



Legislative Assembly of Manitoba

DEBATES  
and  
PROCEEDINGS

Speaker

The Honourable Peter Fox



XX No. 23 8:00 p.m., Tuesday, March 13th, 1973. Fifth Session, 29th Legislature.

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## THE LEGISLATIVE ASSEMBLY OF MANITOBA

8:00 o'clock, Tuesday, March 13, 1973

SUPPLY - MINES AND RESOURCES

MR. CHAIRMAN: The Honourable Member for Wolseley, the Liberal Leader. The Honourable Member has 19 minutes.

MR. ASPER: . . . before the adjournment at 5:30 that the House and particularly the government is not to take as a tacit acceptance the vituperations and the out pourings of accusations by the fact that we do not respond, the fact that we don't stand up, because it's rarely a speech that the Minister of Mines or the First Minister makes that doesn't contain matters which would be of privilege or which are distortion or which are an incorrect representation of our position. And it is on the record at this point, Mr. Chairman, that we do not intend as members opposite intend and do to interrupt debate by the constant miniscule correction of what is said.

I've also put on the record, Mr. Chairman, our disappointment and our anger that the Premier would say to this House that the Chairman of the Water Commission, Cass Booy, had stated certain things in a letter of September 16th, 1970, when in fact he had stated almost the contrary and that he himself is today satisfied that the conditions that he had imposed in his letter of September 16th, 1970, have not been fulfilled and he will speak for himself. Mr. Chairman, we have also put on the record that since the members opposite, government, have sought truth and demanded that we stop on side of the House attempting to damage the credibility of the government, we've also put on the record that the Minister of Northern Affairs still stands accused of having distorted and deceived the public of the truth in his statement reported to have been made in Thompson on March 12th.

Mr. Chairman, I still challenge the Minister of Northern Affairs to state and produce evidence or show the decency and the dignity to withdraw when he says, as I said earlier, "According to Mr. Asper it" -- meaning the Liberal Party -- "favoured a low level flooding." Not according to Bobby Bend, not according to Gil Molgat, not according to D.L. Campbell, but as the quote said, "According to Mr. Asper it favours a low level flooding." This is the degree, this is the degree of honest representation that flows in every scintilla of this debate from members of the government. As I said before our break, Mr. Chairman, the Opposition and the Liberal Party particularly views this entire debate with very considerable concern because, as I said, there is nothing that will stand in the way of the Minister of Mines that won't get trampled if it happens to disagree. The Environmental Council, as I said before our break, vote 26 to 1 after hearing for one day the case, voted 26 to 1 that enough evidence had been presented to warrant a full halt, a full stop, and public hearings.

Now, Mr. Chairman, it's true, it's true that anyone who has gotten in the way of the Minister's avowed purpose of doing the project regardless of what anybody thinks, regardless of whatever evidence is presented to him, regardless of who takes a position against him, somehow, miraculously, the Minister has -- he doesn't fire those who disagree with him. So somehow miraculously anyone who happens to be in the way disappears, isn't there any more. Dr. Cass Booy took a position that public hearings should be held, that there was something more to be said, and Dr. Cass Booy is no longer there. The Environment Commission was asked by Winnipeg Pollution Probe to hold hearings because that's what their interpretation of the Environment Commission Act said they should do, and with no more than seconds of thought the Minister says there will be no hearings by the Environmental Commission. The . . .

MR. GREEN: Mr. Chairman, on a point of order.

MR. ASPER: Mr. Chairman, Mr. Chairman . . .

MR. CHAIRMAN: Order, please. The Honourable Minister of Mines and Natural Resources on a point of order.

MR. GREEN: Mr. Chairman, on a point of privilege. The honourable member . . . --(Interjection)-- Well, Mr. Chairman, it is not the fault of members on this side that the member says so many things that raise points of privilege which are not said by members on this side. The fact is the honourable member is saying that Pollution Probe asked for a hearing and I said that there would be no hearing. I want to indicate to the honourable member if he will accept it as a point of privilege, that I instructed the Environmental Commission long before Pollution Probe made any request.

## SUPPLY - MINES AND RESOURCES

MR. CHAIRMAN: The Honourable Member for Wolseley.

MR. ASPER: Mr. Chairman, we're used to the niceties, we're used to the hair splitting, and we're used to the legalese of the Minister of Mines. But nevertheless, Winnipeg Pollution Probe asked for hearings and were summarily dismissed; there will be no hearings. I'm sorry, Mr. Chairman, I asked, I asked from you, Mr. Chairman, that in the 90 minimal hours we're allowed for debate, the Minister not monopolize, he not harass opposition --(Interjection)--

MR. CHAIRMAN: Order please. ORDER! The point of order has been raised.

MR. GREEN: Mr. Chairman, on a point of privilege, I want the honourable member to know that the rules of this House are that when a member has a point of privilege he can raise the point of privilege despite the fact that the honourable member doesn't like the point that's being raised. And as long as the honourable member continues to do these things, I will have to raise the point of privilege. He says that Pollution Probe was summarily told that there would be no hearings, and I am telling the honourable member that I had no communication with Pollution Probe, that the Environmental Commission was told long before a request was made - I would say, in order not to be misunderstood, I would say at least ten days - that the Environmental Commission was being directed not to conduct any investigations with regard to this matter because the environmental studies that the government felt were necessary were already made and being made. And if the honourable member is disturbed by the fact that he is being interrupted, then let him stick to the facts and he will not be interrupted.

MR. CHAIRMAN: The Leader of the Liberal Party.

MR. ASPER: If, Mr. Chairman, this is the technique which we have to be subjected, then Mr. Chairman, it is a technique that will apply on both sides of the House. And the process of debate, the process of exchange will be thwarted if the Minister is unable to hear the debate and not take advantage of his unlimited opportunity to speak. But Mr. Chairman, regardless, regardless of how the Minister rationalizes, Dr. Cass Booy disagrees, Dr. Cass Booy is absent. The Environmental Council wanted to hold hearings, reached a decision, the Environmental Council is ignored. The Environmental Commission --momentarily-- the Environmental Commission was asked to hold hearings; there will be no hearings. And a year ago, Mr. Chairman, in order to have what I think most Manitobans expected was an independent inquiry into the environmental impact of this whole program, the Federal and Provincial Government established the study board, which has been referred to, and suddenly although the proposal which originally came in from the university group for their share of the study called for a two-year program and they were advised that, well, government only commits on a one year basis apparently. The one year expired and the university group is no longer there. Fired, dismissed, not re-engaged, whatever niceties the Minister wishes to use. Why? Because, as he well knows, those members studied the environmental resource impact, reached the conclusion that the damage being caused was far greater than anyone had been led to believe. And Mr. Chairman...

MR. CHAIRMAN: Point of privilege. The Honourable Minister of Mines.

MR. GREEN: The Honourable Member has said that I know facts about the Environmental Study --(Interjection)--

MR. CHAIRMAN: Order please.

MR. GREEN: He said "the honourable member" --(Interjection)-- "and he well knows", and I will repeat his words and he will study them in Hansard tomorrow "that he well knows that his group has come to the conclusion that there is far more damage being done than we've . . ." Mr. Speaker, I make the statement unequivocally, I do not know of any such facts.

MR. ASPER: Well, Mr. Chairman, I will accept the Minister's statement that he doesn't know those facts on the assumption that he doesn't read the newspapers, on the assumption that he doesn't hear what the people are saying because, Mr. Chairman, the people that he hired, that his department hired to perform this what we believe and the public believe to be an independent, objective study, began to say, as their contract permitted, that there was something wrong, that the environmental damage was greater than anyone had ever thought, and that's what they said. Now, Mr. Chairman, these same independent people had negotiated with the department that the Minister heads for the right not to be bound by confidentiality, and there it is, and if the Minister wants, as I expect momentarily another point of privilege, I will table the document that says --(Interjection) -- Well a paragraph later you will,

## SUPPLY - MINES AND RESOURCES

(MR. ASPER cont'd). . . . Mr. Minister.

Mr. Chairman, confidentiality was not a condition of employment. Not a soul has raised the subject of whether this group was doing a good job. In fact, Mr. Chairman, this group has international credentials, has international renown, has universal respect amongst all sides of this House, but one can only conclude that this group that was hired to do the independent study reached conclusions and began to make those conclusions known to a broad section of the community that the environmental damage was severe and that it had not been popular, not only environmental but resource, recreation, tourism, all these aspects had been inadequately evaluated in the cost benefit of this project.

A MEMBER: That's not true.

MR. ASPER: Mr. Chairman, I don't know if it's right or wrong. I don't know if they are correct or they are not correct. What I am saying. . .

MR. CHAIRMAN: The honourable member has five minutes.

MR. ASPER: Well, Mr. Chairman, I make the observation that this debate will obviously have to carry on because in five minutes I am unable, having had the interruptions of the Minister which are characteristic of that side of the House's approach -- Mr. Chairman, there has been a process of intimidation. There has been a process of leaning on people, in my judgment, so that no one dare stand up to this government on this issue. Now, the Minister says he will bring the study within his own department and Manitobans and this side of the House is to be deprived of an independent objective inquiry because by definition anyone who makes this study working for the Minister obviously, Mr. Chairman, cannot produce a report which does not affect their future careers. Mr. Chairman . . .

MR. CHAIRMAN: A Point of order has been raised.

POINT OF PRIVILEGE

MR. GREEN: A point of privilege. The honourable member has charged that I, as Minister, have intimidated people within my department so that they cannot without fear or favor give me their professional advice based on their best information. Mr. Chairman, I would suggest that is a point of privilege affecting a Minister and that the remarks should be withdrawn.

MR. CHAIRMAN: I think that the point is well taken. Order, please. I think that the point is well taken. Unless the honourable member can produce proof I think he should withdraw the remark.

MR. ASPER: Mr. Chairman, I do not withdraw the remark because anyone in this . . .

MR. CHAIRMAN: Order, please. I'm asking the member once again, will he withdraw the remark?

MR. ASPER: Mr. Chairman, I'm entitled to explain my remark. My remark . . .

MR. CHAIRMAN: Order. I'm asking the honourable member to withdraw the remark. Unless he can produce proof then he should withdraw the remark.

MR. ASPER: Mr. Chairman, I have expressed the opinion. . .

MR. CHAIRMAN: Order, please. I am asking the honourable member to withdraw the remark.

MR. ASPER: Mr. Chairman, I can't withdraw the remark unless you let me explain my position.

MR. CHAIRMAN: Order, please. The Honourable Minister of Labour.

MR. PAULLEY: If you don't mind may I interject at this stage because of the fact that I deplore really what is going on, and in all due respect, Sir, if the Honourable Member for Wolseley wants to explain his remarks, I think he should be given that opportunity and following that, if you, Sir, are of the opinion that he should withdraw following his explanation, then in all due respect I suggest possibly the honourable member would so do. And I do want to say, too, may I just for a second be sort of an independent member of the Legislature. I know that my honourable friend from Wolseley has had a considerable number of interjections and his time may be very close - that is so far as the clock is concerned - that he be given the opportunity to explain his position by you, Sir, and then may I also indicate to my honourable friend, because I know he is a rookie in this House, that he will have an opportunity following the expiration of his limited time or time limit, to take part in the debate after an interjection by

## POINT OF PRIVILEGE

(MR. PAULLEY cont'd) . . . . some other member.

MR. CHAIRMAN: The Honourable Member for Wolseley. The Honourable Member for Morris.

MR. JORGENSON: Mr. Chairman, I would like to speak on that point of order as well. You make the suggestion that the Honourable Member for Wolseley, and I presume that that applies to all members of this House, that they have to prove every statement that they made in this House. Sir, if that is going to be the rule in this place, honourable gentlemen opposite will be deaf mutes.

MR. CHAIRMAN: The Honourable Member for Wolseley.

MR. ASPER: Mr. Chairman, I'm expressing the opinion based on the following facts which I elucidated before. I expressed the opinion that he who disagrees with the Minister mysteriously, suddenly disappears and I suggest, Mr. Chairman, that it is in no way, in no way an impropriety for me to suggest that a member of his staff, having seen this parade of dismissals, would not be somewhat intimidated --(Interjection) -- The Minister's honour is satisfied, Mr. Chairman. Mr. Chairman, in the past few months we have lost the Deputy Minister, Winston Mair, and we have lost Bob . . . .

MR. CHAIRMAN: Order, please.

MR. GREEN: Mr. Chairman, now I rise on a point of privilege. He has conjoined, Mr. Chairman, he has conjoined those two remarks, and Mr. Chairman, I received a letter from my Deputy Minister when he left the service. Mr. Chairman, --(Interjection) -- Well, Mr. Chairman, I rise on a point of privilege. -- (Interjection) -- Because I have privilege.

MR. CHAIRMAN: Order, please.

MR. GREEN: Mr. Chairman, the honourable member has inferred that Mr. Winston Mair has left the service as a result of some kind of intimidation on my part.

MR. ASPER: Mr. Chairman, I inferred no such thing. I was in the middle of a sentence . . . .

MR. CHAIRMAN: Order, please.

A MEMBER: Oh yes you did, Izzy. Come on now, be fair.

MR. CHAIRMAN: Order.

MR. ASPER: Mr. Chairman, on the point of order, on the point of order. I began a sentence, Mr. Chairman, totally removed from what I had said before when I began to talk, and in the middle of a sentence without even having a subject and a predicate and an object, the Minister in his typical bullying intimidating manner, stood up on a point of principle, point of privilege, to try to stop the free speech of this House. Well, Mr. Chairman, I ask you to rule on it.

MR. GREEN: I would welcome a ruling. I would welcome a ruling, Mr. Chairman, I would welcome the remarks in Hansard to be stipulated, I would welcome the leading up to the sentence and then the statement "in the last few months we have lost the Deputy Minister". I would like any impartial person to suggest whether that sentence in conjunction with everything else that had been said, should not have been interrupted on a point of privilege indicating a suggestion that the Deputy Minister had somehow fallen under the axe that the honourable member is referring to.

MR. CHAIRMAN: The Honourable Member for Morris.

MR. JORGENSON: Mr. Chairman, on that point of order, we have had during the course of this debate a continuous series of interjections and interruptions from honourable gentlemen opposite. Sir, the rule in this House is that a member has a right to make a speech and if honourable gentlemen opposite disagree with the contents of that speech they have the right to reply. This is a free debate. It is not as if they are going to be denied the opportunity of replying at a later time. They can do that. Why doesn't the Minister make notes of the things that he objects to and then rise and reply to them? That's the way debate is carried on. But to allow him and to continuously allow him to interject, Sir, is against the rules of this House and I implore you to stop it.

MR. CHAIRMAN: The Honourable Minister of Labour.

MR. PAULLEY: . . . . the point of order and I want to disagree with the Honourable Member from Morris. I thought that he was more knowledgeable of the rules of this House than any other parliamentary legislator, that when there is a matter of privilege it shall be

## POINT OF PRIVILEGE

(MR. PAULLEY cont'd). . . . taken into account immediately and not at some future date.

MR. JORGENSON: . . . point of privilege.

MR. PAULLEY: Will you sit down while I'm -- will you please sit down while I'm on the floor.

MR. CHAIRMAN: Order please. Order. There cannot be two members on the floor at one time. Will the Honourable Member for Morris sit down please. Order please. Will the Honourable Member for Morris please sit down. You cannot interrupt another member when he's on a point of order. The . . . will recognize you on a point of order afterwards.

MR. JORGENSON . . . conduct it properly then.

MR. PAULLEY: Mr. Speaker, what I was pointing out is that a well-honoured rule of Beaushe, which is the document under which we conduct our affairs here in the Province of Manitoba -- no, I didn't make the rule but I have been a participant in debates in this House for a number of years and I recognize, and I'm sure that on reflection my honourable friend from Morris will agree with me, that Beaushe clearly states without any equivocation that when an honourable member of this House, and it doesn't matter a continental whether he's on this side or that side of the House, rises on a point of privilege, it shall be taken into consideration immediately and not at some future time as has been suggested by my honourable friend from Morris, because in this we are not dealing with a matter of debating an issue as between two honourable members, but the question of privilege. I am sure the Honourable Member for Swan River who was a Speaker, and a good Speaker of this House, will agree with me because I recall that he, when he was Speaker of this House, indicated what I am indicating now, Mr. Chairman, and I would like to appeal to you, Sir, and to all members, that when a matter of privilege is entered into it must be done immediately and not at some future time.

MR. CHAIRMAN: The Honourable Member for Portage la Prairie.

MR. GORDON JOHNSTON: Mr. Speaker, I rise to speak on the point of privilege that was first raised by the Minister. I did contain myself when he raised his first point of privilege about whether our leader was charging him and he denied the charge, which in my opinion was not a point of privilege at all, it's a point of debate, and he can express his point on that matter at a later stage in the debate. Now on the most recent matter raised by the Minister, and I believe my leader said that now we have lost so and so, and the Minister could hardly contain himself; he thought that his integrity had been impugned and he jumped to his feet and, Mr. Speaker, I asked you to rule on the statement that was made by my leader, that now that we have lost a certain person --(Interjection)-- The Minister of Mines, in my opinion, on his point of privilege is presupposing, prejudging something that someone is about to say. And while I'm on the point, Mr. Chairman, while I'm on the point I would suggest to you that the ten minutes or so that has been taken on the matter raised by the Minister should not be deducted from the member who is speaking, so really in essence all I am saying is that the Minister of Mines is presupposing what someone is going to say and I suggest to him that he's perhaps a little edgy and perhaps a little touchy but if he is really going to rise on a point of privilege he should wait to hear the whole statement.

MR. JORGENSON: Mr. Chairman, what the Minister of Labour says of course is true insofar as the rules are concerned, that if a matter of privilege is going to be raised it should be raised at the earliest opportunity. My objection is not to the question of raising a matter of privilege; my objection, Sir, and if you will note it has been carried on by honourable gentlemen opposite all during the course of not only this debate but during the course of this and previous sessions, they don't rise on matters of privilege; they happen to disagree with what somebody is saying and then they rise on spurious points of privilege, spurious points of privilege, Sir, that are not privileges whatsoever, and what they should do, if they are going to rise on a point of privilege then it should be a real point of privilege and not just an excuse to get up and interject into somebody else's speech.

MR. CHAIRMAN: The Honourable Member for Wolseley.

MR. ASPER: Mr. Chairman, before I begin, or continue, I wonder if you would tell me how much time I have lost with the interjections and with the points of privilege and the points of order which I suggest to you, Mr. Chairman, have been designed as a method of harassment or as a method of preventing the free speech of this House, consistent with what the Honourable Member for Morris has said.

## POINT OF PRIVILEGE

MR. CHAIRMAN: Order please. Order please. The Member's time has expired. Interjections that take place within that are not taken into account; there's no provision for them in our rules. If the honourable member wishes to proceed I understand he has leave of the House. (Agreed) The Honourable Member for Wolseley.

MR. ASPER: Mr. Chairman, I don't regard the five minutes' grace that the Minister of Mines has allowed free speech as being even comparable. . .

MR. CHAIRMAN: Order please.

MR. PAULLEY: I have to rise on a point of privilege, that the privilege was not given -- just a minute, Mr. Rookie, you have a hell of a lot to learn about the rules of this House and the rules of proper conduct, but Mr. Chairman . . .

MR. ASPER: Mr. Chairman, I'm not here to receive a lecture from the Minister of Labour.

MR. PAULLEY: . . . order.

MR. CHAIRMAN: I'll make the point of order. Speak to the point of privilege.

MR. PAULLEY: I certainly will, Mr. Chairman. I want to indicate to the rookie Member from Wolseley that he is not a court of law, but he's operating under the rules that have been established by this House and no individual, be he the Premier, the Minister of Mines and Natural Resources, the Minister of Labour, The Leader of the Liberal Party or the Leader of the Conservative Party gives rights and privileges in violation or in opposition to the rules of this House that is only done by the members of this House, and when the Honourable member for Wolseley --(Interjection) -- My point of privilege is because your Leader, your Leader stood up and said that he was not going to adhere to the five-minute rule as sanctioned --(Interjection) -- You didn't. I don't think you know what the hell you ever say. The point of privilege, Mr. Chairman, is that as a member of this House the rules govern and not any individual, and when the Member for Wolseley said that he would not agree to the five-minutes as suggested by the Minister of Mines and Natural Resources, I had a point of privilege to indicate that no member of this House individually can change the rules but only the members themselves, and I want to try, I really want to try, Mr. Chairman, because I have a compassion for the Member for Wolseley and I realize his unknowledgeability of the rules of proper conduct in this House. I want to assist him as much as I can, and that is my point of privilege.

MR. CHAIRMAN: The Honourable Member for Wolseley. Does he have leave to proceed. . . . ?

MR. GREEN: Mr. Chairman, I want to make it quite clear that my . . . for another five minutes.

MR. CHAIRMAN: Order please. Order. The honourable member has not agreed and leave to be granted must be unanimous. The Honourable Minister of Tourism and Recreation.

MR. DESJARDINS: Well, Mr. Chairman, I don't intend to be very long but I think that the Honourable Leader of the Liberal Party is going a little too far. It seems to me that he feels that this thing started only when he was elected, nothing happened before. He's talking about the policy of the Liberal Party, he's making statements, and all his statements are made outside of this House. He comes in once in a while to make a speech and then run out, and I think that if he's going to make a statement he should stick to the truth. He's quoted in the Tribune of February 12, 1973 of saying opposition today is precisely the same as our position in '69 when this flooding scheme was raised, and that Mr. Speaker, is not quite the truth because the Leader of the Liberal Party during the 1969 election campaign came out with a statement that does not prove what my honourable friend said, and I quote now from June 20, 1969 from the Winnipeg Free Press: "With them in, flooding's out, with qualifications. If elected, the Liberals in Manitoba would substitute a low level diversion scheme involving a waterway system on Lake Winnipeg for the Progressive-Conservative government's high level plan for diverting the Churchill River to the Nelson and no license would be granted Winnipeg Hydro to flood Southern Indian Lake". --(Interjection) -- yes, I'd permit a question.

MR. ASPER: When you read the statement of what was said in 1969, are you aware that I was not the Leader of the Liberal Party that year? --(Interjections) --

MR. CHAIRMAN: The Honourable Minister of Tourism and Recreation. Order please. Order! Order! Order please! The Honourable Minister of Mines, Tourism and Recreation.

MR. DESJARDINS: This is what I said. He thinks that the first thing is when he was

## POINT OF PRIVILEGE

(MR. DESJARDINS cont'd). . . . elected the Leader of the Liberal Party. For his information I am sure that the people behind him, his Party, told him this already because they were all part of this the same as I was. My honourable friend during the debate at the time we had those university professors also; they brought all the information, they wrote all the speeches. I remember having to wait for a couple of liars; they wrote the speeches. --(Interjection) -- You got a question? My position was the same as Bobby Bend at that time because I was a candidate the same as your friends behind you, and he didn't do that on his own at all. It was during the campaign, it was a big announcement that he wanted to make and he did a lot of thinking with the rest of the people, with the now Senator Molgat and so on, and this is the stand, this was the policy. I don't remember this being refuted at any time. This was never corrected the next day. This was the policy of the Liberal Party. I'm not saying - what? All right why I'm quoting this is because you are now saying, and you repeated it today and you repeated it before 5:30, that our position today is precisely the same. It isn't the same. --(Interjection) -- Well ours, ours - it's you.

A MEMBER: Who was the Liberal Party?

MR. DESJARDINS: Oh you. Well, I'm sorry, Your Majesty, but there's other people around here, you're not the only person. You want to say your Party, right; if you want to say yourself, fine, and if it's the position of the Party now; but you are saying that it was the same as it was in '69 and that's not the case; this is the only thing that I object to. As I say, this thing has been going for a long time, and now another statement that my honourable friend is making, Mr. Chairman. He's saying that if somebody doesn't agree with you, well then you'll let him go. Well what the hell would he do in business? This thing has been going on, the First Minister showed us a pile of reports that were made, and finally somebody some time has got to show leadership and do something --(Interjections) -- and this is what is being done now, and at that time once you've made a decision it's no use living in the past and having all these guys that are against you bring in these reports. You've made up your minds; somebody had to make up your minds, but you did. Regardless of what? Regardless of what you think. Yes, regardless of what you think --(Interjection) -- no, that's not true, that's not true --(Interjection) -- because there's enough in this House, there's enough in this House that feel, enough that feel that this is the right thing to do, that they will do it.

All right, if you want to say we've changed our minds, or since I've come in I've convinced other people that they change their mind, but please don't say that this is the same as it was in 1969 because that's not the case. --(Interjection)-- You said at one time --(Interjection)--I'm sorry, I'm sorry, Mr. Chairman, I shouldn't talk to him directly but through you; I'm saying that he said around 5:30 that Bobby Bend wasn't in this House, he didn't make the statement in this House - but that doesn't mean a thing. That sort of person who was talking for 57 candidates is certainly as strong as somebody that's speaking for four persons, and I'm not too sure that he's speaking for the four of them; I'm not too sure, I haven't heard them say anything --(Interjection)-- it used to be five, it used to be six, and now you have one of the reasons why it's only four --(Interjections)-- Now, Mr. Chairman --(Interjection)-- you're proud? I'm quite proud too, I'm quite proud too because I've changed my mind on certain things, so do you. I feel the same as I did in 1969 about . . . so what I say now, Mr. Chairman, that once this government has decided that they're going to do something, they're ready to stand or fall on this.

A MEMBER: Right or wrong.

MR. DESJARDINS: Right or wrong. You know, this is the way, we're talking about democracy; this is my friend who played lawyer not too long ago and that tells everybody that they tried to scare them and so on, and he will insist that he's the only one that tries anything he does, even when he's building monorails up north, when he's making asinine statements, they're going to lose 40,000 people in the tourist industry will be lost because of that, and this is the kind of statement that he's made. Well, Mr. Chairman, I'm saying that, of course, if you've decided to do something you are going to go with the people that go along with you, the expert that you've had faith in and you're going to develop your plan. It's no use keeping somebody that's going to try to cut your throat, there's no point in that at all, and saying a while ago that some of the Deputy Ministers and so on have gone. Well why not? What is democracy after all? Democracy is that the people want a certain group, people that are



## POINT OF PRIVILEGE

(MR. DESJARDINS cont'd) . . . . broadly based, the party should be very broadly based, but these are the people that receive a mandate to govern. And the civil servant has a job, and they should go along, they are the people that make the ship go, but the captain is the First Minister and the cabinet, members of the party, they give direction - and actually that's what the people want. If this direction is wrong, if they're going in the wrong direction, an election will come and these people will be turned out and somebody will try. It doesn't mean that everybody is not sincere except the one party. It doesn't mean that all those that don't agree with my honourable friend are not sincere and aren't ready; what an asinine statement. Is there one person in this House, Mr. Chairman, is there one person in this House that wants to impose misery on people?

A MEMBER: What about the shutdown?

MR. DESJARDINS: The shutdown, what shutdown?

A MEMBER: Shutdown-- the free debate of this House.

MR. DESJARDINS: Well I think that you asked for it because if you antagonize people all the time and you're taking pleasure in doing this, and if you're constantly -- if I stood up and said, "This guy's a damn liar" and he said a bloody liar, you'd be up like a yo-yo also.

A MEMBER: The Premier just called me a liar. I didn't get up.

MR. DESJARDINS: Well I didn't call you a liar. I didn't call you a liar, I didn't call you a liar, I only called one person a liar in this House and he was a liar at the time so . . . and I think that was proved.

MR. CHAIRMAN: I wish to honourable member would direct his remarks to the Chair.

MR. DESJARDINS: Mr. Chairman, there's only 90 hours. It's not my job here to take too much of that time but I felt that this correction should be made.

MINES AND RESOURCES (cont'd)

MR. CHAIRMAN: The Honourable Member for St. George.

MR. WILLIAM URUSKI (St. George): Thank you, Mr. Chairman. I also will just make a few remarks in part of the debate that took place this afternoon, especially the Member from Riel when he was quoting that somehow, somewhere, the Manitoba Water Commission drew its conclusions from information that no one else had and that were never provided. Well, I don't know if he's ever seen one of these. These were provided by the office of, through the Minister of Mines and Resources. --(Interjection)-- You've got one of those? Well I'm sure that you would have probably seen from that that the information provided on those graphs would have been provided by the engineers of Hydro in its assimilation of the various graphs that you've been quoting today, so that no one in this report in the Water Commission that was published, no one dug information out of the high blue heaven. It was all as the result of information that was provided by the departments, and that was given to any interested person who wanted to speak on and address the commission during its meetings on Lake Winnipeg regulation. Anyone who wanted a copy received one. But there were remarks made this evening by the Honourable Liberal Leader . . .

A MEMBER: Honourable?

MR. URUSKI: Well I don't know if he's so honourable. I don't think Mr. Cass Booy who I happened to have been associated with, would like to be associated with the Liberal Leader. If anyone permits or has permitted or has stated his views about free expression it certainly has been the Minister of Mines and Resources on any topic of regulation, on any topic of South Indian Lake or on any matter in this House. In fact, when we were preparing the report on Lake Winnipeg regulation and I argued some points that I wasn't in agreement with, with Mr. Booy, he indicated to me at that time, and the Liberal Leader can ask him, he said, "Well, you know, the Minister of Mines and Resources wouldn't mind that at all. You know, he told us that we could say whatever we wanted." And I said well I didn't give a damn what the Minister of Mines wanted, we can say what we feel as a commission. And, you know the inference that the Liberal Leader makes about Mr. Booy that he's somewhere down with a hunk of concrete around his neck buried in the lake, that he can't be heard, that he vanished. The same thing with Mr. Newbury, that he's gone. Well, maybe he's in Lake Winnipeg. You know, this is the inferences that the Liberal Leader makes about anyone who disappears. I guess he hasn't been down to the university lately where the two professors are teaching. Maybe he should sit down and talk with them about the Minister of Mines' approach into their

## SUPPLY - MINES AND RESOURCES

(MR. URUSKI cont'd) . . . . opinions about this matter. Has anybody tied a rope around their neck to keep them from speaking out? You don't see a rope around my neck. What a bunch of baloney. --(Interjection)-- Well, baloney is made in the packing houses and I think people eat it, the people of my constituency eat it and, you know, it is a food, but I just can't understand anyone getting up in this House and saying that someone has been stifled. Man alive, if anyone has sort of prevented opinions and free expression it certainly has been the Liberal Leader, and the Minister of Tourism and Recreation certainly proved that point out when, you know, he said that in '69 "this was our position and the previous leader of the Liberal Party just means nothing. He's absolutely nothing because, you know, he doesn't count, I'm the leader now and anything that the party did before then just doesn't count." Well I'm sure the other three members in the party, you know, I would say to them they should all get up and say their mind as to which side of the fence they were or are; what is your position? The Honourable Member for Assiniboia and the Honourable Member of La Verendrye, the Honourable Member for Portage, what's your position on this . . . ?

MR. G. JOHNSTON: Mr. Chairman, the member has asked me a question. Can I reply?

MR. URUSKI: You'll have your chance as soon as I'm finished.

MR. G. JOHNSTON: Mr. Speaker, I was asked a question.

MR. CHAIRMAN: The honourable member doesn't wish to yield the floor, therefore I'm afraid I can't ask him to do so. He has. . .

MR. URUSKI: I'll give you a chance, there'll still be time left. You know, if your position has changed then you must have been stifled by the Member of Wolseley. There's no doubt about it. You guys better get up and state your position. What does your party stand for? What is your personal position on this, and I'll be glad to sit down to give you time to answer.

MR. CHAIRMAN: The Honourable Member for Portage la Prairie.

MR. G. JOHNSTON: Well, Mr. Speaker, I don't know if the member was in his seat this afternoon, and I made the suggestion to the Minister of Mines and Natural Resources that he use his good offices not only as the Minister concerned with the Nelson River project, that he would also use his influence in his caucus to suggest to the members of his caucus who are on the Public Utilities Committee to allow members in the Opposition to call all people who have a special knowledge or a special contribution to make with respect to the development that we're talking about, to be able to call them before the Public Utilities Committee. I thought I made it rather clear this afternoon, Mr. Chairman, that while I've been in this House a number of years I'm really not expert in northern hydro development. I'm willing to listen to all sides, and I ask the Minister if he would prevail on his caucus who have a majority on the Public Utilities Committee, if they would allow the Opposition members to call any and certain witnesses who have a contribution to make who disagree with the Hydro stand and with the front bench stand. And I have asked the Minister the question but every time he's got up to talk he's avoided that subject completely and has launched into his attack. And he hasn't answered the question that I posed to him which would help me make up my mind. --(Interjection) -- You're right. I hope I'm keeping an open mind on this. It's obvious that the member who just sat down has not got an open mind on this. He's been told by his front bench that this is the way it's going to be and he accepts the line holus bolus, he's been in the House, what? Three years. He has not any more experience or any more knowledge than any other member that I know of on this matter, and when I posed a serious question to the Minister that question is ignored. And I would like the Minister to give me a reply to what I thought was a reasonable suggestion.

MR. CHAIRMAN: The Honourable Minister of Mines and Natural Resources.

MR. GREEN: Mr. Chairman, I sincerely regret that the question was only asked once; it was asked this afternoon, it was asked after speeches from the Member for Riel and other members of the House, which I felt were very important to answer. I ran out of time and didn't get to my honourable friend's question. But during my remarks I did indicate that as far as I was concerned every person who had a position has had numerous occasions to present that position and will have numerous occasions more to present that position. Any suggestion, Mr. Speaker, that somehow the Minister of Mines has effectively operated, cut off all debate

## SUPPLY - MINES AND RESOURCES

(MR. GREEN cont'd) . . . . and discussion, is just belied by the facts. Mr. Speaker, there were ways in which to cut off debate and discussion. There were ways in which possibly the Minister could have dealt with Mr. Booy in a way in which it was intended to keep him quiet. The Minister didn't do that and I will prove, Mr. Speaker, the Water Commission told the department in the presence of the Premier and myself that they wanted to conduct hearings. They didn't want to have the type of advocacy hearings which were experienced last time, and the honourable member, the Leader of the Opposition, I wish you would listen to them. They said they didn't want that type of hearing, they wanted hearings where people could present briefs, they wanted to discuss only the pattern of regulation, and they wanted anybody who wanted a chance to talk compensation to do so. And we said okay, we will arrange such meetings. They then went to their Act and said that they were going to hold meetings under the Act.

The Act says any person who is an interested party to such meetings has the right to call witnesses, examine and cross-examine. I told the Water Commission that if you hold meetings under the Act it will not be the type of meetings that you want to hold, because under this type of procedure you are involved in what may be a quasi judicial procedure, you may involve the program in writs of mandamus prohibition or certiorari and it is my impression that that is not prohibition, certiorari or mandamus. And it is my impression that you do not wish to hold such meetings. They came back and asked me to appoint a lawyer for the commission. I told them that as far as I was concerned the legal advice that the commission would get would be gotten departmentally. Members of the commission then went and talked to their own lawyer and they came back to me and said, "Our lawyer says meetings are illegal." I assured them that meetings were not illegal, I called in the chief law officers of the Crown, the Attorney-General, the Deputy Attorney-General, the Member for St. Johns, and I said, "Would you please tell these people in the . . . of conversation, which we have not had hitherto, what these meetings imply, they each gave the commission the same answer. The commission sent me a letter, and if you want to know how to keep people quiet, I will give you a lesson. I am sorry the Member for Wolseley is not here. They sent me a letter saying, "We will agree to hold hearings and we will call them meetings, and during these meetings we will not let anybody cross-examine or examine witnesses.

Now, if I wanted to keep the people quiet or if I wanted to engage in a subterfuge, here was the commission telling me in a letter - and I have it in writing - that we will hold hearings, that we will call the meetings or vice versa, but in any event we undertake that we will not call witnesses, we will not permit examination, we will not permit cross-examination. Now I suppose the Leader of the Liberal Party would say a good Minister who did what these people told him to would have said, "This is dandy; now I've got the commission in a subterfuge doing what I want them to do." And sent back "Okay, you go, fool the public; tell them it's going to be one thing and it will be another; don't permit examination, don't have cross-examination.

A MEMBER: Will you table that letter?

MR. GREEN: I will certainly table that letter. I went back to the commission and said, "You cannot do that this . . . If you hold hearings, they are hearings. We do not wish hearings held; if you don't want to hold what we want, you tell us and we will do it ourselves." They came back and they said, "We will hold the type of meetings that you have asked us to hold." But that is correct. But, Mr. Chairman, I assure you that that is what the commission had instructed us, they wanted to do from the very outset. And whether they did or not, the government had told the commission from the very outset, and as a matter of fact, Mr. Chairman, I'll tell you another thing. The first time they met with me in the Fort Garry Hotel, Mr. Booy said that "we may be prepared to recommend Lake Winnipeg regulation without hearings." I said to Mr. Booy, "I do not wish you to give us anything favorable or unfavorable. I do not wish you to be friendly to us or unfriendly to us. I want you to do what you yourself want to do." And it was in response to that that they sent their letter before we agreed to Lake Winnipeg regulation and the Churchill River diversion, we gave them the Task Force Report, we gave them everything, and said, "What do you think?" They sent us back a letter, "We agree with Lake Winnipeg regulation, we agree in principle with Churchill River Diversion to a maximum of 850 feet, but we understand this is not a commitment to 850." I said, "It's true, it is not a commitment, but whether or not they will go to 850 is not a Water Commission decision, it is a Hydro decision, it is a government decision which will depend on Hydro

## SUPPLY - MINES AND RESOURCES

(MR. GREEN cont'd) . . . . expertise and not Water Commission expertise."

Now I am the great silencer. It didn't result in silence, it resulted in Newbury resigning, stating on the record - and I have a letter from him - that my reason for his resignation which was that the other people wanted to hold these meetings and I told them that they couldn't hold them legally if they intended to do as they were doing, stating that that was correct. I will table that letter.

Did it keep Professor Newbury quiet? Did it keep Cass Booy, all these people that I have trampled on and stomped on and stifled, they're quiet? I want the honourable member to know that there is a way of keeping people quiet. --(Interjection)-- No? There is a way of keeping people quiet. You can, Mr. Speaker, you can compromise the people of Manitoba, you can compromise your position, you can compromise your role as a Minister, you can say in response to a letter such as I received from the Water Commission saying that we should "hold hearings but call the meetings and we undertake not to examine or cross-examine." You can say, good; nobody will know; and you can keep it quiet. But, Mr. Chairman, as a Minister I'm not going to operate that way and I'll tell you something. The result of my not operating that way will not, as the facts have shown, keep people quiet. It will increase the debate and I have always been anxious to increase the debate. If anything, you will find that as a result of the activities of my department that every single area in Northern Association of Community Councils a completely free organization which we funded, which I didn't even attend the meetings of, they kept people in the north quiet. The community councils which we decided to give money to and set them up on their own basis without a permanent adviser, they kept quiet. The Manitoba Metis Federation whom I was involved in. There is a way of keeping people quiet. You buy the leaders. --(Interjection)-- Oh, yes, I keep the Wildlife Federation quiet, don't I? I'll tell you how I could keep the Wildlife Federation quiet. I could say that we will pass a law saying that nobody shall sell, barter, hunting rights. They would say he's a great Minister, but would it do anything for the people of Manitoba? Oh, yes, I would have peace and quiet, but, Mr. Chairman, my position in politics has never been to seek peace and quiet. And by the way I've succeeded, I have not gotten peace and quiet. And anybody who suggests otherwise is absolutely going contrary to everything that I have done at every level of life whether it is in public or private. It is not good to keep people quiet and the results speak for themselves.

Now we have Professor Newbury who writes a pamphlet in January and I guess I'll get to this tomorrow. "The Destruction of Manitoba's Last Great River." Now I think that Professor Newbury is quite free to make that type of document. You know in the same way as I suppose Coyne was free to run around Canada criticizing the government policy.

A MEMBER: What happened to him?

MR. GREEN: Well I think that the Conservatives -- and I never faulted them for it, that they said that they would no longer have Coyne as -- he was free to enunciate that policy but he was not going to be the chief banking officer of the Conservative administration. And for the Liberal Party, Mr. Speaker, when they introduced Canada Pension Plan, there was an accountant working in the Pensions Department, and I think he was free to say that the Liberal Government is crazy. But how long did he last in the civil service?

A MEMBER: Two weeks.

MR. GREEN: I don't think he lasted two weeks.

MR. FROESE: Mr. Chairman.

MR. GREEN: Now I am saying . . .

MR. FROESE: Mr. Chairman . . .

MR. CHAIRMAN: A point of order?

MR. FROESE: Yes, last night I was ruled out of order in speaking of tax integrity which the Minister mentioned. Tonight he's talking about peace and keeping people quiet. Is this part of the Estimates that we're debating?

MR. GREEN: Yes, Yes, Mr. Chairman, it was the whole purpose of the Honourable Member for Wolsley's position that somehow this Minister succeeds in shutting people up. In any department, you know, John Ateah, he's just keeping quiet. The Fishermen's Federation, they're all quiet.

MR. G. JOHNSTON: Mr. Chairman, would the Minister permit a question before his

## SUPPLY - MINES AND RESOURCES

(MR. G. JOHNSTON cont'd). . . . time is up.

MR. GREEN: Pardon? Yes.

MR. CHAIRMAN: The Honourable Member from Portage la Prairie.

MR. G. JOHNSTON: I enjoyed the speech that the Minister's making but he didn't reply to my question. My question was: Would he support the Opposition in calling witnesses before the Public Utilities Committee for examination on their varying positions on this matter?

MR. CHAIRMAN: The Honourable Minister of Mines and Resources.

MR. GREEN: The honourable member is quite correct. In my flight of oratory I forgot his question. I really thought that I was answering it by demonstrating that there has been plenty of exposure on this issue, that I don't fear exposure. I do fear one thing. I fear fooling the people of Manitoba. I fear a type of inquiry which would give it to somebody to understand that this program which is seven years in progress is now in the consideration stage. I fear that. The honourable member says would we permit this type of thing to happen. I believe that there has been much exposure. I believe that what he is suggesting would not add a great deal. I am not going to make a commitment for the committee. It is certainly something I suppose that the committee would have to consider but I wouldn't think that the failure to do it would mean that there has been no exposure. There has been more exposure on this hydro plan, more public discussion than there has been on any hydro plan in the history of Manitoba.

MR. CHAIRMAN: Order, please. The hour being 9:00 o'clock, the last hour of every day is Private Members' Hour. Committee rise and report. Call in the Speaker. Mr. Speaker, the Committee of Supply has directed me to report progress and asks leave to sit again.

IN SESSION

MR. SPEAKER: Order, please. The Honourable Member for Logan.

MR. WILLIAM JENKINS (Logan): Mr. Speaker, I beg to move seconded by the Honourable Member for St. Vital that the report of the committee be received.

MOTION presented and carried.

. . . . continued on next page

PRIVATE MEMBERS' HOUR

MR. SPEAKER: The last hour being private members' hour, on Tuesday night, it's private bills, public bills for private members. Since we have none of those we go down to Private Members' Resolutions, Resolution No. 4. The Honourable Member for Emerson,

Resolution No. 4

MR. GIRARD: Mr. Speaker, I move, seconded by the Member for Roblin that WHEREAS Manitoba has been accustomed to an excellent climate of industrial relations and;

WHEREAS the essential services operating in this province must not be exposed to the risk of arbitrary stoppage;

THEREFORE BE IT RESOLVED that this Assembly consider the advisability of supporting measures to protect our essential services against interruptions due to labour disputes.

MOTION presented.

MR. SPEAKER: The Honourable Member for Emerson.

MR. GIRARD: Well, Mr. Speaker, our suggestion in this resolution is not one that is very complicated or complex although one must admit that it is one that will be a very challenging one to resolve. Our suggestion is that the matter be considered. We are not introducing a bill at this time and I would suppose that it is within our right to do so because it would be an area where no funds would be required to be expended. However it is our view that one cannot introduce a bill of satisfactory kind of resolution without having a good deal of study going into an area of this importance.

The right to strike has been granted to organizations by legislation by this government in the last session, and it would seem to me that the Minister of Labour had made it perfectly clear at that time that the prime objective of the government was to extend the right to strike universally unlimited and without seeking the advice or suggestion or the information of the parties involved. They seemed to give their impression by that kind of legislation that they knew best what was good for the people of Manitoba. I think it is generally accepted that the strike method of settling disputes is one that is outmoded and arbitrary, and granted that while we all criticize that outmoded and arbitrary right to settle a dispute that no one seems to be able to come up with a solution that will be satisfactory to all and yet assure us that the strike method will not be necessary.

I suggest, Mr. Speaker, that the reason why we are not coming up with this kind of solution is because the attitude taken that the strike ought to be universal, by that attitude we seem to recognize the strike as the only method and we fail to take on the responsibility of seeking alternatives to the present system, the system of the right to strike. When we consider the matter of essential services, services that are essential to the public, I would think that we have to make a kind of selection, a kind of decision or set up a mechanism by which some services will be separated from others and will be considered essential to the public. And I hear my honourable friends suggesting to me right away, okay which one will you select. Because the minute I make one selection they will be prepared to say, yes, but what of the next one, that one and the other one.

I think that in order to come to grips with this problem the right to select or the right to identify ought to rest with the government, ought to rest possibly with the Executive Council and the Executive Council ought not only to determine which one got to be selected, identified, but also how many. They might even wish to select some during certain times of the year while other times are not considered essential. And in that particular area might I suggest as an example, Mr. Speaker, that very few people would argue that during certain seasons of the year rail transportation of farm produce is considered essential. But it might not be the most essential.

We might consider year round that maintenance of a police force in proper working order is essential while some others might argue that maybe firemen are more essential. That is not the argument I wish to propose. I don't like to suggest that the government must consider this one or that one but I simply suggest to them in this resolution that they would select or identify and establish that we consider these services to be essential to the public of Manitoba and we will after identifying these seek to have some alternative method by which any dispute that could arise would be solved in a method other than strike action. -- (Interjection) -- I'll come to that.

## PRIVATE MEMBERS' HOUR

(MR. GIRARD cont'd)

When we look at the services rendered by the workers of Manitoba I suppose it would be fair to say that some are far more important than others, but I think there is a fallacy, Mr. Speaker, in assuming, as we have done before, that the right to strike will assure all people who are in the work force of a just and fair settlement. I think that if we resort to that kind of right to achieve what must be the fair settlement that we are falling short of recognizing what fair settlement ought to be. I think that any organized force that will hold the public at ransom while they press for their demands can hardly be compared with non-essential services for which the public is much less concerned, and therefore their settlement might be influenced one way or another. And conversely, Mr. Speaker, and maybe I suggest this in a way to satisfy some of the members from the other side, but I'm not blind to the fact that some companies, some large employers fall in the same category. I think it would be fair to say that there are no doubt at times frivolous strikes, strikes that are caused by motives other than the one that is surfacing.

I can think, and no doubt some members from across will remember the accusations that some have launched, especially in mining industry, Mr. Speaker, with regard to some corporations that seem to have been able to stockpile their resources or their product, or have felt a slump in the market, or for some other reason that they become very difficult to deal with at the bargaining table. I'm simply saying this because I think that when we consider the right to strike as the only fair and just way of reaching settlement that we're not really treating the matter seriously. I think it's rather escapism than wishing to tangle with the real argument.

I was very interested to see that my friend, the Member from La Verendrye thinks somewhat like I do in this matter because he himself has introduced a very similar kind of resolution. And I'm also very interested of course to know what the Leader of the Opposition's response will be, because I can hardly resist, Mr. Speaker, the temptation of suggesting to the Leader of the Opposition that when we're discussing labour matters, I get very interested in his participation in the debate. And probably the thing that interests me most, if I can say not so facetiously, is that he has a beautiful knack of debating one way and voting the other way. And I'm very interested to see what his reaction will be to that kind of a resolution. It might not be fair to make this kind of statement, Mr. Speaker, but it hurts me to think that we're telling the public at one time, we are for it, we are against it, we voted one way and we said the other thing. -- (Interjection) -- I hope I am clearly understood. I hope that the description was clear enough so that you could say which person I was talking about. I meant the Leader of the Liberal Party of course. -- (Interjection) -- Well . . .

I think when we look at the right to strike and we think of the essential services of Manitoba we might look at some services that are not necessarily considered essential but yet have treated the right to strike with some very profound seriousness. I was very interested to hear the teachers of Manitoba discuss the right to strike recently. While they accept that at their last annual general meeting the resolution that said they were in favour of the right to strike was passed and then there were second thoughts. There were second thoughts about should we have the right to strike.

A MEMBER: By who?

MR. GIRARD: There were second thoughts by the teachers of Manitoba, Mr. Minister. Well I might clarify for the edification of my friend the Minister of Labour. He says the executive had second thoughts and I want to suggest to you, Sir, that the executive was not the one who had second thoughts. Their thoughts came from the prodding of the teachers of Manitoba and therefore the result was that the teachers decided, their society decided that the best way to solve this kind of thing is re-examine it. And so they sent out notices to all teachers of Manitoba asking them to consider this very seriously and send back their response. And now I understand that the matter will be brought up to the annual general meeting again. But their response was that we don't want the right to strike.

A MEMBER: The executives.

MR. GIRARD: The teachers of Manitoba are saying, Mr. Speaker, that we don't want the right to strike. But the Labour Minister, the Minister of Labour in this province says, you guys don't know what's good for you. In fact he probably thinks that this time, fellows you're getting it anyway. And I suggest that is a sad scene. In fact the Manitoba Teachers

## PRIVATE MEMBERS' HOUR

(MR. GIRARD cont'd) . . . . Society makes a very strong point that . . .

A MEMBER: You're not the spokesman for the Manitoba Teachers Society.

MR. GIRARD: Well, Mr. Speaker, I understand that I'm not the spokesman for the Manitoba Teachers Society, as my MLA for Radisson suggests. I don't pretend to be; but I pretend to be one who understands what the Teachers' Society is talking about, and I wonder, Mr. Speaker, if my MLA does.

Now regardless, -- (Interjection) -- regardless, Mr. Speaker, the Manitoba Teachers Society says very emphatically whether or not you give us the right to strike, we deplore the thought of your removing our choice to select compulsory arbitration should we want. Now, the Minister of Labour frowns and suggests he doesn't understand, and I am suggesting to you that that is emphatically what the Manitoba Teachers Society will tell him at the annual general meeting. One can argue I suppose that the right to strike ought to be universal and that anyone who is in a labour force ought to have the right to withdraw his services. And I can hear the Minister of Mines repeating this over and over again, and I can agree with him. But the right to withdraw your services in an essential service, holding public at ransom and doing it unilaterally, doing it in unison, Mr. Speaker, is hardly a sophisticated way of solving labour disputes.

This resolution doesn't ask that government take action; it doesn't ask that government brings in the bill; it's asking the Department of Labour, asking the government through the Minister of Labour to condescend, if he can, to accept that we haven't got Utopia yet and that we can improve the situation possibly by considering measures by which we will protect our society against strikes in some very essential service

I remind you as I remind the Minister of Labour that if he can come to grips with this kind of problem and should he through his efforts come to a solution that is satisfactory, he will meet with approval from all parties involved, he will be placing Manitobans' minds at rest, both those who are of the employers and those who are of the employees. I would suggest if it is at all possible, Mr. Speaker, that it would even make him a yet greater Minister.

MR. SPEAKER: The Honourable Member for Logan.

MR. JENKINS: Thank you, Mr. Speaker. In rising to take part in this debate on this resolution, I feel that it's very funny that just last year when we introduced new legislation which enlarged the field of people who had the right to bargain and use the ultimate weapon in bargaining, in the field of collective bargaining, the right to strike, and lo and behold the Act -- I believe I'm right, the Minister will collaborate -- that this Act was not proclaimed until January 1, 1973. Here we are less than three months, less than three months after the proclamation of this Act we have not just one resolution, Mr. Speaker, but we have two resolutions, two resolutions proposing to emasculate the bill or consider the advisability of emasculating that bill before it has even been given a trial.

The Honourable Member for Emerson who I know is a high school principal; I don't know whether he's a member of the Manitoba Teachers Society or not but I know that he's in the teaching profession. During the last session when the new Labour Bill was introduced and subsequently passed in this House I don't believe that the Manitoba Teachers Society was included under the umbrella of that bill.

He also spoke, Mr. Speaker, about whether the right to strike should be universal within the Province of Manitoba. I can tell you, Sir, that as one who has been a member of a trade union for a good number of years and as one who has been on the receiving end of compulsory arbitration and its ramifications, not just once or twice but on at least three or four occasions, that I feel very strongly on this topic.

The Honourable Member for Emerson seems to like to leave the impression in this House that when there is an industrial dispute that the dispute is all on one side; that only one part of the two parties that is at odds with each other is holding up the Province of Manitoba to ransom. You know, Mr. Speaker, it takes two people to make an argument, and if those two people happen to agree then there is no argument, and I think that the legislation that was introduced here last session is one that is going to force responsibility on both sides of the bargaining table. It's going to make the people involved in the collective bargaining process that much more responsible, that much more coherent of what their responsibilities are as members of society. And I can tell you that any government or any agency that sets itself up



## PRIVATE MEMBERS' HOUR

(MR. JENKINS cont'd) . . . . to try and be Solomon in an industrial dispute usually winds up with egg on his face, because he's satisfied neither side.

Then the honourable member came up with a very interesting an aside. He said, you know at certain times of the year it would perhaps not be essential, that industry might not be essential, and another time of the year it could be essential. You know, that's a very interesting observation. That's one that we've had I guess as a member of the Brotherhood Railway Carmen of the United States and Canada, member of the negotiating committee of the Back Shops and prior to that of the Non-Opts here in Canada; and it seemed that our negotiations would always drag and drag and drag and drag; 18 months without a settlement, no back pay. But at the time when grain handling was at its most highest peak, at the time when we would be really essential - and that I guess is what the honourable member was referring to - when we are really essential then we shouldn't have the right to strike. But when we're non-essential, perhaps in the months in between the grain hauling season we're not too essential, those fellows can go and take a two months' holiday at that time. Fine and dandy, take a holiday, boys, go ahead - - (Interjection) - - Or better still during the shop shut-down which is now five weeks, that'd be a great time to take a . . .

A MEMBER: That's exactly what you are doing.

MR. JENKINS: I'm not saying through you, Mr. Chairman or Mr. Speaker, to the Honourable Member for Emerson that we use the farmer - - (Interjection) - - Well the honourable member can put his own interpretations on what I might like to say and I can put my own interpretations on what he has said; that is a matter of dispute and debate in this House and I'm not disputing him the right to put his interpretations on what I say. And so I am freely interpreting what he has had to say and as the Minister of Labour said that would be a very good time for the industry that I happen to work in to go on strike during the time that normally we would be on annual vacation.

Now he said it shouldn't be this Legislature that should pick or decide who is essential. No, no, oh no no, he doesn't want that responsibility, he doesn't want that responsibility, he wants to give that to a select few, to the Executive Council, and he said this is the group that should pick and choose, perhaps we'll take the washerwomen, the laundry women, you know, the girls that work in the laundry, we'll say that they're essential because the honourable member won't have a clean shirt tomorrow, so that would make them very essential, so we can't let those people go on strike. We would say that people working in the food industry, you know, they may be working for any one of the great big supermarket chains here in Manitoba, but because they have to be able to disburse the food out to people that would make them essential. You know, if we were to really look at this resolution at its ultimate, I defy you, Mr. Speaker, or any member in this House to say that there was not one essential service in Manitoba that could not fall under the aegis of this resolution to consider. And if we're going to have industrial harmony . . .

A MEMBER: Hogwash.

MR. JENKINS: Oh yes, we have hogwash from the Honourable Member for Pembina, and I do not want the honourable member to feel that we in the trade union movements use the farmer to exclusion for our demands any more than we withhold the right to you who represent the farm communities of Manitoba and of western Canada - - and I must say that you've done a pretty rotten job of representing your people; you've allowed them to be exploited in the marketplace; you've done a very poor job of representation. But if we're going to give the legislation, and good godfather, you know, we have a piece of legislation, it's less than three months in enactment, and you know last fall lo and behold the Chambers of Commerce, the Manufacturers Association were bitterly saying, it's not going to work. Certainly it's not going to work if people are going to take that sort of an attitude. But you know, Mr. Speaker, that I think it's quite true, that we've already had one settlement under the present bill, or the bill that was enacted last year. I think both the management at Inco and I think both the trade unions involved acted in a very responsible manner. I think that they operated as citizens, good citizens of this province. They settled their dispute, or their collective bargaining agreement. I haven't heard that the Honourable Minister of Labour had to go up and use his good offices. Maybe I'm wrong, maybe he has, but I'm sure if he would have that we would have heard something about it in the newspapers. But lo and behold, Sir, this industrial

## PRIVATE MEMBERS' HOUR

(MR. JENKINS cont'd) . . . . dispute was settled and settled I believe in fairly record time.

Well, the honourable member says not because of this bill. Well if we were to believe what the honourable member is trying to propose here and what members of the Chamber of Commerce and the Manufacturers Association of Manitoba have been saying, we would have had industrial chaos in Thompson; but lo and behold we didn't. We had a good agreement signed. I haven't heard the management saying that they're unhappy with the agreement that they've signed and the unions involved seem to be quite happy as well.

Now the honourable member perhaps he fears maybe that the Minister of Labour is going to introduce some legislation this year that is going to include the teaching profession - and I'm not going to get into the argument that the honourable member had going across the floor with the Minister of Labour about who said who and what - but I don't see anything on the Order Paper, I haven't heard of any thought of including the Manitoba Teaching Society under the new labour code of Manitoba. And so, I say to you, Mr. Speaker, that prior to trying to pull this bill to pieces, that if we enact a piece of legislation one year we have no experience to see if this piece of legislation is going to work.

The honourable member is asking for a study to be made. What does he want a study made of? The very restrictive labour legislation that was in effect in British Columbia prior to the election of the New Democratic Party there - does he want a study of that? Fine. I think he'll find out that there certainly was no industrial harmony there. Would he like to have a study of the industrial harmony and essential services as it was set up in the Province of Newfoundland under Joey Smallwood, where they had the labour strife and turmoil and the RCMP brought in. Is that what he wants a study of? - - (Interjection) - - The honourable member says, have they got any of that in England? I would say that if the honourable member is very unhappy with what is happening in England today that perhaps he should his good offices as a Conservative - oh pardon me, a Progressive Conservative - and write to the honourable gentleman, Mr. Heath, to use some of his good offices, when he's trying to strangle the labour force of Britain.

But let's take a study of where they've had restrictive labour legislation against the strike, the outlawing practically of the strike.

A MEMBER: Nazi, Germany.

MR. JENKINS: Yes, Nazi Germany is one, but let's take a democracy, let's have a look at Australia. Australia's had legislation against strikes, how long? - 50, 60 years, something like that. I think that the . . .

A MEMBER: They have had a lot of strikes in Russia too.

MR. JENKINS: I think that the records will show and the statistics will show that there's been a greater man loss hour or man day loss due to strikes in Australia where they've had this very restrictive legislation for a good number of years, far more so where people have the right to collectively bargain, and they used the ultimate weapon that is in the hands of the employee. Take that away from the employee and you might just as well abolish the trade union movement. And notwithstanding what Mr. Meany says in the United States, I have yet to see any organization, trade union organization, that has had its right to strike severely curtailed that can successfully bargain across the table with an employer who has all the ammunition, and the financial ammunition, to make his point, because the employer can use very many ploys, many ways that he can make life untenable for those employees.

The honourable member, perhaps he thinks that people like going on strike; you know, that they think it's a great big holiday. Well I can assure you that they don't. Trade union members do not want to strike; in fact it's within our constitution, and I think that the honourable member or the Honourable Minister of Labour happens to belong to the same trade union that I belong to and you can ask him for verification, and it says in there, right in our constitution, that we will not strike unless we have exhausted all other means. - - (Interjection) - - The honourable member says, have we exhausted all means? Well, I think that under the legislation that we've had previously where we've been able to stop people, and you know it's very simple. If you want to declare somebody an essential service you can do that by the power that you want to put in the hands of a Cabinet, to name any trade union group in Manitoba an essential service, and that's what the honourable member said. He would not have this Legislature, this Legislative body which is a supreme law-making body in this province, not have them identify what is essential services, put it in the hands of the Executive Council.

## PRIVATE MEMBERS' HOUR

(MR. JENKINS cont'd) . . . . Perhaps he's thinking of the day when he'll be sitting over here.

A MEMBER: That's right.

MR. JENKINS: And he'll say you will not be able to strike. That may be a long time, I admit, but to say that the resolution, "Be It Resolved that this Assembly consider the advisability of supporting measures to protect" - of supporting measures . . .

A MEMBER: That's not supporting measures.

MR. JENKINS: That isn't the way it reads here, I'm sorry. "Therefore Be It Resolved that this Assembly consider the advisability of supporting measures to protect our essential services against interruption due to labour disputes," and if there's a misprint then I'll apologize to the honourable member. -- (Interjection) -- Well the honourable member has said that it is an adjective defining measures, I guess. Is that correct? Very well, I'll take that then as, I'll take his word for it.

But what measures are we going to consider the advisability of? Now this is the question that I asked the honourable member once before. The only experience that we have in Manitoba is the past legislation and the legislation that we have before us here now. The legislation that we have here now I think should be given the opportunity to see if it will work, and I remember so clearly, as the honourable member said he would have liked to have heard what the Liberal Leader would say on this debate. I would be very interested myself because I remember him asking me a question last year when we were in the final stages of this bill, that if I thought that the measures that we had introduced and they were subsequently proved that they were unworkable, would I support some other type of legislation that would do so. I said I would but first I want to give it a chance to see if it will work. But the honourable member doesn't want to let it work and I guess the Honourable Leader of the Liberal Party doesn't want it to work because he must have given some tacit support to the resolution that is appearing, and it's very similar to the one that has been introduced by the Honourable Member for Emerson. Thank you, Mr. Speaker.

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

MR. HARRY E. GRAHAM (Birtle-Russell): Thank you, Mr. Speaker. I listened with considerable interest to the past speaker. I was quite taken aback by some of the last few remarks he made when he said the only thing we have to go by is past legislation and the present legislation. And I've often wondered, he was elected to lead and look forward to positive progressive stuff and here he is looking backwards. And really, Mr. Speaker, this is what this resolution is about.

A MEMBER: Not me.

MR. GRAHAM: This is a resolution that proposes that we go forward, carry forward with the changes that have been made in legislation, and carry on and make further refinements supporting legislation. Mr. Speaker, I had really expected the past speaker who I have a great deal of admiration for, Mr. Speaker, because he has been on both sides of the fence when it comes to dealing with labour disputes. But he only told us about the one side of the fence, Mr. Speaker, he never told us about his activities when he was sitting on the other side of the fence. And I would think that in all fairness if he was putting forward arguments, that he would in the interest of providing the best possible suggestions for improvements in legislation that he would give us both sides of the picture as he has seen them in his own experience and actual day to day activities. However, he only chose to give the one side of the picture and for that I feel a little remorse, because I feel that he could have given us more in that respect.

The resolution that has been put forward, Mr. Speaker, calling for supporting legislation on the issue of strikes and essential services has caused me personally a great deal of anguish because there are many arguments that can be put forward, and I would like to put forward an additional suggestion to the one from the Member for Emerson. And that is that the essential services be very clearly defined before the fact, not after. I would think that if this supporting legislation is in fact incorporated and the Executive Council has the authority, that the Executive Council at least annually review what they consider to be essential services because if it's not defined then, then I would suggest to you, Sir, that in the heat of controversy it might be very easy for members on all sides of the House and members of the Executive Council as well, to decide what is essential in the light of the conditions that exist at that time. And may I suggest to you, Sir, that that might not be the best type of decisions to be made. So I think that any definition of essential service should be done well beforehand so that it can be done without any

## PRIVATE MEMBERS' HOUR

(MR. GRAHAM cont'd) . . . . undue controversy in any way affecting decisions that will be made.

Mr. Speaker, I personally am not in favour of strikes. I don't believe that they serve a useful purpose and, Mr. Speaker, furthermore, I do not believe that any significant benefits have ever been derived from strike action. I have yet to see any individual case where a sustained strike has had any material benefit to those that strike. There is an indirect effect which can be beneficial. For instance, if the railway unions decide to go on strike, it may be very beneficial to those that are in the Teamsters Union because the undue load that is then shifted from rail transportation to road transportation puts the Teamsters Union in a very favorable bargaining position. So there are indirect benefits and it goes the other way as well. But I do not, Sir, in all sincerity, believe that strikes have really benefited those that have actually taken part in them.

It has been suggested by others far more learned than I in labour negotiations and labour matters, that there must be a better solution than the strike. So far in our society I have not as yet seen that, but I would sincerely hope that management, unions and indeed government, can sit down continuously, on a continuing basis, and discuss possible ways of strike avoidance. In no way, Sir, would this be done solely for the purpose of providing a continuing service but in an effort to provide a climate and an atmosphere for harmonious negotiations. There are trade unions in this country, Mr. Speaker, that actually boast that they have had many years of active work on behalf of their members and have not been involved in any strike action. This only furthers my argument, Sir, that maybe the strike is not the answer to the problems that exist.

When we consider the field of essential services, Mr. Speaker, I am sure that many members of the trade union movement will agree that there are times when there are certain activities that must be carried on in the interests of the community at large. And may I suggest to you, Mr. Speaker, that we have seen evidence of this in many cases. For instance in the electrical, we find that there are certain activities that are carried on even though the workers are on strike. Mind you they are very minimal but the workers themselves realize that there are certain things that are essential and must be carried out. In the field of health services, there are many that would not support the idea that all those who are involved in the health field should be denied the right to strike. But, Sir, I suggest to you that there may be certain specialized segments of that health industry that are indeed vital and essential. We are not on this side of the House suggesting which services should be selected. We are suggesting that that is a decision that the Cabinet should make because they have access to far more information than we on this side of the House.

So, Sir, in closing I would suggest to all members of the House that this resolution in no way is an attempt to destroy the harmonious atmosphere that can exist in negotiation. It is merely a means of putting forward additional refinement which we suggest to you would better serve the people of Manitoba in the field of labour and management negotiations.

MR. SPEAKER: The Honourable Member for Flin Flon.

MR. BARROW: Thank you, Mr. Speaker. I didn't intend to speak on this resolution because I don't feel very deeply about it, but after listening to the chattering of the Member for Birtle-Russell I feel I should answer, and if he convinced these people he has convinced me. But I'll take him back to my grandfather's days when they had six-year old kids working in the cotton factories in Lancashire from daylight to dark; they had no right to bargain to strike, those kids. My father's days a little better, nine-year olds. He was nine when he went into the coal mines with no rights, the company's stores, the money hungry corporations with no say.

Now I'll speak for myself. My destiny when I left school at 14 was to go to the coalfields, as a man working with no say at all, where a pony was considered more valuable than a man, and I find it hard to relate to this type of thinking from that side of the House. You tell 80 coal miners that lost their lives in '58 when the only thing they had was the right to bargain to strike that kept them going; 60 more in '57; talk about Davis, he lost his life in a picket line, he lost his life, and every day we took a day off once a year because he fought for the right to strike and to bargain. Tell him; tell the steel people who deal with ACM & S - bargaining, ridiculous. Tell the trades, trade went on strike for five months because one of the bargaining

## PRIVATE MEMBERS' HOUR

(MR. BARROW cont'd) . . . . people on that side of the table said they had no guts. Take away the right to strike, convince me Harry.

Let me tell you about John L. Lewis who came into operation during war time. Conditions were so bad he had an important decision to make. Miners were getting knocked off like flies. No value. Hate for coming to the men, no license, and he pulled a strike then in war time. A man of great courage. And he took it to the Supreme Court and the judge held him in contempt of that court. He said, "I'll fine you a million dollars for contempt, Mr. Lewis, and John L. Lewis said \$2 million would never show my contempt of this court. Tell him. Tell Kenneth who spent a whole lifetime helping miners for the right to strike and they got it. Tell me that.

And let me tell you about the teachers who'd give up the right to strike for ten years. They gave up their independence for false security which just doesn't exist. I always respected and admired teachers, but no more. And they'll get it back, they knew where they stand. -- (Interjections) -- Pardon? Tell the farmer you haven't got a union, no right to strike, where they get six cents for a dozen eggs. They can't sell their wheat for a decent price. Tell the small farmer, get their answer to organize and set up their rights; tell them. And I suggest to you, gentlemen, to take this resolution, put it on your monorail and put ten . . . more on top of it. Thank you, Mr. Chairman.

MR. SPEAKER: The Honourable Member for Thompson.

MR. BOROWSKI: Mr. Speaker, I wonder if you're going to call it 10 o'clock or should I start and -- (Interjections) -- could it stand in my name until it comes up?

MR. SPEAKER: The honourable member has four minutes to proceed. He'll get the 16 minutes next day.

MR. BOROWSKI: Well then, Mr. Speaker, I'm not going to indicate how I'm going to vote because I haven't heard very many speeches in the House and I think it's an important enough resolution that we should really hear the positions on both sides, particularly the Party that's proposing it, and I certainly think that the front bench should make their position very clear. I think we should decide what we're talking about, what strikes, whose rights, and at what point and when.

We know, for example, Mr. Speaker, that Hydro workers at Gillam were denied the right to strike since the inception of that program and I understand another agreement has been signed again for ten years under this government and they're denied the right to strike for ten years. So, Mr. Speaker, it seems to me that it is being tolerated that no strikes in certain situations is acceptable to the government and I am sure it's acceptable to the people of Manitoba; and if that is the case, Mr. Speaker, I think that the Minister has the responsibility to indicate in this House that he is prepared to make it wide open or he is prepared to have select groups of people in our society denied the right to strike - and if he says no, and he is shaking his head indicating no, does he say then that we will allow judges and magistrates to strike? Will we allow the ministers of the front bench to strike? I mean are you going to throw it wide open? Are we going to have a situation that they had in Montreal, Mr. Speaker, when the police went on strike and the situation in the city degenerated into anarchy and vandalism and the worst type of violence, because this government, is this government saying publicly that they're going to stand by and allow the situation to develop in Manitoba that happened in Montreal? Are we going to allow houses to burn because firemen have been given the right to strike? Are we going to say to the people we don't give a damn about your house because the rights of the firemen to go on strike takes precedence over your house and your family . . .

A MEMBER: Oh, don't be so stupid.

MR. BOROWSKI: . . . and if that is the case - well the Minister, Mr. Speaker, is saying to me, don't be so stupid. Well . . .

A MEMBER: Read the act.

MR. BOROWSKI: I would like the Minister to get up and indicate and say precisely what the position of the government is going to be. Is he going to do what he said last year, and it's recorded in Hansard, that they will give the city police the right to strike, and if they go on strike then he will bring in, if necessary bring in the RCMP to break the strike? Pardon? He will call the Legislature. Well, if you're going to do that, Mr. Speaker -- (Interjection) -- if you're going to do that, Mr. Speaker, then why does the Minister play games? Why doesn't he simply say we consider that an essential service -- (Interjection) -- police, firemen,

PRIVATE MEMBERS' HOUR

(MR. BOROWSKI cont'd) . . . . doctors, judges, magistrates, whatever it is, I am only indicating some of the areas that have concern to citizens and I think this government has a responsibility to indicate to the people where they stand.

MR. SPEAKER: Order please. The hour being 10 o'clock, the honourable member will have an opportunity to continue the next time. The hour being 10 o'clock the House is now adjourned and stands adjourned until 2:30 tomorrow afternoon. (Wednesday).