morning in the newspaper, I noticed what appeared to be a maple leaf with a buffalo - I think it's a buffalo - it's something stomping on top of Manitoba anyway and it appears to be superimposed on a maple leaf. Mr. Speaker, my question for the Premier is, is the Manitoba Jobs Fund now a joint cost-shared program with the Federal Liberal Government?

HON. H. PAWLEY: Mr. Speaker, I thank the honourable member for a constructive and a very worthwhile question in the Chamber. The program is not cost funded with the Federal Government; it is a provincial Jobs Fund, although I do want to, Mr. Speaker, pay tribute where tribute is due. The Federal Government has participated in a number of programs in regard to job funding in the Province of Manitoba, such as the NEED Program and the examination that's now presently under way by the Federal Government and the City of Winnipeg about participating in the North Portage project. But certainly the program is a provincial program and remains that way, Mr. Speaker.

MR. A. ANSTETT: Mr. Speaker, in view of the fact then that this is not a cost-shared, Federal-Provincial program, can the Premier explain the appearance of the buffalo on a maple leaf which has come to be known to most Manitobans and Canadians as a symbol of the Federal Government? Naturally this ad isn't in colour but, had this been a red maple leaf, I'm sure all Manitobans would have felt this was a joint cost-shared program. Can the First Minister then advise what this symbol is all about? I have some problem identifying it; I believe it's the first time it's appeared.

HON. H. PAWLEY: Mr. Speaker, the logo is the Manitoba Jobs Fund logo. Certainly the buffalo remains the logo of the Province of Manitoba. We have a buffalo, which is the provincial logo, reflecting the fact as well, Mr. Speaker, that we're all part and parcel of Canada as a whole.

Layoffs

MR. SPEAKER: The Honourable Member for Lakeside.

MR. H. ENNS: Mr. Speaker, I direct a further question to the Minister of Natural Resources. I find it acceptable and understandable that this Minister or any Minister is not always aware of personnel changes within his department. I find it inconceivable that 18 work contracts could be cancelled without his knowledge. My question, Mr. Speaker, is, is the Minister telling this House that senior staff people in his department cancelled 18 work permits without the knowledge of the Minister?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, that question has already been taken as one of notice, two or three times. The Minister is prepared to provide an answer to honourable members pertaining to the question involving the termination of employees.

MR. H. ENNS: Mr. Speaker, sometimes silence speaks for itself. Throughout the examination of the Department of Natural Resources' Estimates, this Minister indicated to us why some of the monies from that department's Estimates were missing and indeed were transferred to the Jobs Fund, to create jobs.

Mr. Speaker, I want to ask the Minister, does he not believe that the kind of work these 18 people are doing, in the kind of long-term improvement to our forestry - and the Minister speaks eloquently about it - is more important than providing part-time jobs, singing in a band on a corner on Portage Avenue somewhere in a make-work project? Does he not believe the reason these employees were terminated was because of lack of funds? They were told that. Can the Minister not indicate to this House that some of those funds, had they not been transferred to the Jobs Fund, could have retained these 18 people?

MR. SPEAKER: The Honourable Minister of Natural Resources.

HON. A. MACKLING: Mr. Speaker, I will be providing information to the honourable member in the House in respect to the concerns that they've indicated. I don't know that the cessation of work that they allege has occurred, is resultant from a lack of funding for the project or whether there's some other reason for it. I know that we've been involved in a number of forestry initiatives and I will make sure, when I give the answer to the House and the members, that I will give a full explanation as to why any change occurred in that program.

I don't accept the fact that the honourable members urge that it was a lack of funding and that the monies aren't available through the Jobs Fund. There are many reasons why some initiatives may have reached a stage where it was wise not to continue them. We have thinning projects, silva culture programs and I will have to get the detail and I'll inform the House.

Employment Standards Branch - re babysitters.

MR. H. ENNS: Mr. Speaker, I know that we will welcome that response. I would like to think the fact that the area of southeastern Manitoba is represented by my colleagues from Emerson and La Verendrye have nothing to do, Sir, with this firing.

A final question, Mr. Speaker, to the Minister of Labour, who just a short week ago showed a great deal of concern and compassion for a babysitter whose working arrangements involved questionable labour practices. Would the Minister of Labour undertake to have her department examine the validity of the legal contracts that were signed by these 18 employees and assure this House that their rights, under existing labour

laws, are not in any way violated and that indeed the full protection of The Labour Act will accrue to them? After all, Mr. Speaker, these were people that were not signing up to babysit for some private person. These were people hiring out with the Provincial Government, a responsible employer.

MR. SPEAKER: The Honourable Minister of Labour.

HON. M.B. DOLIN: Mr. Speaker, the member well knows that the labour laws in Manitoba apply to workers and we always make sure that those laws are applied fairly, as all governments would do. When the information is received from the Minister responsible, if there is any problem, of course we would be looking at it and of course he would be asking us to look at it. We will make sure that no labour laws have been contravened in any way. It's impossible to do that without the facts.

Special Wage Assistance Program - Engineer and Science grads

MR. SPEAKER: The Honourable Member for Kirkfield Park.

MRS. G. HAMMOND: Mr. Speaker, my question is to the First Minister. In light of the wage assistance project to businesses hiring 1983 engineering and science grads, does this project cover 1982 engineering and science grads who have been unable to find jobs?

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, I'll take the question as notice, but my understanding is that it relates only to 1983 graduates from the faculties.

MRS. G. HAMMOND: Just a further question to the First Minister, since there are still 1982 grads unemployed and this program flagrantly discriminates against them, would the First Minister consider including them in this program?

HON. H. PAWLEY: Mr. Speaker, there is no flagrant discrimination at all, we're dealing with a group. It's obvious that honourable members don't like this particular program because it is a useful and a worthwhile program - and I understand it is also one that is being welcomed well by members of the business community that are in the process of hiring engineering students and science graduates from the university.

Mr. Speaker, there is no discrimination when it comes to providing assistance in respect to the hiring of 1983 graduates in the Province of Manitoba to assist them in the obtaining of employment, Mr. Speaker, I make no apology whatsoever.

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

MR. G. MERCIER: Mr. Speaker, I have a question for the First Minister also. Despite the fact that the Minister of Education told the Red River Community College graduates last week that they had made it, no one in

the Design and Drafting Technology Program has a job although two years ago under our government all graduates got jobs immediately, would the First Minister confirm that the Special Wage Assistance Program for engineering graduates has, in fact, resulted in engineering graduates being hired for jobs which would otherwise have gone to the Red River Community College graduates of the Design and Drafting Technology Program?

HON. H. PAWLEY: Mr. Speaker, I doubt very much that to be the case. In order to be accurate in my response I'll take the question as notice.

Layouts

MR. G. MERCIER: Mr. Speaker, in view of the fact that the Minister of Natural Resources has fired 18 people in his department engaged in reforestation programs, 1982 graduates of engineering are not included in this program, Red River Community College graduates are not included and are losing jobs because of the special publicly-funded program, would the First Minister meet with the President of the Manitoba Government Employees Association who has described manpower planning in the public service as in utter and total chaos - lower level and front-line jobs are being left vacant that will create problems, we are losing structure jobs so that we can have make-work jobs, it just doesn't make any sense - will he meet with Mr. Doer to discuss this whole area?

HON. H. PAWLEY: Mr. Speaker, the Minister of Labour will respond to that question because it's clearly based upon some incorrect premises which is not unusual for honourable members across the way. Just for the honourable members' information, I am prepared to meet at any time the President of the Manitoba Government Employees Association is requested, and the Honourable Minister of Labour will provide some further details to the member.

MR. SPEAKER: The Honourable Minister of Labour.

HON. M.B. DOLIN: Thank you, Mr. Speaker, of course we have been in consultation with the MGEA, with the leadership of the MGEA throughout these programs, and in fact they knew well ahead of this program that - in fact, all members did because it was announced in the Budget Speech - that the Early Retirement Program was being prepared and brought in by the government.

While they had some concern over a few of the details of the program specifically how much pension was going to be paid, in what way, and to how many people, they certainly indicated to us that they approved of this kind of humane reduction and creation of movement within the Civil Service to the alternatives followed in other provinces such as layoff, legislated wage restraint and other measures.

The 476 positions that are referred to are scattered throughout the government. The idea that our manpower planning, which in itself is an erroneous term, that it is in disarray or that it is in chaos is patently false.

What the reduction in the Civil Service through early retirement means, is that younger people, newer people

in the Civil Service will have an opportunity that they may not have had before to move forward in their career paths; that there is the opportunity to have some flexibility to look at programming; to redesign job descriptions and give people the opportunity to do the kinds of things, the kind of creative thinking and the kinds of creative programming that they are prepared to do but you could not do if you did not have some way of creating movement within any kind of business that is operating today. Certainly early retirement and the incentive for it is better than the kind of provision that was provided by other provinces as was provided by the government that preceded us.

MR. G. MERCIER: Mr. Speaker, the MGEA did not support this program, approve it, or recommend this program in any way and it has resulted in the chaos that they predicted four or five months ago when it was discussed with the government.

Employment Standards Branch re babysitters

MR. G. MERCIER: On another question to the Minister of Labour and the Minister who would be responsible for babysitters in Manitoba if she could, I raised a number of questions on this issue with her in the past few weeks, Mr. Speaker, the case of Mrs. Normand has been moved up by the Labour Board from August 3rd to July 18th, would the Minister of Labour confirm to this House - and hopefully for Mrs. Normand and all other persons who find themselves in the same position - that some legislation will be brought in prior to then, to have effect retroactively, so that Mrs. Normand and all others in her position will not have to find themselves in a position where they have to pay over \$900 penalty as a result of the laws brought in by this NDP Government?

HON. M.B. DOLIN: Well, Mr. Speaker, I didn't know I was the Minister of babysitters. I don't think my business card has any more room on it, to tell you the truth, for another Ministry. However, on this particular program I would be happy to reiterate to members opposite, as I said last week on several occasions, that a paper has been prepared, drafts and suggestions for drafts of clarification, amendments, possibilities have been prepared and will be brought before Cabinet and caucus this week for a decision. It would certainly be premature for me, at this point, to indicate what we are going to do. That decision will be taken by Cabinet in an orderly fashion as all decisions are taken by this government.

MR. G. MERCIER: Mr. Speaker, is the Minister of Labour saying that Mrs. Normand may have to pay over \$900 ordered by the Employment Standards Branch or can she finally put this matter to rest and not worry about it every day as she has had to because of this government's action, and be satisfied that she will not have to, on July 18th when this matter goes to the Labour Board, have to pay over \$900.00?

HON. M.B. DOLIN: Mr. Speaker, I haven't been keeping track but I think that's about the fifth time that that question has been asked and that I have answered it in exactly the same way.

SOME HONOURABLE MEMBERS: Oh, oh!

HON. M.B. DOLIN: I am not the Manitoba Labour Board and I will not interfere with their decision, that's No. 1. No. 2, the government is considering ways of amending or clarifying the definition of a domestic worker, that is the stage that we are at now and I would suggest that the question either be rephrased so that it becomes a different question or that it cease to be asked until an answer can be given when the determination is made.

Flood forecast

MR. SPEAKER: The Honourable Member for Swan River.

MR. D. GOURLAY: Mr. Speaker, I have a question to the Minister of Agriculture. Earlier this year parts of the Swan River constituency were hit with a severe flood and since that time several inches of rain have fallen over the same area hampering seeding conditions. This past weekend I understand there's been another five inches in parts of that same area and I'm wondering if the Minister has been fully informed on the situation there; and if not, would he have members of his staff assess the problems with a view at the same time of providing information to farmers on existing programs and policies that might provide assistance to those farmers with their dilemma.

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. B. URUSKI: Mr. Speaker, one can say if doesn't rain, it pours. Certainly earlier in the spring we were, in some parts of the province, short of moisture, but as a result of recent rains several regions of our province have been subjected to some fairly wide-range heavy rainfall. The area that the honourable member speaks of, the Swan River area and the Interlake region as well and some portions of southeastern and eastern Manitoba have been hit.

The extent of the damage has yet to be assessed because in some areas of the height of the crops that are in place, it is difficult to get the full assessment of it because the crops are that high to realize the extent of the water damage.

In terms of losses, fairly extensive losses have occurred in the area that the member speaks of, not to the extent of course of the eastern portion of the Interlake heading into the Winnipeg area east of No. 7 Highway. There, the losses have been substantial. I'm advised somewhere in the neighbourhood of 50,000 to 100,000 of cropland have been inundated with water because the crops were later in seeding.

The extent of the nature of the assessment will be to see what additional measures would be available, if any, in respect to losses sustained by farmers. The program that has been in effect and has been used and has been used up-to-date, is the Crop Insurance Program in which farmers were and are encouraged to have participated in, and in those areas. Only those areas which were not insurable normally, would areas of compensation be entertained.

MR. SPEAKER: Order please. The time for Oral Questions has expired.

The Honourable Member for Elmwood.

MR. R. DOERN: Mr. Speaker, I wanted to ask leave to make a short non-political announcement.

MR. SPEAKER: Does the honourable member have leave? (Agreed)

The Honourable Member for Elmwood.

NON-POLITICAL STATEMENT

MR. R. DOERN: Mr. Speaker, it should be noted that today is July 4th, Independence Day in the United States.

Mr. Speaker, in 1976 I had the privilege of visiting the United States and going to the City of Philadelphia for their bi-centennial celebrations, and like many others in this Chamber I have a large number of relatives and a few friends who live in the United States.

So, Mr. Speaker, on behalf of the members of the Assembly, I would like to wish our American friends, neighbours and allies happy birthday, happy 4th of July, happy Independence Day.

MR. SPEAKER: The Honourable Leader of the Opposition.

HON. S. LYON: Yes, Mr. Speaker, I'm sure that all members on this side of the House would like to associate themselves with the remarks just made by the Member for Elmwood in connection with Independence Day.

We acknowledge, as do practically all Canadians, that the Americans are indeed our closest friends. We take joy in the fact when they engage in national celebrations of this sort, even though they hark back to a time in history which some of us recall as the revolutionary period rather than the period that brought that kind of tranquil government to Canada that we now enjoy and as is exemplified in this House every day.

We would only wish — (Interjection) — I'm glad to hear a socialist with a sense of humour, Mr. Speaker. We would wish, Mr. Speaker, and we note that the statement in this respect is made by the Member for Elmwood who is not always at one with the other members of his caucus on so many topics.

We hope, however, that all members of the House subscribe to it, notwithstanding dalliances that have taken place in the last few months which would put in jeopardy, and have put in jeopardy seriously, that kind and good relationship which has heretofore existed between the Manitoba Government and the people and the Government of the United States.

MR. SPEAKER: The Honourable First Minister.

HON. H. PAWLEY: Mr. Speaker, unlike the Leader of the Opposition I've no intention of trying to transform what was a well-intentioned, non-political statement into a political statement.

Mr. Speaker, we associate ourselves indeed with this very important date insofar as the United States of

America is concerned and insofar as the American people are concerned. At this particular occasion our hearts and our minds do go back to the kind of spirit, the kind of leadership, the kind of pioneering fervor that occurred at the time of independence when the founders of the United States did not fear to advance, did not fear to open up new paths, did not fear to blaze new trails, but forged on with the kind of spirit, the kind of initiative, the kind of resolve that I think is so important, so necessary for Canadians to pursue today.

COMMITTEE CHANGE

MR. SPEAKER: The Honourable Member for Riel.

MRS. D. DODICK: Mr. Speaker, I have a committee change on Law Amendments. The Member for Logan will replace the Member for Thompson, and the Member for Fort Rouge will substitute for the Member for Gimli. The Member for Dauphin will substitute for the Member for Kildonan.

MATTER OF URGENT PUBLIC IMPORTANCE

MR. SPEAKER: The Honourable Leader of the Opposition.

HON. S. LYON: Mr. Speaker, I beg to move, seconded by the Honourable Member for Turtle Mountain that under Rule 27, the ordinary business of the House be set aside to discuss a matter of urgent public importance, namely, the failure of the government to provide for intersessional sittings of a Committee of the House to hear, in an orderly and unhurried way, representations from the people of Manitoba on the proposed changes to the Constitution arising from the agreement between the Federal and Provincial Governments and the Franco-Manitoban Society.

MR. SPEAKER: In accordance with our Rule 27.2, the Honourable Leader of the Opposition has five minutes to explain the urgency of the matter of the motion to the House.

HON. S. LYON: Thank you, Mr. Speaker. This motion is made necessary, Mr. Speaker, by virtue of the unique and may I say unprecedented attempt by the Attorney-General of Wednesday last, to deal with the process of the hearings to be accorded by this government to the amendments to Section 23, in what can only be described as a rather underhanded way, the Attorney-General attempted on Wednesday last, Mr. Speaker, under the heading of making announcements about House business, to make an announcement rather about the unilateral propaganda meetings which he and his government are holding, apparently under the chairmanship of the Dean of the Manitoba Law School. He made that announcement and then he said that there would be a further announcement with respect to a Committee of the House, as yet unnamed and dates as yet unset, having this resolution that is standing on the Order Paper in his name brought before that said committee.

Mr. Speaker, the prime purpose of the Attorney-General, his objection, when I stood in my place to question this unprecedented action, the Attorney-General said this is not debatable. Well, Mr. Speaker, I suggest that it is debatable and that this is the proper time for this House to be debating the process, not the substance of the resolution which apparently we're going to hear more of this afternoon when the resolution itself is introduced, but rather the process by which this government is attempting to ram through a fundamentally important resolution that will amend the Constitution of this province forever, in a way that will affect generations yet unborn, quite seriously.

So, Mr. Speaker, I suggest that the urgency of the debate is brought about out of the very words uttered by the Attorney-General last Wednesday when he sought, under the guise of announcing House business, to deflect any debate on the question of committee hearings. Mr. Speaker, there could be nothing more important than this House to stop its proceedings for a few minutes this afternoon to talk about the process, the way in which this resolution should be referred to, as we have suggested on many occasions before, an intersessional committee of the House in order that that committee may sit, and in no sense of hurry at all, allow the people of Manitoba to come before the committee, as I expect they will want to come by the dozens if not by the hundreds, to tell the committee what their view is with respect to this fundamentally important resolution.

Why is the government in such a rush, Mr. Speaker, to rush this resolution through? Why is this process being collapsed? What is the government afraid to hear? The government, Mr. Speaker, knows very well that the House of Commons adjourned last week and will not be sitting again until mid-September or thereabouts. The House of Commons has to pass this resolution before it has any force or effect whatsoever. Why then, Mr. Speaker, when we're not faced with any deadline or penalty by the Federal Government with respect to parliament dealing with this matter, why are we rushing it through the Manitoba Legislature as though there are wildcats chasing this government down some particular alley that they've hacked out of their own choice? Why, Mr. Speaker?

So that is why I suggest, Sir, that the urgency is important. This government doesn't want to debate urgency; this government wants to rush the substance of the resolution through. I suggest we debate this afternoon, the process of the hearings that should be accorded to this fundamentally important constitutional amendment and that the best recommendation that we can make in the public interest for the people of Manitoba would be that a committee of the House be charged with the responsibility of hearing Manitobans - what's wrong with hearing Manitobans? - hearing Manitobans, Mr. Speaker, in an unhurried way, in an orderly way after this House as adjourned. We have on the Order Paper, Mr. Speaker, literally dozens of bills still to deal with, some very, very important, some in which this government would attempt to provide revolutionary - and I use that word advisedly - new laws in Manitoba which would help finance their political party in the next election, which would cause Marxist-Leninists and all sorts of garden-variety, left-wing people to be sitting on an electoral commission and we're

going to be debating that at another time. Why, in the face of all of this important legislation, is this government contemporaneously trying to force through this resolution to limit, in some way, the access that the people of Manitoba will have to this Legislature, the only access they have?

So, Mr. Speaker, I suggest that the urgency is clear. First of all, the Attorney-General the other day wanted to thwart debate on this matter and the Legislature should not countenance that kind of trickery. Secondly, Mr. Speaker, the subject matter, the process, are fundamentally important and urgent for the people of Manitoba and it should be debated today.

MR. SPEAKER: Order please. The Honourable Attorney-General also has five minutes to discuss the amendment.

HON. R. PENNER: Mr. Speaker, I leave aside the Leader of the Opposition's unseemly reference to motive and his somewhat, may I say, sleazy comments about motive. I think this motion fails, I know this motion fails on three counts. First of all, it must succeed, if it is to succeed, on the basis that there's no other opportunity for debate. I will point out that there is. It fails, Sir, under the Rule subsection 5(d) and (f) and I'll refer to those very briefly.

On Monday, June 27, 1983, the First Minister rose in his place and made the following announcement, in part: "In addition the Attorney-General in due course, acting in his capacity as Government House Leader, will introduce a motion to refer the subject matter of the resolution to one of the Standing Committees of the Legislature to provide a more formal opportunity for presentations from the public. The referral will require the committee to report back prior to the conclusion of the debate on the resolutions." That was made on Monday, June 27th by the First Minister. To talk about the matter having been only referred to by the Attorney-General on Wednesday, June 29th was inaccurate. In fact, on Wednesday, June 29th, I said, first of all, again pointing out how inaccurate the Leader of the Opposition is, I went further and I said, "It will be referred to the Committee on Privileges and Elections," that's on Page 4046 of Hansard. I went on to talk about specifically that the matter would be referred to a Standing Committee of the House for deliberation during this Session.

Therefore, Sir, the matter is, under the Rule, a matter that is already appointed for consideration by the House, under Rule 5(d). Even without that specific reference, it is clear that there will be an opportunity to debate the point raised in this so-called motion of urgent public importance, because when that motion of referral is made and both the First Minister and myself have made that announcement, there will be an opportunity not only to debate the issue but to amend that motion. So there is an opportunity arising, I would think, within the next few days to debate the very question which is said to be so urgent on the basis that there is no other opportunity for debating that we must set aside the ordinary business of the House.

It also fails, Sir, may I suggest, under 5(f), the discussion under the motion may not raise any question according to the Rules and may be debated only on

the distinct motion under notice. Sir, for a matter to be referred to a standing committee, it must be done so by a motion under the Rules of the House, and to bring back a question in, which is a procedural question under this particular Rule dealing with matters which almost always are substantive and not procedural, to bring it in under this Rule is contrary to Rule 27(5)(f). Therefore, on the three grounds, the motion must fail.

There is an opportunity to debate; it is an issue that has been appointed for consideration by the House in the announcement of the First Minister, in the announcement of the House Leader and, Sir, it fails because the request that is inherent in this motion that the matter be referred to an intersessional committee is a matter which, according to the Rules, must be the subject of a special motion.

SPEAKER'S RULING

MR. SPEAKER: Order please. Order please.

In looking at the proposed resolution to set aside the regular business, I find that sufficient notice has been given as required by our Rule 27. I also find, as the Attorney-General has pointed out, that the matter has been set down for debate this very day according to Hansard, Page 4046.

While the resolution addresses particularly the matter of public hearings, I would find that the resolution on the Constitution is sufficiently wide and members have sufficient ability to be able to discuss that matter if they so wish when that matter comes before the House for discussion, therefore, I would have to rule the motion out of order at this time.

ORDERS OF THE DAY

CONSTITUTIONAL AMENDMENT RE: OFFICIAL LANGUAGES

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: Mr. Speaker, I'm calling the resolution on the proposed amendment to section 23 of The Manitoba Act as it appears on the Order Paper on Page 9. With your permission, Sir, I would move, seconded by the First Minister, that

WHEREAS section 43 of The Constitution Act, 1982, provides that an amendment to the Constitution of Canada be made by proclamation issued by the Governor General under the Great Seal of Canada where it is so authorized by resolutions of the Senate and House of Commons and a resolution of the Legislative Assembly of the province to which the amendment applies;

NOW THEREFORE the Legislative Assembly of the Province of Manitoba resolved that His Excellency the Governor General be authorized to issue a proclamation under the Great Seal of Canada amending the Constitution of Canada as follows:

PROCLAMATION AMENDING THE CONSTITUTION OF CANADA

1. The Manitoba Act, 1870 is amended by adding thereto immediately after section 23 thereof, the following sections:

23.1 English and French are the official languages of Manitoba;

23.2 (1) The English and French versions of acts of the Legislature of Manitoba enacted in both languages are equally authoritative.

(2) In this section and sections 23.3 and 23.6, "Act" has the same meaning as it has in Section 23;

23.3 (1) Subject to section 23.6, any Act of the Legislature of Manitoba enacted after December 31, 1985 is of no force or effect if it is not printed and published in both official languages.

(2) Notwithstanding section 23, but subject to sections 23.4 and 23.5, no Act of the Legislature of Manitoba enacted before January 1, 1986 is without force or effect by reason only of it having been printed and published in only one official language;

23.4 (1) Any public general statute included in the Revised Statutes of Manitoba, 1970 and any public general statute enacted on or after January 1, 1970 of a kind normally included in a general revision is of no force or effect if it is not printed and published in both official languages on or before December 31, 1993;

(2) Any general revision of the public general Statutes of Manitoba enacted after the coming into force of this section is of no force or effect if it is not printed and published in both official languages.

(3) A general revision of the public general Statutes of Manitoba shall be printed and published on or before December 31, 1993.

23.5 (1) Any private act or public municipal act or public municipal act, or any public general statute not of a kind normally included in a general revision that is normally included in a general revision - I'm sorry, that is referred to in the schedule and there's a schedule, Sir, attached to this resolution - or any amendments to or acts substituted for any such act or statute is of no force or effect after December 31, 1993 if it is not re-enacted in both official languages on or before that date.

(2) Any regulation enacted before January 1, 1986 that would have been acted on or after the date, be of no force or effect, under subsection 23.3 (1), if it were not printed and published in both official languages, is of no force or effect after December 31st, 1993, if it is not re-enacted in both official languages on or before that date.

23.6 Notwithstanding section 23, no act of the Legislature of Manitoba enacted before January 1, 1994 that only amends one or more acts of the Legislature of Manitoba that are in force, notwithstanding the fact that they were printed and published in only one official language, is without force or effect by reason only of it having been printed and published in only one official language.

23.7 (1) Any member of the public in Manitoba has the right to communicate in English or French with, and to receive available services in English or French from,

(a) the head or central office of any department of the Government of Manitoba;

(b) the head or central office of

(i) any court,

(ii) any quasi-judicial or administrative body of the Government of Manitoba,

(iii) any Crown corporation, or

(iv) any agency of the Government of Manitoba established by or pursuant to an act of the Legislature of Manitoba;

(c) the office of the Chief Electoral Officer; and
(d) the office of the Ombudsman for the Province of Manitoba.

(2) Any member of the public in Manitoba has the right to communicate in English or French with, and to receive available services in English or French from, any office not referred to in subsection (1) of an institution described in paragraph 1(a) or (b) where

(a) there is significant demand for communications with and services from that office in that language; or
(b) due to the nature of the office, it is reasonable that communications with and services from that office be available both in English and French.

(3) Nothing in this section abrogates or derogates from any rights guaranteed by section 23.

23.8 (1) Anyone whose rights under section 23.7, had been infringed or denied, may apply to the court for a declaration to that effect and where the court finds that these rights have been infringed or denied, it may make a declaration to that effect.

(2) Where the courts make a declaration under subsection (1), it may order the institution concerned to submit to the court a plan for changing its administration to ensure that the rights under section 23.7 are respected by the institution, and the institution shall forthwith submit a plan for the approval of the court.

(3) Where a plan is submitted to the court pursuant to this section, the court may approve the plan as submitted, or may order the institution concerned to submit to the court a new or varied plan for the approval of the court.

(4) When a plan submitted to the court pursuant to this section is approved by the court, the institution concerned shall forthwith make such changes in the administration of the office concerned as the plan requires.

(5) In this section, "court" means the Court of Queen's Bench for Manitoba.

2. Sections 23.7 and 23.8 shall come into force on January 1, 1987.

3. This Proclamation may be cited as the Constitution Amendment Proclamation, 1983 (Manitoba Act), and there follows here the schedule.

MOTION presented.

MR. SPEAKER: The Honourable Attorney-General.

HON. R. PENNER: I will shortly be distributing, Sir, to members of the House, a number of exhibits to which reference will be made during the course of these remarks of mine and they will be before the members for ease in following some of the references that are made to sections of the Charter, sections of The Manitoba Act and so on.

Mr. Speaker, by way of introduction, I deemed it important to put this matter in some context, both historical, constitutional and legal. One of the foundation stones upon which Confederation was built and indeed, Sir, without which Confederation, in my judgment, would not have been possible, was the preservation of the minority linguistic and cultural rights for the English in Quebec and for the French in Canada. So, Sir, section 133 of The Constitution Act 1867, formerly The British

North America Act 1867, which is set out as the first item on Exhibit I reads, and I choose to read it:

"Either the English or the French language may be used by any person in the debates of the Houses of Parliament of Canada and of the Houses of the Legislature of Quebec; and both those languages shall be used in the respective records and journals of those Houses; and either of those languages may be used by any person or in any pleading or process in or issuing from any court of Canada established under this act, and in or from all or any of the Courts of Quebec. The acts of Parliament of Canada and the Legislature of Quebec shall be printed and published in both those languages."

So, Sir, in 1867, one of the foundation stones of Confederation was this respect, now constitutionally, for something that had evolved historically from the time our forefathers first set foot on this continent, namely, the respect for the minority rights of those who had decided to attempt to overcome their linguistic, their cultural and indeed their educational and religious differences and form a nation.

I note here, Sir, and I think all would agree in this House, that there was and there remains a problem of two solitudes and that problem is still with us. There are those who would exploit these two solitudes, who would seek to divide us, who would seek to separate us.

Three years after Confederation, in 1870, Manitoba joined the new nation of Canada and we entered pursuant to the provisions of The Manitoba Act which was and remains a central part of the Constitution of this province; and I invite members to look at section 23 again, and note - and I will not now read it, because in effect, I just have - that it is word for word, other than the substitution of Manitoba for Quebec, the same as section 133 of The Constitution Act of 1867. In other words, Sir, we entered Confederation, we became part of the Canadian nation, as part or upon an agreement, a constitutional agreement with the respect to minority language rights in this province; only at that time, the minority language rights in Manitoba which were being protected and preserved, were the English language rights which were then in a minority. Part of the design was indeed to protect, as the situation then was, English language minority rights.

Sir, the agreement before you, in the shape of a proposed amendment, represents an agreement to resolve a case that was and still is before the Supreme Court of Canada, based on section 23 of our Constitution. I will be very brief about the background of that case, which in itself, forms part of the background of the agreement, the background of the proposed amendment.

In 1890, when there had been a drastic shift in the population of this province, so that the French-speaking majority, which represented something over 51 percent of the population of the province in 1870, had declined in relative numbers to 30 percent of the population; at that time the Legislature of Manitoba purported to alter the Constitution of this province and passed an Official Language Act. That went - strangely I would think - unchallenged until 1979 when, in the Forest case, the Supreme Court of Canada, the highest court in this land, and surely, Sir, if there's any respect in this House for the rule of law, it must be to pay attention to and

to follow the decisions of the Supreme Court of Canada. I'm not, in saying that, making any suggestion that there has been any intention to do otherwise, and indeed, I will make that point perfectly clear a little later in these remarks.

In 1979, the Supreme Court of Canada declared The Official Language Act of 1890 was invalid because a unilateral act of a legislature could not alter the Constitution of the province. That particular case did not, however, raise the issue of the validity of our statutes. In 1981, Roger Bilodeau took a case through the courts of this province involving that very question, namely, the validity of the Statutes of the Province of Manitoba. While he was unsuccessful in the Court of Appeal of Manitoba he went on to appeal to the Supreme Court of Canada, and when this government took office, and when I assumed the high office of the Attorney-General of the Province of Manitoba, that case was pending in the Supreme Court of Manitoba, and indeed, as I recall it, it was on the spring list for 1982.

Now, Sir, in my capacity as the Attorney-General, I, and indeed I had to advise the government, had to look at possible outcomes of that case before the Supreme Court.

I refer, Sir, to Exhibit II in this list of exhibits and I would, for completeness, refer members of the House to the full legal opinions which were tabled in this House earlier in this Session; legal opinions from Professor Gibson; legal opinion from our Counsel of record, Mr. A. K. Twaddle, Q.C.

Dealing with the question of invalidity, that is, what would be the likelihood and the outcome if, indeed, the Supreme Court of Canada found that, because of our failure to observe our own constitutions, the laws which had been passed in one language only were invalid, both Professor Gibson and Mr. Twaddle said, well, that's possible; they didn't feel that it was likely, but it was possible. They went on to say, both of them, and I synopsise, that if in fact the Supreme Court of Canada did find that our statutes were invalid because of this failure to observe our own constitution for over 90 years, there would be, and they both used this term, in effect, legal chaos.

Sir, I felt that was not a risk that I as the Attorney-General of this province had the right to take, and I'm not so sure that the former Attorney-General, had he continued in office, would have felt that he had the right; indeed, I would be shocked if he felt that he had the right to take that risk of saying, well let's chance it, let's see if they do or don't. I mean, after all, if they do find our laws invalid, well we just don't have any courts, we don't have any laws, we don't have any Legislature. He would not, I venture to say, have taken that risk. In any event, I certainly did not feel that was a course of action I could commend to the government if there was a reasonable and an honourable alternative.

I want to just say this, assessing that question of risk now from today's perspective, one must, first of all, look at the influence of the Charter and The Constitution Act of 1982, because these were not in existence when the Bilodeau case was decided in the Court of Appeal in Manitoba. Section 52 of The Constitution Act, and these sections are set out in the exhibits I've circulated for members, this is found, indeed, section 52 of The Constitution Act, 1982 is found on Page 3 of Exhibit I. The Constitution of Canada

is the supreme law of Canada, and any law that is inconsistent with the provisions of the Constitution is to the extent of the inconsistency of no force or effect. The Constitution of Canada includes The Canada Act, and (b) the acts and orders referred in Schedule 1 and contained in Schedule 1, Sir, is The Manitoba Act, 1870. It is subject to that overriding provision, section 52.1 of The Constitution Act, 1982.

Moreover, another effect of the existence of the Charter of Rights and Freedoms is this; that if one looks - and I've set out the sections later on in the exhibit - at section 18 of the Charter one reads that the Statutes, Records and Journals of Parliament shall be printed and published in English and French, and both languages versions are equally authoritative.

Sub. 2, the Statutes, Records and Journals of the Legislature of New Brunswick shall be printed and published in English and French, and both language versions are equally authoritative.

I draw your attention, Sir, to these because, if the Supreme Court were to have followed the line proposed by the majority of the Court of Appeal in Manitoba, namely, that the word "shall" - and you'll note, Sir, that the word "shall" is used here, it is used in section 133 of The Canada Act, 1867, it is used, Sir, in section 23 of The Manitoba Act. If, as proposed by the Court of Appeal of Manitoba, the word "shall" only means "may", which may seem strange to the layperson, indeed, it seems strange to many lawyers, that somehow or other, by the magic of some relatively obscure constitutional doctrine, suddenly the word "shall" means "may" - not that thou must, thou may if you feel like it. It would, in my view, posed an enormous difficulty, given that we were now living in a new constitutional era, the era of the Charter, the era of The Constitution Act of 1982, it would have posed an enormous difficulty for the Supreme Court to find that the word "shall" in section 23 of The Manitoba Act merely meant "may." It would have destroyed, within less than a year of the enactment of this new constitutional regime, and remember all of the agony that went into forging this new constitutional regime, it would have torn that fabric apart at one fell blow. It did not seem likely to me that the Supreme Court, indeed, would do that.

Here, Sir, in following this particular argument about the likely outcomes, I would point out to you and draw attention of the members of this House to the Quebec teachers' case. This was a case, decided just a few weeks ago, and that case is referred to in the Exhibits that I have filed for members of the House.

On Page 6, Sir, of Exhibit II. This is a case involving Section 133 of the Canada Act 1982 - and I've just drawn your attention, Sir, to the, not mere similarity between Section 133, but the exact sameness of Section 133 and Section 23, and the Legislature of Quebec had passed a very very important law attempting to legislate the teachers, some 30,000 teachers in the Province of Quebec, back to work and, indeed, the statute, itself, was in both languages, as required by Section 133, but the Schedule was not, and the Quebec Superior Court ruled that the Provincial Government acted unconstitutionally last December - and I read from the Exhibit - when it tabled in the National Assembly a French-only copy of the detailed terms of an imposed public service contract, and that case is

being appealed. The challenge was launched by 12 junior college teachers charged with violating the Quebec labour code, by striking illegally during the term of the contract, which was imposed through legislation after negotiations broke down, and today's judgment - and I'm reading from a synopsis report of the judgment - also dismisses the charge against the 12 teachers.

Their lawyer had argued that under Article 133 of the BNA Act the National Assembly had to table the annex containing details of the contract in English, as well. Then it goes on to state what Article 133 specifies. In 1979 the Supreme Court of Canada struck down Manitoba's 1890 Official Language Act which made English the official language and upheld the 1870 Manitoba Act, which includes similar guarantees to Article 133 of the BNA Act. The decision today, the decision of the Quebec Superior Court, will thus influence interpretation of The Manitoba Act, and it goes on and I won't read the rest of the report of that case.

What I'm pointing out, Sir, is that, not only did the fact of the proclamation of the Charter and The Constitution Act 1982, on April 17, 1982, change the legal map of this country, but decisions since demonstrate that, indeed, there was no mere possibility, there was a real possibility, that the Supreme Court of Canada, in this new constitutional era, could have found the Statutes of Manitoba invalid. No, Mr. Speaker, that is not a risk that I felt that this government should take, or that I, as Attorney-General, should take; nor should anyone, if there is available an alternative that is both honourable and defensible. It's my thesis that what is before us today is both honourable and defensible, and I go further, Sir, the proposal which is before us today is not only honourable and defensible, it is one which can make a significant contribution to Canadian unity.

Canadian unity, Sir, is as much a Manitoba issue, indeed, I would say more a Manitoba issue, if one can regionalize it in that sense, than it is, as sometimes supposed, a Quebec issue. Consider where we would be as a province in a fragmented Canada; consider where we would be with our reliance on being part of a nation; consider where we would be with our population of 1 million; consider where we would be with the dependency we have, and I think we would all say we are thankful for that dependency on other parts of the nation if we lived in a fragmented Canada. Unity, the question of Canadian unity, is not a provincial concern, it's not a narrow concern it's not a parochial concern, but if it can be said to be that at all, it is certainly a Manitoba concern.

Parenthetically, Sir, on this question of outcomes, and this notion that we have heard, and I'm sure we will hear again, "well you should have fought it in the Supreme Court of Canada", a notion which will have to fly in the face of the proposals I have made, or propositions I have advanced, about this new legal regime in which we live. I would remind those who urge that course of action that the Government of Manitoba, through Counsel as instructed, took that stance of "fight it" in the Forest case in the Supreme Court and lost, and went on to instruct Counsel in the Blaikie case, in the Supreme Court, on the same issue, and lost. That's what our record is, zero for two, in the Supreme Court,

on these very same issues. What were some other possible outcomes because that was not, the question of invalidity was by no means the only possible outcome.

Another perhaps more likely outcome, I would readily admit that, I always have, would have been an imposed solution that is something short of invalidity, in which the Supreme Court of Canada would have said, okay, your laws constitutionally should have been passed in two languages; they weren't. They are *prima facie*, on the surface, invalid; we won't go that far but you have X-years, might have been five years, and you must translate all your statutes. So we would have had somebody else's, that is the courts version of the time that we need, we would have had no assistance because the Supreme Court of Canada doesn't hand out grants, and we would have had to translate all of our statutes, 4,500 approximately of our statutes, or 4,400, the number is approximately that. One cannot, incidentally, belittle the task of translating those apparently minor acts which do not ordinarily appear in the consolidated statutes because, for example, many institutions, municipal governments, towns, hospitals, charitable institutions, Winnipeg Foundation, you can name them, thousands of them, their legal existence rests on a statute passed in one language only and, if they cannot exist legally unless it's in two languages, then we would have the duty, would we not, as a government, and the expense, and the agony, of translating everyone of those. So that was another possible outcome.

Or, thirdly, and this I'm sure will be suggested by the Leader of the Opposition, former Attorney-General, and others who will speak on this question; we look forward, with interest, at what they have to say. We might have had a complete, and I put this in quotes, Sir, "Victory" for the government as respondent in the case. The Supreme Court could have said, we agree with the majority of the Court of Appeal; go home Mr. Bilodeau, all of the statutes of Manitoba, even though passed in violation of a constitutional mandate, they're okay, but, Sir, with a result like that, in my judgment, I would think in the judgment of anyone who looks rationally - and I hope we all do, during the course of this debate - on the constitutional history of this province, that there would be no victors, there would be only losers.

It would be a blow to constitutional guarantees, as I pointed out earlier. It would be open for people to say, it's a piece of paper; it's worthless because it's unenforceable; "shall" only means "may", there is no remedial strength to the Constitution; it would be a blow - let there be no doubt about that - to Canadian unity. It would leave, in my opinion, in my judgment, Sir, a residue of bitterness we could not possibly dissipate in our lifetime; indeed, that would be a victory, would it not? It would be a Pyrrhic victory and we could all keep our hands warm over the ashes of constitutional guarantees.

So we sought an agreement - not a dishonourable thing to do - the kind of thing that one does day in and day out when faced with a particularly complex or difficult issue before the courts. Now, Sir, in looking at this agreement and how it came to be - and I think I have a duty to place that before the House and place it on the record - I would like to recall for members of the House that there were, by the time the matter had ripened on the vine, seven parties to the action. There was, of course, the Government of Manitoba

which was named as the respondent on the appeal of the appellant, Roger Joseph Albert Bilodeau, but there was also, as intervenients, the Attorney-General of Canada, the Attorney-General of New Brunswick, the Societe Franco-Manitobaine and the Positive Action Committee, PAC of Quebec, a very strong Anglophone group based essentially in Montreal, who had intervened, represented by Steven Scott, backed by Constitutional authority such as ER. Scott, Q.C. and others, who saw in this case a key issue for minority language rights everywhere in Canada and certainly for Quebec.

We held discussions, primarily, indeed, almost exclusively, first of all, as was necessary if one is to hold discussions leading toward the settlement of a court case with Mr. Bilodeau, with the Minister of Justice, the former Minister of Justice and the present Minister of Justice, Mr. MacGuigan, with the Societe Franco-Manitobaine. Some have said, why the Societe Franco-Manitobaine? First of all, they were a party to the action, and a very important party, but more importantly than that, I do not want to put it on that narrow a basis. There was, first of all, a tradition of dealing with the Societe Franco-Manitobaine on this important question, a tradition established by the previous government, and I will document that.

Thirdly, because clearly they make no claim to represent all Franco-Manitobans; they've never said that but they are clearly the most representative organization of the French, Franco-Manitoban community and it was only right and proper in all of these circumstances that discussions be held with that organization.

Over a period of, really, in excess of a year, because I began considering this matter and the government began considering this matter as early as January of 1982, but negotiations, in a strict sense of that term, didn't really begin until the summer of 1982.

I deem it important, Mr. Deputy Speaker, to go over one or two of the key steps which led to the document now produced. Our initial position, that is the initial position of the government, was simply this: Give us the time that we feel we need; eight years, 10 years, 12 years and cut down the requirement of translation from 4,400 to about 400; that was our proposition. We put it on the table - nothing more. It was rejected. Why, said the other parties, what are you talking about; that's ridiculous. That much at least we could get from the Supreme Court of Canada. We'd rather take our chances before the Supreme Court of Canada than "settle" on this basis. You're asking us to give something for nothing. There is no *quid pro quo*; no this for that. You can't be serious.

We then raised the question, well what is the proposed *quid pro quo*? What is this for that? What is the agreement to be based on, and essentially it was that there should be some constitutional guarantee for French language services which were already being delivered by the government; and that then became the key negotiating issue. Oh, there were details about the length of time and technical details on the other parts of it that I will refer to very briefly but the key part of the negotiations, Mr. Deputy Speaker, had to do with this question of French language services.

The motion was accepted by us in principle. The question of detail, of substance, but of detail was, how

wide a constitutional guarantee should there be and in what way? First of all, Sir, with respect to the method, and I think it's important to put this on the table - it's a matter of public record - that what was being urged upon us strenuously was that we should agree to an amendment to Section 16 of the Charter, putting us in the Charter cheek-by-jowl with the Province of New Brunswick; and indeed the Secretary of State, Mr. Serge Joyal, came to the last annual meeting of the Society and urged upon them that's what they should insist upon and we said no. We said, there is a Manitoba Act — (Interjection) — yes, we were. There was a Manitoba Act and it was only with respect to The Manitoba Act, which was the Constitution of Manitoba, and out of which all of this arose, that we would agree.

But we did that not just, Sir, for historical and constitutional reasons. There was a key language difficulty, semantic difficulty that indeed posed great political problems, and that is that the language of the section of the Charter, Section 20, and it's set out in the exhibit, that deals with services, talks about "Any member of the public in Canada" - this is Section 20(1) - "has the right to communicate with and receive available services from any head or central office of an institution," - this is the word I emphasize - "of the Parliament or Government of Canada."

It was my opinion, and indeed, our legal advice from counsel of record, Mr. Twaddle, Legislative Counsel, Mr. Tallin, that the word "institution," as contained in the Charter, which we would have been locked into had we accepted that proposal, would include municipalities, school boards, a whole range of institutions, and the professional societies, any body instituted by an act of the government would be an institution of the government; and that we would - by locking ourselves into the Charter of Rights and Freedoms - have been imposing an obligation on non-governmental - using government here in the sense of the Province of Manitoba - institutions and agencies, and that we refused to do and we held out as indeed we had decided we would do.

So you see in the proposal before you, Sir, the word not institution, but agency of government, and therein lies a matter of very great significance.

Indeed, Sir, with respect to school boards and municipalities, taking account of where we are today, and indeed that is what we wanted to do, both to pay homage as it were to our own history and to our own constitutional obligations, but recognizing the doctrine of a constitution as a living tree to have it be meaningful in today's context, we felt that while the government of the province indeed could accept an obligation upon itself or for itself, that where in fact, significant numbers of franco-manitobans live in only approximately 30-35 of about the 208 municipalities, that we would not and could not impose an obligation on these bodies. So that became one of the key factors in the negotiations.

I note parenthetically, Sir, that some municipalities say that well this is the thin edge of the wedge. I say to them and I say to members of the opposition with respect, quite the contrary. What we have in effect by choosing this language with care, choosing language suited to Manitoba that we have a constitutional limit which protects the rights of school boards and municipalities to do as they will. What we have indeed as a subsidiary agreement is a grant program available

only where numbers warrant and only on a voluntary basis. So we prevailed in this respect.

I repeat, Sir, that whatever the obligation is - and I will be dealing with that - it is an obligation on the government alone, no doubt an obligation on the people we represent because there are costs involved, I understand that and I will deal with that in due course.

One other general comment on the contexts of the agreement, the negotiations - I've dealt with some of the substantive issues that arose during the course of the negotiations - I would like to place on the record this fact, Sir, that to a very considerable extent, consistent as it could be, with negotiations which almost always take place in what is legally called an atmosphere without prejudice. In negotiations there has to be a lot of give and take, one has to be able to advance propositions and withdraw propositions, but as much as was possible these negotiations took place very much in the public eye.

There were open meetings, for example the society, in which the society was torn apart on some of the issues until the very end. There was at a critical stage a letter that I sent to the Member for St. Norbert with a copy to the Leader of the Opposition outlining in some detail exactly what had transpired - this was on December 18th I believe - and in a few moments, Sir, I will have it here filed as Exhibit VI. It will be a copy of that letter for the public records and attached to it is the draft of the agreement as it was as of that date. If I may file that as — (Interjection) — well, it's the court of public opinion and I think it helps to mark exhibits in a way in which even the Member for Sturgeon Creek could follow it and, Sir, the negotiations took place very much in that sense in the public eye.

I now turn to deal in more detail with the agreement. The agreement essentially is in three parts. There is in the first part of the agreement as contained in the resolution, a validation of our laws passed in one language only; an extension of time to complete the translation of the major public statutes as they appear in the consolidated Statutes of Manitoba until the end of 1993; and a drastic reduction in the number of those statutes which don't ordinarily appear in the consolidated statutes - from approximately 4,000 of them - about 150 of those, Sir, which appear in the schedule to the resolution which has of course been read and circulated in this House.

Surely I would hope there would be no disagreement with that part of the proposal; a proposal which protects our laws; a proposal which prevents legal chaos; a proposal which reduces from 4,500 statutes that have to be translated, reduces to 500 statutes which have to be translated. It may be that the Member for Sturgeon Creek wants to disagree with that, he's such a disagreeable person sometimes that he would disagree with anything, but surely any rational person must say well yes, that much is all right. Why should one disagree with something that is very much to our benefit? Thus far it's a good deal, but as I said there must be a quid pro quo. That was as I indicated, the provision of French Language Services. A second part then deals with the question of French Language Services.

A third part deals with the question of remedies. I'm going to return in a few moments to the question of the French Language Services but I would like at this juncture, Sir, to deal with the question of remedies

because it has attracted some attention, particularly from the Leader of the Opposition, and I think it's important to place some things on the record about the remedies section.

First of all there is a proposition of law, Sir, that there is no right without a remedy. One doesn't have to be a lawyer to understand the common sense of that; that if one simply says you have a right but you can't enforce it, then it is no right at all. Mr. Speaker, that runs throughout the law, and indeed when the Charter of Rights and Freedoms was elaborated, formulated, and ultimately decided - and unless I'm misinformed - the opposition then still government through its Attorney-General accepted the deal that was made. It contained an enforcement provision which, compared to the enforcement or remedies provision we have in the proposal tabled in the House and introduced in the House by myself today, ours seems like milk and water.

The remedy section which I've set out in the Exhibit I, the remedy section of the Charter, found on page 3 of Exhibit I, is very wide indeed. Let me say this - and I'm not being disingenuous, I can share it - some of the concerns that the Leader of the Opposition had when he was Premier or First Minister of this province still has about the remedy section in the Charter because indeed it is very wide. Anyone whose rights or freedoms, as guaranteed by this Charter, have been infringed or denied may apply to a Court of Competent Jurisdiction to obtain such remedy as the court considers appropriate and just in the circumstances.

Let me read that again. Anyone whose rights or freedoms, as guaranteed by this Charter, have been infringed or denied may apply to a Court of Competent Jurisdiction to obtain such remedy as the court considers appropriate and just in the circumstances. In other words to put it in the simplest possible term, the court can order whatever it wills as a remedy, nothing could be more sweeping than that. Another reason why, in looking at what I call an honourable and defensible agreement, we decided that we did not feel it appropriate to deal with this problem within the context of the Charter, given some problems of that kind.

But look, Sir, at what we propose as a remedy in the resolution that is before the House today. I will not read it in its entirety, I did that in introducing the resolution for debate earlier this afternoon, but if one reads it, Sir, the only power that a court has with respect to an application that might be made by someone who says that they're not getting the communication or services in either one of the two official languages which are guaranteed by the amendment to Section 23, the only thing the court can do is say to the particular government agency or department, well what is your plan? Would you please bring in your plan of how you propose to deal with what are alleged to be inadequacies? And the government may do that, bring in a plan and the court cannot alter that. It may say well, if we don't think that's good enough come back with another plan but that's it. That is it. This is something that has to be considered very seriously in a statesmanlike way, in a legal way and I would hope that the Leader of the Opposition at some stage in this debate recognizes the responsibilities he has in that position and to the people of Manitoba and to the people of Canada and does more than laugh.

Lazarus also laughed from the other side of the grave but it did him no good and that kind of laughter will do him no good because this is a very serious matter and the difference between the two remedy sections is palpable, is evident. It is known to the Leader of the Opposition who is, indeed when it suits him - unfortunately it's not frequently enough, he is a very good lawyer - he knows deep in his heart and in his mind which is a good mind - wrongly directed I sometimes think - but it's a good a mind. He knows the difference between the remedy section and the Charter and the remedy section here. He knows that. He knows there is no right without a remedy. His opposition is a bit different and I will deal with it in due course and I understand it. But, Sir, there will be time for the Leader of the Opposition to speak in the fullness of time, lots of time; nor have I ever been, nor will I ever, Sir, and I don't need, at a time when we are debating something as important to Manitoba as this, as important I argue to Canadian unity as this, for members of the opposition, and I would urge on our side as well, to attempt once more to turn this into a zoo ill becomes them. It ill becomes them when the eyes of many people in Manitoba are upon us, on what we say and what we do, it ill becomes them to attempt to sully the decorum of this House, that will not gain them anything.

I turn then, Sir, to what I conceive to be the main, not the only, but the main bone of contention, and that is the question of French Language Services. There are two rational arguments which are raised; one is that the services being proposed by this agreement are too extensive; secondly, that in any event they ought not to be entrenched constitutionally. Those I conceive to be the main arguments that are raised with respect to the proposed agreement. Let me make a general comment about that. The primary position of the Leader of the Opposition, as I heard him during the Estimates of Executive Council, was that he is not opposed to French language services but that they should not be entrenched. His secondary position again, as I understand it, appears to be that in any event it may be that we're offering too much or we're doing it too quickly.

Let me deal with these. I refer, first of all, to Hansard. I refer first of all, Sir, to Hansard of Monday, June 6, 1983 and in Hansard beginning at Page 3481 the Leader of the Opposition, in what I thought - I hope the Leader of the Opposition doesn't think that this is condescending, it's not meant to be - one of his better moments. We were having, I think, quite a rational debate that evening. He said that, "We are going to say that the head office of every department and of every quasi-judicial board, and so on, shall have to have a bilingual capacity in it, even though that may have been a goal towards which our government and the present government was working" - and he's right - "and I think in a reasonable and workmanlike way, but with this great difference, Mr. Chairman, not under the compulsion of a constitutional imperative." That's what bothered him and bothers him more than anything else.

He went on. "The minute that agreement goes beyond the bare bones of translation, which is all that was at issue in Bilodeau, then it works into an extension of Section 23, and grafts onto Section 23 matters such

as the head office of departments, Crown corporations, quasi-judicial boards, and so on, that were never in contemplation when Section 23 was drafted, and that were not in contemplation with respect in the Bilodeau case, but were gradually being worked towards in an informal way by governments past and present, and governments that preceded our government in 1977. Let me be clear about that." So he said we were doing this in an informal way. Well, not quite so informal as I will point out. He goes on, ". . . I would think that any government in Manitoba would want to be very very chary about drafting constitutional extensions onto Section 23. Indeed as I've pointed out, in my view in our negotiations we have been.

It goes on further at 3484 of the same document, that is Hansard of June 6, 1983, to say, "Now that was being worked at in a reasonable way without the constraint of a constitutional amendment." And that, I put it to the Leader of the Opposition then and I put it to him now is really, unless I misunderstand what he's saying, the main bone of contention with him. I would like, as I will in a few moments, to deal with that. Indeed, Sir, the record should be clear - I now intend to make it clear - about what the previous government was itself doing. Exhibit 3 that I've tabled in this House are a series of government documents beginning on October 6, 1980, which details not only what the government was doing, but how they arrived at it by negotiating with the Societe Franco-Manitobaine. I think they were right in doing that.

Memorandum from Cabinet, October 6, 1980, French languages services in Manitoba, I read that part that deals with French language services to the public signed by President of the Council, who was the President of the Council in October of 1980? It was the now Leader of the Opposition. All major provincial government departments should equip themselves to serve the public in French. This would likely include the hiring of bilingual civil servants where circumstances warrant. — (Interjection) — Yes, of course where circumstances warrant, not where circumstances don't warrant. — (Interjection) — Provisions might also be made for language training opportunities for civil servants, and it goes on to say in brackets, (and no doubt for MLAs). It might also be desirable to establish a secretariat to receive questions and requests for advice from French-speaking Manitobans, and to furnish necessary information obtained from government departments to that French speaking public.

I detect, Sir, by the agitation over there there's a certain amount of unease about the record finally being made public. Oh no, oh no, but they heckle and they squirm, and they grow a little red in the face. Let the record speak for itself lest there be any suggestion that there's a little hypocrisy on that side. Letters or inquiries received by the government departments in French shall be responded to in that language wherever practical, a decision regarding the availability of both English language and also bilingual versions of the following forms: official proclamations, licences, permits, etc., Document No. 1 as part of this exhibit, Exhibit 3.

Then a submission to Treasury Board. It progresses - January 19, 1981. The President of the Council speaks and his Ministers follow. Why not?

Over and above its obligations to translate — (Interjection) — statutes and regulations, the

government has stated from time to time its desire to improve French language services specifically by encouraging the civil service to respond where practical in French to letters and inquiries received in that language - not just letters - but to inquiries as well, by deploying bilingual civil servants in positions that deal directly with the Francophone community, and by appointing the Deputy Minister of Cultural Affairs and Historical Resources to act in a — (Interjection) — my how they're agitated, but the record will speak. I will not be silenced on this issue, Sir. — (Interjection) —

On December 5, 1980, the Minister of Cultural Affairs and Historical Resources and the Attorney-General met a delegation from the Societe Franco-Manitobaine, the above noted areas of activity were discussed and Ministers reiterated the government's desire to implement those policies as rapidly as possible. — (Interjection) — Yes.

Then a Submission to Cabinet on February 6, 1981, they were moving fairly rapidly then; February 6, 1981, and the submission to Cabinet over the signature of the then Attorney-General and the Minister of Cultural Affairs repeats what the submission to Treasury Board had been a short time before. My how they're agitated, Mr. Deputy Speaker. — (Interjection) — Yes, they are. These are your own words and your own decisions. They are, they are.

SOME HONOURABLE MEMBERS: Oh, oh!

HON. R. PENNER: Now they have come to haunt you because they are the ghosts of your own past when it suited you politically, and now when it does not suit them politically, Mr. Speaker, they choose to forget what they themselves did. That, Sir, in other places is called hypocrisy.

Another one from the President of the Council. Now we're at September 4, 1981. Progress has been made. "The French Language Services Secretariat announced by myself in the House on March 20, 1981 is now operational. It is headed by a senior advisor charged with the mandate of advising and assisting government departments and agencies to provide French language services within the Government of Manitoba.

I'm pleased to inform you that Mr. Roger Turenne has been appointed to that position." - I'm pleased to tell you, Sir, he's still in that position and we value that as being as being a very good appointment and we are able to follow in the main some very splendid advice we received from Mr. Turenne.

"One of the Secretariat's first tasks will be to draft a set of guidelines for Cabinet consideration, creating a framework within which departments and agencies which have not already done so may implement policies designed to provide at least some of their services to Manitobans in both official languages. I trust you will extend . . ."

SOME HONOURABLE MEMBERS: Oh, oh!

MR. DEPUTY SPEAKER: Order please, order please.

HON. R. PENNER: It goes on, Sir, if I may . . .

MR. DEPUTY SPEAKER: Order, order please.

HON. R. PENNER: "I trust you will extend your full co-operation . . ."

MR. DEPUTY SPEAKER: Order please. There will be plenty of time for members to express their opinions on this resolution. That time, however, it not now. The floor is held by the Honourable Attorney-General. I would appreciate it if all members would give him a considerate hearing.

The Honourable Attorney-General.

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

This document which forms part of Exhibit 3 and which I'm tabling for the record in this House, "I trust you will extend your full co-operation to Mr. Turenne and that a pragmatic, imaginative . . . " - imaginative - I never thought I would hear the Leader of the Opposition calling for imaginative solutions - " . . . and a common-sense approach will be applied to a policy which I consider to be very important for the Province of Manitoba." — (Interjection) — Well, I'm glad that I did too and I'm glad that you feel happy about it.

So, Mr. Deputy Speaker, — (Interjection) — as I see it there are some areas of agreement if not between what we propose with all members of the opposition, at least it appears with some members of the opposition, an agreement in principle on two key issues, namely the question of the necessity to translate the statutes over a period of time in an orderly and non-costly way, and that of course the agreement does, and with respect to the general question of the provision of services in both official languages to the Francophone members of the community, where warranted. I appeal to members of this House and I appeal to members opposite, let's start with that.

Now it is said that what is being proposed here, however, is too much, that we are providing too many services. I'd like to go over that. Now everyone, I take it - and I certainly take it from the language I just read - agrees that, in any event, services should be provided where numbers warrant. That's in the agreement.

I'd like to point out, if one looks at the resolution and the particular aspects of that section which seems to have drawn the major concern of members of the opposition, or some of them, that the provisions deal, first of all, with the head or central offices of any department of the Government of Manitoba, the head or central office of any court, any quasi-judicial or administrative body of the Government of Manitoba, any Crown corporation, any agency of the government - not institution, but agency of the government - and then two named specific offices.

Mr. Speaker, with respect to our existing obligation, because when one looks at what it is, where the actual extension is, then you have to say, well what is it that you're now obligated to do, and I have filed, as an exhibit, with the documents circulated, it's Exhibit 5, a letter dated June 23, 1983, from Mr. A. Kerr Twaddle . . .

A MEMBER: A good man.

HON. R. PENNER: Yes, a good man, right, re the proposed constitutional amendment and I read, in part,

from Page 2, "You will appreciate that, according to the Supreme Court of Canada ruling, in Blaikie, Section 133 of The British North America Act already gives persons the right to use either English or French before a quasi-judicial tribunal in Quebec. There can be little doubt that the present Section 23 of The Manitoba Act, which is in identical words, confers a similar right in Manitoba. In the result, proposed Section 23.8, and that's the French language services' section, proposed 23.7, actually, of the provision, "does not, at least in practical terms, add materially to existing obligations as to the language of communication."

It goes on, "I have not, at this time, attempted to distinguish between quasi-judicial bodies and administrative bodies. Many bodies have a dual function and a distinguishing line is not always clear. I could undertake the task however if you so wish." and he, indeed and the Chief Legislative Counsel are engaged in that task now as is the head of Financial Policy Branch in the Minister of Finance's office.

Mr. Twaddle presents me, and through me, with the province, and I've tabled this, with a list of quasi-judicial and administrative bodies of the Government of Manitoba and, Sir, the total in that list as provided - and it's a preliminary list, there may be some extensions or there may be some restrictions - is 59. Of these 59, I have done a quick analysis, some 22 of these 59 quasi-judicial, administrative bodies, Crown corporations, agencies of the Government of Manitoba and some borderline cases, of these 59, twenty-two are quasi-judicial; that is, they are already required, by the Blaikie decision of the Supreme Court in 1979, to deliver services, as requested, in English or French. So you're down to a balance of 37 and, Sir, of those 37, approximately a little better than half already have persons there able to carry out their functions bilingually, so that we're down to something like 15 or 20 - that is in terms of these boards and commissions and agencies - we're down to 15 or 20. That's the extension by this agreement. Is that then the great issue of the day that will tear Manitoba apart, that we're going to extend these services to some 15 or 20 agencies by January 1, 1987; not tomorrow, by January 1, 1987, to 15 or 20; is that the great issue which is being used to attempt, unsuccessfully, to tear Manitoba apart? — (Interjection) — It may be noted in passing that there is no turkey board in the list. Turkey boards are not such stuff as major public policies are fashioned. — (Interjection) — No, a court may not decide that, because if you'll read and re-read the Remedies Section of the proposal, a court cannot decide that. And a court is able, as is legislative counsel and as is the counsel for the Province of Manitoba, who the Leader of the Opposition says is good counsel, and they advise us - and I follow their advice - and I have read it today and I have read it to the members of the House today that the extension of services is really virtually nominal.

This is not the stuff, I would think, of which major political policy debates are to be fashioned, whether you extend to 15 or 20 or if you throw in the turkey board, it becomes 21. There is a member of this House who talks about nothing, about some person sitting on the turkey board gathering cobwebs about himself, as if that person, when he isn't speaking French, has nothing to do. He should be performing his other functions, but as it happens, to show you the triviality

of those concerns, the turkey board is not an agency of the Government of Manitoba.

I can't help, Sir, wondering about how anyone can live with the thought, how anyone who has aspired to be a legislator can live with the thought that that person is allied with some of the most right-wing, anti-French, language zealots because of a preoccupation, symbolically speaking, with turkey boards, with some poor soul gathering cobwebs; one poor soul. Maybe that person will be there and for three or four weeks, or maybe it could be six months, nobody comes who wants to speak French to him so there he is, all he's got to do is count turkeys or turkey eggs or write letters to Billie Uruski or whatever it is and he doesn't have the opportunity to speak French. This is the great public policy platform of some of the intellectuals of this House.

Let's deal with real issues and real numbers. The senior advisor, Mr. Turenne, has stated, and he's been doing this analysis since the time that he was hired by the Leader of the Opposition, that there's approximately 400 positions which are viewed, in the whole Civil Service, as being Essential or Preferred. Out of over 16,000 civil service positions, that's less than 3 percent and the essential number there, Mr. Turenne advises, is more like 240. At least one-third of that group - say 80 - are already in a position to deliver services in both of the official languages, so that the requirement at the most maybe a 160 out of 16,000, 1 percent, and not until January 1, 1987.

HON. S. LYON: Subject to what the courts say, subject to the courts.

HON. R. PENNER: Read the section again, the court cannot impose . . .

HON. S. LYON: You have entrenched it, you fool. Don't you see that.

HON. R. PENNER: Sir, the Civil Service is still operated on merit hiring. There is no language of the workplace requirement in this, there is no required language training, and promotion policy is not based in any way, shape or form on dual language ability.

I have tabled, for the consideration of the House, as one of the exhibits, Sir, an analysis and it is only, I will admit, a preliminary analysis of the cost feature of the proposal and members will see, in fact, if they look at the back of the document, Exhibit 4, Sir, that with the agreement the net cost over a ten-year period of time to the province is \$2,950,000; without the agreement the costs would be \$5,400,000.00. \$5,400,000 is what they have us spend, these responsible people who tell us in their colorful language, sometimes the language of the streets, why, they say, do you want to spend money like drunken sailors. Well, they're urging us to spend money like drunken sailors because of a narrow ideological hangup. I wish, indeed, that it were as significant as a narrow ideological hangup rather a short-range immediate perception that they have a political issue finally, they think, to hang their hats upon.

So leaving aside, Sir, those who would trivialize this issue, those who would distort this issue, those who would appeal to prejudice from apparent short-term political advantage, and I'm prepared to assume, not

by what I've heard in heckling, but heckling sometimes gets a way with both sides of the House, but I'm prepared to assume until I've heard to the contrary in speeches from members opposite that no one of the members opposite fits any of those categories, that they do have some concerns which are genuine and will be debated in a rational and, I hope, in a decent way.

The entrenchment issue appears to be the issue. A concern, let me note, not shared by Brian Mulroney, who in Edmonton said that the agreement proposed in Manitoba makes a lot of sense. They've got a problem. They have a political problem of immense proportions. Their own federal members are meeting in the province this week to contend with something which may tear them apart. How are they to appear to be friends to the people of Quebec, English and French, and at the same time to create division in the Province of Manitoba? How are they to appear?

SOME HONOURABLE MEMBERS: Oh, oh!

HON. R. PENNER: First of all, to the Anglophone constituency in Quebec out of which Mr. Mulroney comes and who themselves recognize that the problem of divisiveness, the problem of separation, which is exploited by some in Quebec on the basis that the French can't live in Canada, that a step such as we are proposing to take immediately puts a lie to that proposition. How are they to explain it to the Anglophones of Quebec and how are they to explain it to those in Quebec who want to remain in Canada, who are told by some in Quebec that you can't be in Canada because they hate the French outside of the borders in Quebec, that you can't live in Canada outside of the borders of Quebec, how will they explain it to those people when they said, well, but the Progressive Conservatives of Manitoba to a person - because they will follow that Leader of the Opposition to the grave, to the political grave - and raised all kinds of spooks, all kinds of ghosts, have denied the history of this province, have denied the Constitution of this province, have denied the reality of Canadian unity? What will be the explanation then? I would love to hear Mr. Mulroney make a speech on that just prior to an election. I would hope that Mr. Mulroney is elected as soon as possible to the Federal House, so that when this resolution is addressed he can rise in his place like the statesman, I think he is, and he will be able to say to the people of all Canada and to the people of Manitoba what is done is good, because it is. It is and you know it, and you know the political problem you will face on that day.

So, what is the argument? The argument is that this leaves too much to the court. That it subverts parliamentary democracy. That is not a view, Sir, shared by most Canadians. Indeed, unless I'm mistaken, as I pointed out the Leader of the Opposition and the Member for St. Norbert, when the question of national unity was on the table with respect to the charter said, okay, we'll go along with it even though we have reservations about the charter, where will they stand on this issue? Well, history will soon record.

I note, Sir, a certain inconsistency here, in that all of this leaves too much to the court. They have

introduced a resolution to be debated shortly in this House asking for a further amendment to the Charter to introduce property rights. So that's okay to leave to the courts. But the rights, the constitutional rights of the French minority in this province may not, even in a limited way, be left to the courts.

SOME HONOURABLE MEMBERS: Oh, oh!

HON. R. PENNER: Why does it seem to so many that this moves from inconsistency to hypocrisy?

SOME HONOURABLE MEMBERS: Oh, oh!

HON. R. PENNER: I point out, Sir, another inconsistency in the Leader of the Opposition's approach. He says with respect to the Bilodeau case that we had nothing to fear from the Supreme Court of Canada. He said, and it's on the record, courts are reasonable. But here he seems to employ scare tactics by suggesting that on this issue the courts will be unreasonable. — (Interjection) — You can't have it both ways. How do you like that, Frank, you can't have it both ways.

Sir, there is one final issue; I draw to a close. To me, and my government perhaps, Sir, the most important issue, and that is the issue of Canadian unity. That, Sir, is the issue of Canadian unity. — (Interjection) — If you please. The issue of Canadian unity, a fragile thing throughout our history, but under severe strain now. Let no one underestimate the strain that Canadian unity is under, and no more so than with our fellow Canadians in Quebec. They are all our fellow-Canadians, French-Canadians and English-Canadians alike. The Franco-Canadians of Quebec beguiled, all too many of them, with the notion that they cannot exist as a culture in Canada, these people are looking to the leadership that Manitoba can give. There are some who have exploited that in Quebec, in other parts of Canada, and I'm afraid in this province as well.

What we say and what we do here will play a tremendous role - I'm convinced of that, Mr. Speaker - a tremendous role in countering that divisiveness which exploits the notion of two solitudes, exploits that which apparently divides us, ignores that which clearly unites us.

Let us, I implore, deal with the real issues. Let's leave turkey boards and the man with cobwebs aside. Let us rise above narrow political advantage which, in any event, is illusory and transient. Let us pay that debt which we owe to our own history. Let us pay it with dignity. Let us pay it with responsibility. Let us rise above the negative and paranoic politics of linguistic conspiracy. We hear too much of that. Let us surely rise above the trivialities and opportunism of turkey board politics.

Let us tell Manitobans, you have nothing to fear. Let us tell Manitobans rather, you have everything to gain. You will have not only paid history's debt in a reasonable and an economical way, you have done something, we can say to ourselves and to Manitobans, you have done something for Canadian unity that will live long in the history books, long after we have left this place of noise, strife and turmoil.

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

MR. D. ORCHARD: Thank you, Mr. Speaker. I have a point of order. I did not want to interrupt the Attorney-General during the course of his remarks.

The Attorney-General, mentioned twice and on a couple of occasions that a member of this House had an abysmal lack of understanding of the issue. He made specific reference to the turkey board as being the prime issue. Would the Attorney-General in the accompanying derogatory comment of referring to a member of this House, which cast an aspersion on all members of this House, either identify the member to whom he so liberally referred during the course of his remarks or withdraw the allegation attributed to all members of the House?

MR. SPEAKER: Order please. I don't think that was a point of order. There's no allegation by the honourable member that there was some breach of our rules that had occurred. Are you ready for the question?

The Honourable Member for Lakeside.

MR. H. ENNS: On the point of order, Mr. Speaker, not hearing from the Attorney-General, I want to put it on the record that I, at no time, made reference to the turkey board or the issue resolving around the turkey board. I would assume that most other members on this side of the House might want to take this advantage to place the same matter on the record.

MR. SPEAKER: I thank the member for that explanation. Are you ready for the question?

The Honourable Member for Virden.

MR. H. GRAHAM: Thank you, Mr. Speaker. I also want to rise in my place and say that at no time have I made any reference to the Turkey Marketing Board. As the Attorney-General has so alleged in this Chamber, I want to assure this House that I was not the one who made that kind of reference.

MR. SPEAKER: Order please. That was not a point of order either.

The Honourable Attorney-General on a point of order.

HON. R. PENNER: To the same point of order, if indeed it be a point of order - we shall know them by their words - if there are those who demonstrate in fact, never mind in mere disavowal, that their concern rises above the triviality of the turkey board, we will look forward to hearing from them.

MR. SPEAKER: The Honourable Leader of the Opposition.

HON. S. LYON: Mr. Speaker, I beg to move, seconded by the Honourable Member for Fort Garry, that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: The time being 4:30, Private Members' Hour.

PRIVATE MEMBERS' HOUR
RESOLUTION NO. 11 - UNIVERSAL
HEALTH CARE SYSTEM

MR. SPEAKER: The first item on the agenda for Monday's Private Members' Hour is private members' proposed resolutions. Resolution No. 11, the proposed resolution by the Honourable Member for Thompson.

The Honourable Minister of Economic Development has 20 minutes remaining.

HON. M. SMITH: Mr. Speaker, I am pleased and honoured to be able to stand and speak in favour of the integrity and the ongoing vitality of the universal health care system as it exists in Canada, although we are in some circles seeing unfortunate erosion of this system.

I think when we are discussing the future and the present vitality of that system that we should think back to the kind of difficulties and pains and injustices that led to the formation of the Canadian Medicare system in the first place.

Mr. Speaker, in days long gone by, health care was a very hit and miss affair, I guess, stemming from occasional encounters with the family doctor and usually medical assistance at the extremities of life when very little other than perhaps a comforting draft and a cool hand on the warm brow at the extremities of life were really all that could be offered.

Mr. Speaker, there developed over the '30s and the '40s in Canada a system of some protection through a patchwork of insurance systems. These systems sometimes covered health care in general, sometimes just hospital care, and they did provide some protection for those people fortunate enough to be protected. However, as a total system for protection in the health care field, they certainly left a great deal to be desired.

To begin with, not everyone was covered and the people who were not covered at all were, it should be no surprise to anyone, those people who are most vulnerable to all the other fortunes and ill fortune of life, the poor, the elderly, the people who lived in rural areas, the very young, our Native community.

The other group that was poorly served was the working poor, Mr. Speaker, those people who by virtue of working in situations where there was no health insurance plan, or by virtue of the fact that if there was one they contributed and received protection proportionate to their pay which was indeed low; that they, in fact, had a much lesser level of health protection than did their counterparts with higher incomes.

Mr. Speaker, as years went by in this country, there came to be heard throughout the land, people who spoke out for the right to health care as a fundamental right. Much as education had come to be recognized as such, so health care came to be recognized as a fundamental right. The eminent Justice, Emmett Hall, who led a review of Medicare in 1980. I would like to quote a statement made by him in his report. "The trauma of illness, the pain of surgery, the slow decline to death are burdens enough for the human being to bear without the added burden of medical or hospital bills penalizing the patient at the moment of vulnerability.

"The Canadian people determined that they should band together to pay medical bills and hospital bills

when they were well and income-earning. Health services were no longer items to be bought off the shelf and paid for at the check-out stand; nor was their price to be bargained for at the time they were sought. They were a fundamental need, like education, which Canadians could meet collectively and pay for through taxes."

Mr. Speaker, Mr. Hall was challenging the view of health care as a commodity, like other commodities, that should be bought and sold in what he called the "cash register" view of health care. He upheld the alternative view that every Canadian should have good health care as a basic and fundamental right to which they were entitled by virtue of their living in Canada.

The condition that existed prior to the Medicare system should be remembered. At that time, if you looked at the four quarters of the Canadian population by income, you found that the greatest amount of health service was used by the upper income quartile and the least by the bottom, whether you dealt with adults or children. The situation with regard to children was even more extreme with the high income adults taking almost twice as much health care service out of the system as low income children; a situation that was quite intolerable, Mr. Speaker.

You can go through infant mortality figures, you can go through severity of illness figures and, time and again, either the consequences of poor health or the affliction with severe disease is always highest with the low income people. It is even after universal medical care is introduced; but there is a reversal, there is an increased amount, if you like, of health care services going to the low income because they have the most health care needs. They are the people that suffer from poor nutrition, from inadequate housing, often from unemployment and the mental and emotional stress that comes from that.

Although Medicare alone cannot solve those problems and bring them to a fully healthy state, all the statistics support the original contention, when the Medicare system was brought in, that if income is the sole determinate of access to health care, then there is a very inequitable distribution of health care service throughout the country; that by eliminating the income criterion, that health services appropriate to the need can be made available and can bring much closer together the quality of health of citizens throughout the country, regardless of their income level.

Mr. Speaker, prior to the development of health care systems or some of this patchwork of insurance systems, many doctors did, in fact, give free service; many did, in fact, put in a lot of time and energy trying to collect uncollectable bills. People may claim that that was a preferable system, but I have never seen an analysis that shows that the people in need got the service they required. There were individual instances where, in teaching hospitals, the quality of care might even have been superior, but it was for a very small proportion of the needy and not at all an efficient or an effective way to allocate our resources.

In addition to there being a very inadequate distribution of services, there was the most regrettable aspect of the whole system; the stigma that was tied to people who got free service or received their health care as charity cases; a stigma that those of us who have lived most of our lives with Medicare may well forget; a stigma that in fact deterred very large numbers of people who needed basic health care services and preventative services from even attending a doctor; stats that show the numbers of pregnant women going

to doctors early in their pregnancies when difficulties could be identified, and in some cases preventative action taken, show time and time again that it was the poor people who were late in going for medical service and who did not get the preventative care that they required.

Whether you make the argument on the humane grounds or whether you make it on economic grounds, it doesn't make sense to delay health care until you have a crisis. Preventative health care has to be the more responsible and cost-effective way to go. Interestingly enough, the early agitation for a universal health care system didn't come from the recipients of health care. Many were too unused to thinking of themselves as having rights in this society, probably too browbeaten. It was the Canadian Medical Association that felt, if they were going to give adequate care to all Canadians, that there would have to be some kind of publicly-funded and organized system.

In fact, when the Medicare system was brought in, those were some of the basic principles; that the care should be comprehensive, that it should be universal, that there should be accessibility to all, that there should be portability of benefits wherever one lived in Canada, and that the services should be administered through a public system on a non-profit basis.

Mr. Speaker, I believe, and I think many Canadians with me, that our Medicare system has been one of the chief accomplishments of the Canadian political system, but it is an achievement that is currently under attack. Mr. Speaker, we are hearing in province after province a claim that we have user fees. User fees are to act as a deterrent to wasteful use, unnecessary use, frivolous use of the health care system, but, Mr. Speaker, I have never seen evidence to show that the people using the system are there for frivolous reasons, or that user fees would deter them from using the services.

In fact, in the early days in Saskatchewan, there was a user fee in place; and what happened during that period of time, Mr. Speaker? Were there savings to the public? There was less use of the system but not any reduction in cost. The people who used the system less were in fact the poorer people, but the cost went up because the doctors wanted more and more for the services that they provided for the remainder of the population. It did not save money, Mr. Speaker. Extra billing, I submit, would have probably a similar ineffective result.

There is a belief that the medical system is costing us not only too much, but that the cost is escalating at a rate that is somehow open-ended and going up so quickly that we are never going to be able to put a lid on it. Mr. Speaker, if we look only at the dollar amounts going into health care, then there is some justification for that fear.

If we look instead at the proportion of our gross national income that goes to health care, a different picture emerges. As a percent of budget, the Canadian Medicare system requires a lower percent of our resources than this still patchwork, privatized system that exists in our wealthy neighbours in the country to the south of us. They're pushing over 9 percent of their budget for health care; whereas we are in the high 7 percent range, at least according to the last statistics I've had.

We do have a problem of funding the service fairly across the country and working out the appropriate

shares for federal and provincial partners. I think that must be addressed so that fair standards can be maintained across the country and equitable financing, but we should not undermine the very basic aspects of the system in order to accomplish that. We should maintain the integrity of the Medicare system.

Medical decision-making in the doctor's office should not be based on the amount of money that the patient brings in their pocket, or that the doctor thinks they bring. It should be free of that sort of pressure. Doctors, nurses, the whole medical system should make their decisions on the basis of need.

Mr. Speaker, there are areas where dollar economies can be accomplished in the Medicare system. I submit we proceed to examine those fully, that we must see that we don't put so much into the highest technology in medicine and neglect a fair distribution of preventative services and basic services that prevent people from developing the extreme complications that can be so costly.

Mr. Speaker, we can look more closely at differentiated staffing so that we don't use the more highly skilled and more highly paid personnel to provide the service that people who with lesser skill and lesser levels of compensation require.

Mr. Speaker, we can look at our balance between high technology in medicine, our research and development areas, and our organizing of our delivery system. Until recently there were very few courses, almost none in many medical schools, dealing with the economics of health care, how we organize our medical services and our health services in order to get the fairest possible distribution and the most economical organization. Yet, people with no skill or training in those areas were called upon to make decisions on the economics of health care.

Mr. Speaker, I think we can make gains if we build in, not only to our medical systems, but to our hospital administrative systems, programs that will assist them to analyze the delivery of service and work out the most economical and effective way to deliver health care service. We will have to make choices. I know in England when they were examining their Medicare system, they found that it was going to be more inexpensive and effective to increase the subsidy for coal for elderly people in the winter than to provide yet more beds in hospital for acute care. They could make by preventative measures like that and measures which called for some government co-ordination, they could make better improvement in the health care of the elderly people; prevent them from getting the bronchitises and the pneumonias that can come from being chilled or not adequately fed during the long, cold winter months.

A holistic approach to health care, Mr. Speaker, can also introduce economies. People, I think, are willing and eager to become more responsible for their own health, whether it's a case of public education and awareness building on nutrition, on smoking, on the effects of drugs and alcohol; whether it's lifestyle questions where people learn the role of exercise, the role of healthy attitudes to work. Even into the question of healthy workplace, not just healthy in the sense of no chemical or physical hazards being present, but the psychological environment where people are treated as human beings with ideas and feelings and where we get a healthier atmosphere into the workplace and

into our neighbourhoods. These types of developments can do a great deal to help people create and maintain their own personal health.

All the associated questions of housing, of community organization and support services that help to give people hope, security, the physical ability to meet their physical needs, all contribute to providing for a better quality and a longer lasting health system.

Mr. Speaker, the planning of our health care system, I think, is where we're going to achieve the economies and the efficiencies, not in the deterrents of needy people in coming to their doctors or to their health clinics for basic medical care. The medical health system should not operate as a commercial, money-making operation. It should be based on people's needs being met. If we could even find a way to pay doctors for maintaining health rather than treating illness, I think that might be a crowning achievement, but I for one am not confident that we yet know how to take that approach. If we can also build into our training of health care personnel affirmative action so that people in minority groups, people who have not availed themselves of health care in the past feel they are represented and feel that they can go and get the services at a time when they can really take preventative action, this, too, I think will help to bolster the health care system.

So I fully support the resolution maintaining the integrity of the system and not resorting to short-term patchy methods of user charge and increased health care premiums.

MR. SPEAKER: The Honourable Member for Niakwa.

MR. A. KOVNATS: Thank you, Mr. Speaker.

Just a few remarks, Mr. Speaker, concerning this resolution proposed by the Honourable Member for Thompson. There is no argument as far as the Legislative Assembly reaffirming the commitment to a universal health care system that is accessible to all Canadians regardless of their income.

There is one paragraph here, the fifth paragraph of the resolution is quite acceptable. The rest of it is not that bad, but it's not quite what we, as Conservatives, would want to support. It deals with deterrent fees and nobody's arguing what health care is. It's a provincial responsibility, and the individual provinces must develop the means to fund and finance this expensive system.

Other provinces find it economically necessary to have user fees and we do not support these methods. It's necessary for other provinces but, as far as the Province of Manitoba, we do not support user fees. I don't think that there has been any claim on our part that we would initiate user fees; that's the furthest thing from our acceptability at this point. You need a strong economy to pay for these social services. If we want to preserve our health care system, this government should be doing everything they can to upgrade the economy because we require a strong economy for these social services. If there is a problem, this government has to accept the responsibility for this program because they have contributed to the problems that go with the social services by the mismanagement of the economy in the Province of Manitoba.

After stating all that, I have no other alternative but, therefore, Mr. Speaker, I move, seconded by the the

Honourable Member for Virden, that the resolution be amended by deleting all the words following the word "and" at the end of the third line thereof, and substituting the following therefor:

WHEREAS the financial security of Canada's universally insured health care system has rested on strong national and provincial economies and on Ottawa's pledged responsibilities to provincial health care financing under The Established Programs Financing Act; and

WHEREAS the stability of Canada's universally insured health care system has been threatened by government mismanagement of the economy and by Federal Government cutbacks in health care financing; and

WHEREAS it is progressively evident that the Federal Government intends to continue to reduce its responsibilities for health care financing and to abandon increasingly larger shares of this costly responsibility to the individual provinces themselves; and

WHEREAS it is obvious that a strong and growing economy in Manitoba is fundamental to the production of such financial revenues as are going to be absolutely essential to the maintenance of the comprehensive and compassionate Manitoba health care system that the citizens of this province cherish.

THEREFORE BE IT RESOLVED that the Government of Manitoba call upon the Federal Government to live up to its fiscal responsibilities to Canada's health care system and refrain from any further reduction of its financial support for that system; and

BE IT FURTHER RESOLVED that the Government of Manitoba consider the advisability of immediate and far-reaching changes in its economic and taxation policies for Manitoba in ways designed specifically to strengthen the private economic sector so as to ensure the strong foundation necessary to preserve our valued health care system.

MOTION presented.

MR. SPEAKER: The Honourable Member for Thompson.

MR. S. ASHTON: Thank you, Mr. Speaker. I must say that I was somewhat surprised to see the member opposite move this amendment. I had expected that the amendment would be moved earlier, Mr. Speaker. I felt that members opposite might have some difficulty supporting this motion as it read, and I suppose after a while it becomes hopeful that they'd perhaps change their tune a bit in terms of Medicare and actually come to realize just what kind of threat the Medicare system is faced with today, Mr. Speaker; but after hearing that amendment read just a few minutes ago it's apparent that members opposite have learned nothing when it comes to the importance of the Medicare system in Canada.

In the wording, in that amendment, I heard echos of past statements from previous Conservatives in regard to universal health care. When the CCF, many years ago, was arguing for the need for a universal health care system, Mr. Speaker, when they were arguing for it, what was the answer from Liberal and Conservative old-line parties at that time? Well, Mr.

Speaker, there were different kinds of answers. Some said they were opposed to it, particularly in the Conservative party. Some were just dead set against it; they didn't agree with the concept of universal health insurance. They never agreed with it then, Mr. Speaker, and certain elements of that party don't agree with it today.

There was another kind of argument against introducing a universal health care system in this country, and that was, "We can't afford it," Mr. Speaker. As the CCF hammered away at the need for a universal health care system, they responded time and time again, "We can't afford it." In the 1930s and the 1940s and the 1950s, Mr. Speaker, we heard the same arguments, and even in the 1960s, we heard the same arguments: "We can't afford it."

But something changed in the 1960s, Mr. Speaker, and what was it? First of all, in the Province of Saskatchewan under the leadership of Tommy Douglas, that province, which was not one of the richest provinces in the country at that time, brought in a universal health care system. They proved that it could be done, and if anybody has looked at the financial statements of the province at that time, Mr. Speaker, in the early 1960s, they will see that it was not only done; it was done in a fiscally responsible way.

That was one thing that changed the tune somewhat, Mr. Speaker, but some people, particularly Conservatives, who do not learn from history, continued to repeat the argument, "We can't afford it." What happened, Mr. Speaker, what happened? Why did they introduce it? Why did they introduce it if they couldn't afford it? Why did the federal Liberals, why did Provincial Governments across the country introduce it? Well, Mr. Speaker, the people demanded it. They began to turn more and more to the NDP as the CCF was reformed in the 1960s. They turned to the NDP and they said, you know, you're right. You've been arguing for years that we need this in Canada. You're right; we need it and we can afford it.

Mr. Speaker, at that time it was quite apparent if one looked at the opinion polls, which members opposite like to quote so often, if you looked at it, Mr. Speaker, it was apparent that that argument of the NDP was gathering momentum, and the bottom line of it really came down that members of the Liberal Conservative parties, the old line parties didn't really change their concept of looking at it, but they got scared. They got scared because of the example of Saskatchewan and the example set by the NDP. People were turning to this and for the basic, political, rather cynical motive of having to get votes, Mr. Speaker, they suddenly became converts of the concept of Medicare. Converts, perhaps, Mr. Speaker, but reluctant ones at best.

Now in the '60s, Medicare was introduced and the arguments that we can't afford it were proven wrong. We established very quickly one of the best health care systems in this world, I would say, Mr. Speaker. Certainly we fared rather well in comparison with the health care system in the United States. If one looks at any statistics of the amount we contribute of our gross national product for our health system in comparison with the benefit we gain from that and the coverage we have, which is 100 percent, it's apparent we have an excellent system.

But then, Mr. Speaker, tough times came. Tough times came across this country. Certainly we saw them here

in Manitoba earlier than in other provinces - tough times came. What began to happen, Mr. Speaker? Well members of the Conservative Party, they couldn't come out and say they were against Medicare. They learned that lesson in the 1960s, that for political reasons they had to at least mouth support for Medicare.

MR. P. FOX: They were dragged in kicking and screaming.

MR. S. ASHTON: Well, the member on this side, Mr. Speaker, the Member for Concordia, says they were dragged in kicking and screaming, and that they were. Even though it was clear that we could afford a Medicare system that would be second best to none in this world, they still didn't believe in it wholeheartedly. In their heart they still bought the same narrow-minded Conservative view that this was somehow wrong. But they couldn't say they were against Medicare, Mr. Speaker. That would be political suicide and they knew it.

So what did they start to do? Well, Mr. Speaker, in province after province, they, first of all, not only kept Medicare fees, despite the examples set by New Democratic governments at the provincial level, they increased them. In other words, Mr. Speaker, they not only didn't reduce tax for the sick, tax for health, they increased it. I think that was somewhat to be expected, Mr. Speaker.

The second thing though, which I think really hits home at the heart of Medicare, which members of the Conservative parties across the country did, was probably I think much more serious than even that, they started to introduce user fees in hospitals. They've done it in Alberta. They've done it in a number of other provinces and we've all heard in debate on this particular issue what it involves. It involves people paying as much as \$20 a day for hospital admission, Mr. Speaker, in addition to an admission fee. They've charged for that, Mr. Speaker, many other health services.

What has been the impact of that in provinces such as Alberta, one of the richest provinces in this country where they've decided to tax the sick? Well, Mr. Speaker, if one looks at any survey of public opinion, it is apparent that those fees have not only been considered as a tax, but as a deterrent fee, because there are many people in those provinces who have said, as many as 30 percent have said they would consider twice whether they would be admitted to a hospital, whether they would take that medical care, Mr. Speaker, because of those additional charges. So those user fees, Mr. Speaker, became deterrent fees and it's continuing. Alberta has recently expanded that.

There was talk in B.C. before the election that the Socreds might introduce that and I will say, Mr. Speaker, for the record, I very much think they may, despite their protestations during the election campaign, because this is the whole duality of members of Conservative parties and certainly the Social Credits as a Conservative Party. They mouth support for Medicare, Mr. Speaker, but when it comes to their budgets, when it comes to their administration of hospitals, they do not believe in Medicare, Mr. Speaker, they believe in user fees; they believe in deterrent fees; they believe in Medicare fees; they do not believe in Medicare.

A MEMBER: Hear, hear! Right on.

MR. S. ASHTON: But, as I said, Mr. Speaker, that should come as no surprise. What we're hearing today is really an echoing of the arguments they've used for decades, saying that we can't afford Medicare.

Then, Mr. Speaker, I come to members of the Conservative Party here in Manitoba. In the debate, Mr. Speaker, a number of people have protested that they do not believe in user fees, or deterrent fees, or Medicare fees. I remember the Member for La Verendrye stated this. You know, he was quite concerned about how New Democrats were always talking about this. He considered it some kind of a scare tactic. Why does he think that, Mr. Speaker? Why does he think we do that? Because Conservative governments in other provinces are introducing these measures. If we look at it, Mr. Speaker, we see the same kind of Conservative arguments about Medicare, and we see what is happening in other provinces, and we're concerned what they might do here in Manitoba if, God forbid, they were in government in these tough times.

But, Mr. Speaker, we have even better evidence of what is the danger in terms of Medicare in this province, than what is happening in other provinces, and we have it in this amendment. This amendment, Mr. Speaker, if one reads over it, is cleverly crafted, very cleverly crafted. It attempts to divert attention from the basic issues. Mr. Speaker. It diverts attention from those issues. It talks, first of all, of one aspect of the concern about Medicare, that being the federal funding, and certainly that was in the original resolution.

But then, Mr. Speaker, it goes on to talk about the economy and how this is fundamental to the production of such financial revenues, as are going to be absolutely essential to the maintenance of the comprehensive and compassionate Manitoba Health Care System. Yes, Mr. Speaker, it talks about the condition of the economy, and that's an echo of their previous arguments, because if you read into this, Mr. Speaker, what they're really saying is that Medicare is fine when times are good, when times are tough Medicare goes out the window. When it comes to the crucial decisions of setting priorities, of raising the taxes, Mr. Speaker, certainly, but also setting the priorities of expenditure, they are saying that Medicare should be a lesser priority, it is not a No. 1 priority. How else can I read their talk here of the need to tie Medicare to the condition of the economy? It's the same old argument. If times are tough, we can't afford Medicare.

Well, I say, Mr. Speaker, that they are wrong. They are wrong in saying that Medicare should be tied to the condition of the economy. They are absolutely and fundamentally wrong. Medicare is not an optional item; it is not an expendable item; it is not a low priority, Mr. Speaker. It is the top priority for average Manitobans; it is the top priority. For what can be more important than one's own health? What can be more important than the health care system established to promote the health of individual Manitobans? I think there can be nothing more important than that, Mr. Speaker.

If one looks at the history of what will happen, if one does have that commitment of that priority for a

universal health care system, one sees that if one does not have it, many people go without that care. You know, a country with the riches that we have today, even when times are tough, could there be nothing more tragic than having a medical system that was considered somehow expendable and having a Medicare system which had a two-tier structure of those that can afford it, Mr. Speaker, and those who can't? Could there be anything more tragic? I think not, Mr. Speaker, but by talking as they do in the amendment of Medicare and the economy in the same breath, Mr. Speaker, those members opposite are basically saying that.

Mr. Speaker, if they express concern about Medicare, in the same breath they express concern about the economy, they're basically telling us here in Manitoba that they believe that when times are tough you start making a number of decisions which whittle away, as Tommy Douglas put it this weekend when he spoke to the New Democrats in Regina, it begins the subtle strangulation of Medicare.

So, Mr. Speaker, we need not just look at other provinces, the experience of other Conservative Governments to see what this debate is really all about. We can look at the original resolution that I proposed several weeks ago in comparison with the resolution that the members opposite would like to have passed through their amendment.

We say, Mr. Speaker, that we fought hard to obtain Medicare in this country. We fought hard, the CCF in the '30s, the '40s, and the '50s, the NDP which followed from the CCF in the '60s and '70s. We fought hard to obtain Medicare here in Canada for every Canadian regardless of which province they live in, Mr. Speaker. We fought hard for a system that would be universal, Mr. Speaker, that would be accessible to all Canadians. We fought hard for that, and we are not going to allow those members opposite who had to be dragged kicking and screaming into accepting Medicare now to subtly strangle it to death with user fees and deterrent fees, with talk of the need to tie Medicare to the condition of the economy.

You know, their attitude shows how wrong they are, how little they understand of the importance of the Medicare system when they can talk of that; when in their amendment they can delete all reference to user fees, Mr. Speaker, that being the biggest threat to the Medicare system today; when they can in their amendment eliminate any reference to user fees, it shows how little they understand about what is happening. It shows how little credence one can give to their statements that they do not believe in user fees here in Manitoba.

I ask you, Mr. Speaker, really let's take that now. How seriously can we accept the words of the members opposite, the Member for Niyakwa, who says, well other provinces have introduced them because of their own situation, but we are not necessarily saying, we'll have it here in Manitoba. Is that member aware that one of the provinces which is leading the way in terms of user and deterrent fees is Alberta, one of the richest provinces in Canada? My God, Mr. Speaker, if Alberta under a Conservative Government introduces user fees with their much better situation in terms of finances than Manitoba, how far can Manitoba be behind? If they argue, Mr. Speaker, that is the distinction between

whether one should have user fees and not and if Alberta, it is okay to have user fees, then surely Manitoba is not far behind. If one reads into the speeches that members opposite have made on this subject, if one reads between the lines, that is basically what they are saying.

It brings me, Mr. Speaker, to something that has bugged me about their statements on this and other issues for quite some time. They have said many, many times that we are doing something wrong in this area; we're doing something wrong in that area. They are always critical of us, Mr. Speaker, and that is their right as an opposition. That is their duty as an opposition. We very rarely hear what they would do in a similar situation.

You know, we had a hint from the period of 1977 to 1981. Does anybody remember acute protracted restraint, Mr. Speaker? I remember it. Does anybody remember the financial situation of the province at that time, the economic situation of the province at that time? It was certainly far better than the situation facing Manitoba and the rest of the country at this point in time, Mr. Speaker. Does anybody remember the figures of the deficit which members dwell on quite often, Mr. Speaker, at that point in time? It was some \$200 million or so.

Yet, Mr. Speaker, in their first year in office, they hacked and they slashed. They cut back. They cut back on construction, Mr. Speaker; they cut back on job creation; they cut back in funding to education and, yes, Mr. Speaker, they cut back funding to our health services. That was 1977 when things were better than today, Mr. Speaker, which leads me to ask, as I'm sure most Manitobans would ask, what would they do in the situation today?

You know, they criticize our deficit. They also criticize the levy for health and education. They are strangely silent on our job creation initiatives, Mr. Speaker, largely, I think, because they don't believe in that kind of thing, but once again you can't criticize job creation when people are out of work. What would they do in these circumstances, Mr. Speaker?

Well I could create a scenario of the re-introduction of Medicare fees - I could see that being a strong possibility - of greatly increased taxes in a number of other areas. I could see that happening as well, Mr. Speaker, particularly if members want to eliminate the levy for post-secondary education and health. But, Mr. Speaker, I think it goes beyond that.

I think if we had a Conservative Government today, we would have user fees in Manitoba. We would have deterrent fees, Mr. Speaker. Despite their silence on this, despite their amendment which makes no reference whatsoever to user fees, I think, as do many Manitobans I'm sure, Mr. Speaker, that if they were in government, there would be the \$20 a day charges for getting into hospitals. There would be the \$20 admission fees, Mr. Speaker.

How can I think otherwise when they say that Medicare is an expendable item; when they say that it's okay for the Province of Alberta to have these fees? What about Manitoba? How can they argue, Mr. Speaker, consistently on these other areas and not argue that we need it here in Manitoba? I think not. I think it's consistent, Mr. Speaker, with the history of that party on this issue both here in Manitoba, in other

provinces and also in Canada, because as I said at the start of my remarks on this amendment it is clear that they have never fully accepted Medicare in this country.

So in conclusion, Mr. Speaker, I have some words for members opposite, words I think which were best expressed by Tommy Douglas, former Leader of the NDP, former Premier of Saskatchewan, who has done perhaps more than any other individual in Canada to establish Medicare, the fine health care system we enjoy today. He said, Mr. Speaker, that what is being attempted is a subtle strangulation of the Medicare system. We in the NDP, we the inheritors of the CCF, their brave battle on this issue, we fought hard, Mr. Speaker, to bring in Medicare and we're going to fight just as hard to stop members opposite and their right-wing cronies across the rest of this country from destroying that system.

We don't care, Mr. Speaker, if they mouth their support for Medicare, because we know how phony that is. We don't care, Mr. Speaker, if they refuse to say what they would do here in Manitoba. We don't care, Mr. Speaker, if they try quite cleverly to deflect attention from issues such as user fees and deterrent fees, because we know the truth. We know that they have never accepted Medicare. We know that they have never accepted it, Mr. Speaker. We know that, given the chance, they will destroy it. The only thing, Mr. Speaker, the word I have for members opposite is that we in the NDP here in the Province of Manitoba - and as we indicated at our federal convention just this weekend - across this country, we are going to fight, fight and fight again, Mr. Speaker, to preserve Medicare in this country.

MR. SPEAKER: The Honourable Member for Niakwa.

MR. A. KOVNATS: Would the honourable member submit to a question?

MR. SPEAKER: The honourable member's time has expired. It would require leave of the House for a question to be posed. Does the honourable member have leave? (Agreed)

The Honourable Member for Niakwa.

MR. A. KOVNATS: Thank you, Mr. Speaker. The question that I have to the Honourable Member for Thompson is: Is the Honourable Member for Thompson deaf? Did he not hear me say, other provinces find it economically necessary to have user fees? We do not support those methods. Did the honourable member hear me, or is he deaf?

MR. SPEAKER: The Honourable Member for Thompson.

MR. S. ASHTON: Mr. Speaker, I said in my remarks, and the member opposite knows that if members opposite suggest that Alberta can, for economic reasons, introduce user and deterrent fees that the next step is to see those fees here in Manitoba.

MR. SPEAKER: Are you ready for the question?

The Honourable Member for Fort Garry.

MR. L. SHERMAN: Mr. Speaker, I want to say a few words on this amendment at this juncture, because I

would be loath to permit the most recent remarks of the Honourable Member for Thompson to remain on the record completely unchallenged. I think that the Honourable Member for Thompson in moving from a point of disappointment, and it's understandable disappointment since he was the mover of the original resolution, has exceeded the parameters of responsibility and reliability and credibility in some of the accusations that he has just levelled at the Progressive Conservative Party.

Sir, I understand the member's disappointment fully. He moved the original resolution. He would have liked to have seen it pass through the Private Members' stage of this Legislature unscathed and he is frustrated and feeling somewhat hurt by the fact that it has been amended and substantially amended, but to go beyond that feeling of disappointment to one where he makes declamatory accusations with respect to this party's position vis-a-vis Medicare and vis-a-vis many of the ingredients of the health care system is just not acceptable, Mr. Speaker, and I don't intend to let those remarks remain without challenge although I can understand some members of the House feeling that perhaps no one on this side should have got up to speak at this juncture. There were no indications that anyone on the other side was going to follow the Member for Thompson and the amendment might well have gone to a vote, but as I say, Sir, I am entering the debate at this juncture for the reasons stated.

The Member for Thompson talked about the amendment and certain responses and comments that our party has made from time to time with respect to Medicare and with respect to user fees and deterrent fees as being, to use his term, consistent with the history of the Progressive Conservative Party. Well, Mr. Speaker, if my honourable friend from Thompson wants any lessons in the consistency of the Progressive Party with respect to Medicare and universal hospitalization all he has to do is look at the political history of this country. Universal hospitalization, The Health Insurance and Diagnostic Services Act was introduced in this country in 1958 under the Progressive Conservative Federal Government of the Right Honourable John Diefenbaker and universal Medicare came to Manitoba in 1968 under the administration of the Honourable Walter Weir subsequent to and following immediately upon the administration of the Honourable Duff Roblin, again Progressive Conservative administrations. So, if he wants to talk about consistency, let's keep the consistency straight and let's note the consistencies that are on the record, Mr. Speaker.

The Member for Thompson also refers to the fact about how hard his party fought for Medicare in the 1950s and the 1960s. Well, I give him and his party credit for that. Nobody takes that away from his party. Certainly there is no argument from me that the party to which the honourable member belongs was one of the fundamental architects of that kind of system and that kind of institution, but all of us in public life in Canada in the past quarter century have contributed to construction of that institution and I think all of us have contributed equally and all of us have contributed creatively and the emergence of those efforts, the result of those efforts, has been a social services institution in the health care field that is cherished by all of us, that will be protected, I'm sure, by all of us in this

Chamber, certainly I can speak for all members of my caucus in that respect and that is envied by other societies around the world.

So, I give him credit for belonging to a party that fought hard for Medicare, but I want credit also for belonging to a party that has fought hard for Medicare and universal health care and universal hospitalization and their preservation. If he would consider the amendment and listen with more care, perhaps, to the words offered by my colleague, the Honourable Member for Niakwa, in proposing the amendment he would understand and appreciate fully that that is precisely what we are still fighting for, that is precisely what we are still talking about.

There is no question that, again to use the words of the Honourable Member for Thompson, we need a universally-insured health care system in this country. We need a universal health care system that reaches out to and covers, hopefully, all Canadians with freedom of accessibility and access and treatment.

It's a marvelous and an enviable institution as I have suggested and there is no argument on the desirability of it or the need for it, but, Mr. Speaker, that's precisely what's at issue here in the resolution now amended in the words offered by my colleague from Niakwa in moving that amendment. We need it and therefore it behooves all of us to be realistic about it and do the necessary pragmatic things that have to be done to preserve it, to maintain it and reinforce it.

Mr. Speaker, I think there has been a growing realization on the part of Canadians in recent years that you don't achieve and maintain these great social institutions like universal hospitalization and universal Medicare simply by wishing that they were so, simply by dreaming about them and then applying and implementing the structure of those dreams without any solid foundation. We have to have a solid firm foundation economically, financially, in resource terms, in revenue terms, if we are to have any of those social institutions, those social programs to which, not only the Member for Thompson aspires for this society, but to which I would submit, Sir, all of us in this Chamber aspire for this Manitoba society of ours.

The difference between the Member for Thompson and his colleagues on this subject and the Member for Niakwa and myself and our colleagues on this subject is that we realize and have throughout our political lives realized what the majority of Canadians have now come to realize as a consequence of the extreme economic difficulties of the last few years in this country, that you can't achieve these things and maintain them without working for them and without producing revenues for them and without a strong and healthy private economic sector. You can't do it on public financing and funding alone. You can't do it unless real money, real jobs, real revenues and real economic growth are there.

So, they want the dream and we want the dream. They want to dream about maintaining that dream. We are saying you have to be tough and realistic and pragmatic if you want to maintain that dream, and that's the difference, Mr. Speaker. It's somewhat specious of members opposite to try to pose as the champions of the concept of Medicare and universal health care and similar universal social programs simply through the rhetoric that they advance on those subjects. Who are the true champions of those programs? Those who get

up and speak about them in grand rhetorical terms but are not prepared to lead and work and sacrifice and support in such a way as to guarantee a strong economy and a strong private sector? Are they the real champions of these programs that they talk about or are the real champions the Canadians and in political terms the members of the Progressive Conservative Party provincially and federally who have insisted since the inception of those programs that they can only be maintained by building a strong private economic sector?

So, I must emphasize, Mr. Speaker, that the words just offered by the Member for Thompson, although offered in disappointment and frustration go beyond what is acceptable and, in fact, go beyond what is realistic in terms of the current debate. He cannot have the kind of health care system he wants without building a strong economy. That's what we appeal for at this juncture.

I recognize, Sir, that my time for the moment has expired, but I will want to continue this theme when next we come to this subject on Private Members' Hour.

MR. SPEAKER: Order please. When this resolution is next before the House the honourable member will have 11 minutes remaining.

The Honourable Member for Turtle Mountain.

COMMITTEE CHANGES

MR. B. RANSOM: Mr. Speaker, I'd like to make a change on Law Amendments Committee: The Member for Niakwa for the Member for Emerson.

MR. SPEAKER: The time being 5:30, I'm leaving the Chair to return at 8:00 p.m.