

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, July 17, 1978

TIME: 10:00 a.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Hon. Harry E. Graham (Birtle-Russell): Presenting Petitions . . . Reading and Receiving Petitions . . . Presenting Reports by Standing and Special Committees . . . Ministerial Statements and Tabling of Reports . . . Notices of Motion . . . Introduction of Bills.

ORAL QUESTIONS

MR. SPEAKER: The Honourable Member for Inkster.

MR. SIDNEY GREEN: Mr. Speaker, I would like to direct a question to the Honourable the Minister to whom the Manitoba Development Corporation reports. Can the Minister confirm reports that the previous operational manager of Morden Fine Foods has resigned and given as his reason that he does not expect that the purchaser will continue the operations of the company?

HON. ROBERT (Bob) BANMAN (La Verendrye): No, I can't, Mr. Speaker.

MR. GREEN: I wonder, Mr. Speaker, whether the Minister could look into this question in view of the fact that this particular operational manager has been with the company in both the private and the public sector, at least that is my understanding, and that if indeed the reasons for resignation are correct, it would mean that the purchaser will have been able to deal with the inventory and realize the assets at almost no cost to himself.

MR. BANMAN: Mr. Speaker, first of all, the day-to-day workings, or the employments records of that particular company, is the matter of the gentleman who purchased it. Secondly, the Member for Inkster realizes that inventory costs are one thing — if you look at the cost of the three Saunders aircraft that we picked up from Colombia, the inventory costs are over \$1.3 million, yet we won't realize nearly that, so it is a matter of what the final realization figures are. With regard to the employment, who is managing that particular plant, that will be up to the new owner to decide.

MR. GREEN: Mr. Speaker, I don't wish to debate with my honourable friend the difference between selling canned goods inventory and aeroplanes but I am merely asking the Minister whether he could examine what now appears to be a statement on the part of the operational manager that he is resigning from the company on the basis that he does not expect that the new purchaser will be operating the company, but merely wishes to incorporate the physical assets with his existing other business. I can't verify the report; this is what I heard on one of the electronic media.

MR. BANMAN: Mr. Speaker, just to reiterate, it's that particular gentleman's business. I understand, on the same electronic media that the member was watching, the owner disputed that fact that he was closing it down so it's a matter of internal management problems and it will have to be looked after by the new owner.

MR. GREEN: Then I take it, Mr. Speaker, that regardless of which version is correct, the Minister feels that the Government of Manitoba has no longer any further responsibility with regard to the matter or with regard to the existence of that industry as a canning operation, as an integrated agricultural processing plant within this province.

MR. SPEAKER: The Honourable Minister of Industry and Commerce.

MR. BANMAN: Mr. Speaker, I know that the people from my department, from the Department of Industry and Commerce, are ready to supply assistance, have been in touch with them trying

Monday, July 17, 1978

to get other suppliers involved with the new owner to try and help that particular situation along there, and any assistance that we can give we will give, but this is an internal employment matter and we are not going to get involved in that.

MR. SPEAKER: The Honourable Member for Brandon East.

MR. LEONARD S. EVANS: Thank you. Mr. Speaker, I'd like to address a question to the Minister of Health and Social Development, which is a follow-up of a question I asked the Honourable Minister last week, respecting the Kelly Centre project in the City of Brandon. As a matter of clarification, could the Minister clarify the statement that he was pursuing the matter diligently and hoped that he would see this project in place sometime within the next year. I believe the honourable member referred to the possible use of the new correctional institute which was now under construction, so my question is, is my understanding correct that he intends to use the new correctional institution, and that he expects to have this done within the next year?

MR. SPEAKER: Order please. May I suggest to the honourable member that questions regarding your understanding are not likely questions for the Question Period. If you want to rephrase the question . . .

MR. EVANS: Okay. Will the Kelly Centre project that I have referred to be centred in the new Correctional Institute that is now under construction in Brandon?

MR. SPEAKER: The Honourable Minister of Health.

HON. L. R. (Bud) SHERN (Fort Garry): Mr. Speaker, that would obviously have to be a decision of the Executive Council, but it's my intention to pursue that likelihood. The alternative for the original concept of going to the old Indian Residential School appears to be unjustifiable from an expense point of view, and the new Correctional Institute will have, I believe, sufficient space to accommodate the Kelly Centre.

MR. EVANS: Well, inasmuch as the new Correctional Institute is still under construction and will not be available at least for a year, and inasmuch as it has at least six different populations — male, female, remand, sentenced people, juvenile boys, juvenile girls — how can the Minister expect to house another group yet within that particular facility, given the particular type of people that were to be located in the Kelly Centre project.

MR. SHERMAN: Well, Mr. Speaker, I take the advice of my officials in the Ministry of Corrections and Rehabilitative Services on questions of this type. They assure me, and I've been at the site of the new Correctional Institution, although I want to assure my honourable friend that I looked at it from the exterior, I didn't cross the picket line, that there is room to accommodate approximately 92 beds, and the present configuration of useage is for about 68 beds, which leaves room in a certain area of the facility for such a centre as the Kelly Centre.

MR. EVANS: Well, Mr. Speaker, I would submit to the honourable member that it is not simply a matter of space and number of beds, but it's the various groups that you have in that particular institute.

MR. SPEAKER: Order please, order please. May I suggest to the honourable member that he ask his question.

MR. EVANS: Well, is the Honourable Minister telling us that the proposed plan of the previous government to exchange land and property in Selkirk, with the land and property in Brandon — that is an arrangement with the Federal Government for a trade — that this is not going ahead and that the government will definitely not use the former Indian Residential School for the Kelly Centre Project. Is he now confirming that particular decision?

MR. SPEAKER: The Honourable Minister of Health.

MR. SHERMAN: No, Mr. Speaker. I'm only outlining to the honourable member what my ambitions at the present time, in consultation with my departmental officials, would lead to in the way of a recommendation to my colleagues.

MR. SPEAKER: The Honourable Member for Churchill.

MR. JAY COWAN: Thank you, Mr. Speaker. My question is to the Minister of Labour. Can the Minister confirm that no permanent replacement has yet been hired for the position of director of the Workplace Health and Safety Division.

MR. SPEAKER: The Honourable Minister of Labour.

HON. NORMA L. PRICE (Assiniboia): Mr. Speaker, we have bulletined the position but it hasn't been filled as yet.

MR. COWAN: Yes, thank you, Mr. Speaker. Can the Minister then indicate when she would expect that the bulletining would prove fruitful and the position would be filled?

MRS. PRICE: The applications are all in, Mr. Speaker, and it shouldn't be too long before a decision has been made.

MR. SPEAKER: The Honourable Member for Kildonan.

MR. PETER FOX: Thank you, Mr. Speaker. To the Minister of Labour, in view of the fact of her announced increase to the heavy construction industry of some 5.5 percent, can she indicate when the people on minimum wages who are earning almost half as much can expect an increase?

MR. SPEAKER: The Honourable Minister of Labour.

MRS. PRICE: Mr. Speaker, we've had considerable debate on the pros and cons — mostly the cons — of raising the minimum wage and I did tell the gentleman across that I was having a meeting called of the Minimum Wage Board. We do have an annual one and it's coming up and it has been arranged.

MR. FOX: Aside from the debate, Mr. Speaker, would it not be a little more compassionate to give those people at the bottom of the ladder a boost considering the cost of living and the inflation is still going up, if she thinks it is fair to give the heavy construction industry a raise at the present time?

MRS. PRICE: Mr. Speaker, the government will be keeping a very close watch on it and when the moment is right, we certainly will.

MR. FOX: In view of the fact that the Minister is watching this condition, can she tell us how many of those people are really going to suffer and starve at the present level?

MR. SPEAKER: The Honourable Member for Brandon East.

MR. EVANS: I would like to ask the Honourable Minister of Labour a question respecting a report she promised us during the Estimates' debate of her department. On Thursday, June 15th, the Honourable Minister said she would get a report for me from the director of Mechanical Engineering pertaining to the inspection process at the Simplot Chemical or Fertilizer Company in the City of Brandon and on July 6th when I asked the Honourable Minister she said I would have it in a few days for the member. We are now on July 17th and I wonder if the Honourable Minister can advise when she will be able to give us that report.

MR. SPEAKER: The Honourable Minister of Labour.

MRS. PRICE: Mr. Speaker, I have spoken to the director of the Mechanical Engineering. Being as how there isn't any night operations, our semi-annual basis inspections are done as they have been done for the past numerous years. They enter the plant during the day because that's the only time that the people are working. They carry out a check of the staff of the power engineers and the inspections that are taking place are of the same frequency as has been done right along since the plants were opened.

MR. SPEAKER: The Honourable Member for Brandon East.

MR. EVANS: Mr. Speaker, I wonder if I heard the honourable member correctly when she said they inspect during the day because that's the only time the people are working. My understanding

Monday, July 17, 1978

of it is that it's a 24-hour operation; it's a continuous operation. So I would think that there are people working at night, and I wonder if that is what the Honourable Minister said, that there is no inspection at night because no one is working.

MR. SPEAKER: The Honourable Minister of Labour.

MRS. PRICE: No, Mr. Speaker, I was referring to the mechanical engineering department. The only time that we would enter the building in the evening is because of instructions they have received from our department to answer a complaint or some specific investigation.

MR. EVANS: Well, as I understand then, for clarification, the Minister advises there are only two general inspections that take place . . .

MR. SPEAKER: Order, order please. order please. May I suggest to the honourable member that questions are purely for the purpose of seeking information and they are not for debate. The honourable member is clearly out of order. The Honourable Member for Brandon East, if he wants to ask a question, may rephrase it.

MR. EVANS: Thank you, Mr. Speaker. My question to the Minister is: Does the inspection staff inspect the Simplot Plant in Brandon twice a year, on an annual and on a semi-annual basis?

MRS. PRICE: Yes, they do, Mr. Speaker.

MR. SPEAKER: Order, please. The Honourable Member for Lac du Bonnet. Order please, the Honourable Member for Lac du Bonnet. The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, there is only one member standing to ask a question.

MR. SPEAKER: The Honourable Member for Brandon East.

MR. EVANS: Mr. Speaker, I would like to ask the honourable member whether it is correct that there are no inspections taking place at Simplot at the night-time shift.

MR. SPEAKER: Order please. May I suggest to the Honourable Member for Brandon East that repetitive questions are clearly out of order.

MR. EVANS: On your point of order, Mr. Speaker, I think, while I agree with your ruling, nevertheless it's a matter of trying to obtain clarification and trying to obtain information, and this is a matter of very great importance to my constituents. If an answer is not forthcoming, Mr. Speaker, I think that it's incumbent upon the MLA to repeat the question.

MR. SPEAKER: The Honourable Minister of Labour.

MRS. PRICE: Mr. Speaker, as I mentioned earlier, the only reason our department would enter during the evening hours is to answer a complaint or to investigate an accident.

MR. SPEAKER: The Honourable Member for Lac du Bonnet.

MR. SAMUEL USKIW: Yes, Mr. Speaker. I would like to ask the Minister in charge of the environment, or responsible for the environment, whatever, whether there has been any change or what is the policy with respect to Dutch Elm disease control in Manitoba at the present time.

MR. SPEAKER: The Honourable Minister of Mines.

HON. BRIAN RANSOM (Souris-Killarney): Mr. Speaker, I will take that question as notice on behalf of the Minister of Agriculture, in whose department the responsibility for Dutch Elm disease lies.

MR. USKIW: Well, Mr. Speaker, I had to assume that the Minister in charge of the environment would be involved and concerned about the environment. Is it correct that the program that we had launched two or three years ago to clean up diseased Dutch Elm trees has been discontinued?

Monday, July 17, 1978

MR. RANSOM: Mr. Speaker, there were some questions one or two weeks ago with respect to Dutch Elm disease. I responded to one of those questions from the Honourable Member for Fort Rouge because he had placed it to me in my absence. At that time I pointed out that the Minister of Agriculture had the basic responsibility with respect to Dutch Elm disease. There has been no change in programming as far as I know, but I will take the question as notice on behalf of the Minister of Agriculture.

MR. SPEAKER: The Honourable Minister of Labour.

MRS. PRICE: Mr. Speaker, the Member for Fort Rouge asked me a question that I told him I would have the answer for today regarding the Mexicans being hired under the Canada-Mexico Agreement. I would like to advise him that there are 19 workers in Portage la Prairie this year, 1978. In 1976, there were 25 workers; in 1977, there weren't any. These 19 were hired because at the time they were looking for people, there weren't any available for work.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. LLOYD AXWORTHY: Well, Mr. Speaker, I thank the Minister for the answer. I had raised at the time — there was a second part of the question, regarding the hiring of farm workers in the area for the vegetable market gardening, if there was going to be any attempt to see that opportunity would be given first to local people to work in these fields before arrangements would be made for bringing in workers from outside the province.

MR. SPEAKER: The Honourable Minister of Labour.

MRS. PRICE: Well, Mr. Speaker, I just got the figures for the member as he requested but it really comes under the Federal Government.

MR. AXWORTHY: Well, Mr. Speaker, I recognize that the jurisdiction for the visas comes under the Federal Government, but the question about the supply and availability of manpower does come under the Minister of the Department of Labour. I am wondering if there is any interest or inclination to determine in the hiring of farm workers in these areas whether the first option should be given to local people to work in the fields as opposed to bringing them from outside the country.

MRS. PRICE: Mr. Speaker, I believe that there was a first option given to our people in Manitoba but they found it difficult to fill the jobs and that's why they were brought in.

ORDERS OF THE DAY BUSINESS OF THE HOUSE

MR. SPEAKER: The Honourable Government House Leader. Orders of the Day. .

HON. WARNER H. JORGENSON (Morris): Mr. Speaker, I would like to advise honourable members that it is the intention to sit this morning and this afternoon, that we will be going into two committees, the Statutory Regulations and Orders and Agriculture, this evening to consider clause by clause in consideration of those two bills

Mr. Speaker, will you please call Bills 43, 45 and 48.

GOVERNMENT BILLS — SECOND READINGS

BILL NO. 43 — CAPITAL SUPPLY BILL

HON. DONALD W. CRAIK (Riel) presented Bill No. 43, An Act to authorize the Expenditure of Money for Capital Purposes and authorize the borrowing of the same, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister of Finance.

MR. CRAIK: Mr. Speaker, my comments will be very brief. We dealt with the specifics of it last Friday. It's a Capital Supply Bill and there is nothing further for me to add at this point.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. EDWARD SCHREYER (Rossmere): Mr Speaker, I might just make some comments of a procedural nature as well. It is not our intention to speak again to the subject matter of Bills 43 and 48, both having received perusal and comment at committee stage. It is therefore our intention to not delay the treatment of Bills 43 and 48. It is our intention to adjourn Bill 45.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable Minister of Finance.

BILL NO. 45

MR. CRAIK presented Bill No. 45, An Act for Granting to Her Majesty certain sums of money for the fiscal year ending the 31st day of March, 1979 and to authorize the commitment of additional moneys for expenditure in subsequent years and to authorize the borrowing of funds to offset the anticipated operating deficit, for second reading.

MOTION presented.

MR. SPEAKER: The Minister of Finance.

MR. CRAIK: Mr. Speaker, I don't have any further comments. This is the Main Supply Bill and as the Leader of the Opposition has indicated, the intention was that they wish to adjourn it and make comment on it. If there are any further comments to be made, they will be made on closing the debate.

MR. SPEAKER: The Honourable Member for Kildonan.

MR. FOX: Mr. Speaker, I move, seconded by the Honourable Member for Rupertsland, that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: The Honourable Minister of Finance.

BILL NO. 48

MR. CRAIK presented Bill No. 48, And Act for granting to Her Majesty certain further sums of money for the Public Service of the Province for the fiscal year ending the 31st day of March, 1979, for second reading.

MOTION presented and carried.

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSEN: Mr. Speaker, will you call Bills No. 67 and 68.

ADJOURNED DEBATES ON SECOND READING

MR. SPEAKER: Adjourned debate on Bill No. 67, An Act to amend the Farm Lands Protection Act, the Honourable Member for Kildonan.

MR. FOX: Stand, Mr. Speaker.

MR. JORGENSEN: Will you call Bills No. 4 and 27.

REPORT STAGE — ADJOURNED DEBATE

BILL NO. 4 — AN ACT TO AMEND THE HIGHWAYS TRAFFIC ACT

MR. SPEAKER: On the Proposed Amendment of the Honourable Member for Selkirk, Bill No. 4. An Act to amend The Highways Traffic Act, the Honourable Minister of Highways.

HON. HARRY J. ENNS (Lakeside): Mr. Speaker, I had hoped to have had something to add to

this bill at this particular time, but I gather that that is not the case. Let me then just remind honourable members opposite that when they first introduced this bill, they thought 24 hours was a reasonable time. They, then, in their wisdom reduced it to 12 hours, Mr. Speaker, and I would assume over the weekend, in our collective wisdom, we tend to agree that 12 hours is a reasonable time and that is where the matter stands. I have had no further communications from my Attorney-General to the contrary. However, I would hope that perhaps in the committee stage of the bill, that some further consideration will be given —(Interjection)— We're at third reading. Well, maybe we could take it to fourth reading, Mr. Speaker.

I am pleased to note that some of the arguments that were made both at the committee hearings of this bill and in the introductory remarks on third reading of this bill have prevailed and it is now my pleasure to move that the proposed subsection 238.1(6) of The Highway Traffic Act as set out in Section 1 of Bill 4 be amended by striking out the words and figures "for a period of 12 hours"

MR. SPEAKER: The Honourable Member for Inkster on a point of order.

MR. GREEN: Mr. Speaker, I welcome what the honourable member is doing but I know of no procedure by which he can do it. I had understood that there would be unanimous consent to withdrawing of the amendment that was put by the Member for Selkirk, and permission given for him to put another amendment. Now, if that's the way it is to be done, fine. If the honourable member prefers that we withdraw the amendment that is put and that the Attorney-General makes the amendment by unanimous consent, that won't pierce our vanity. It's all right if you wish to do it that way, but I don't think that the Member for Lakeside can do it.\$

MR. SPEAKER: Order please. Before we proceed, may I suggest to honourable members that before we can accept any further amendment, we have to deal with the present one before us.

The Honourable Member for Selkirk, on the point of order?

MR. PAWLEY: Mr. Speaker, it is not a point of order, but in view of the discussion to date, I have had an opportunity to peruse the proposed amendment by the Attorney-General and I would seek unanimous approval of the House to withdraw my earlier amendment in view of the receipt of the information from the Attorney-General that he intends to introduce to the House.

MR. SPEAKER: Does the honourable member have that unanimous consent?

MR. PAWLEY: Mr. Speaker, the Member for St. Johns is not present but I believe that this amendment would also cover the amendment which was introduced —(Interjection)— he didn't introduce it yet.

MR. SPEAKER: Order please. May I suggest that the amendment the honourable member is talking about is one that, to my knowledge, has not been dealt with by the House at all yet. As such, it, as far as I'm concerned, doesn't appear. I understand there may be some further amendments to this bill by consent. The Honourable Attorney-General.

HON. GERALD W.J. MERCIER (Osborne): Mr. Speaker, there has been distributed to all members an amendment, which I propose, which would have the effect of decreasing the period of suspension for a person who registers "alert" from 12 to six hours, while maintaining the period of suspension of 12 hours for a person who registers "fail". It was on this understanding with the Honourable Member for Selkirk that he withdrew his amendment, and I am . . .

MR. SPEAKER: Order please. I believe the honourable member has to move the amendment first, before he speaks to it. The Honourable AttorneyGeneral.

MR. MERCIER: Mr. Speaker, I move, seconded by the Honourable Minister without Portfolio, responsible for the Task Force: That the proposed subsection 238.1(3) of The Highway Traffic Act, as set out in section 1 of Bill 4, be struck out and the following subsection substituted therefor:

Calibration of roadside screening device.

238.1(3) For the purposes of subsection (1),

(a) the roadside screening device shall not be calibrated to register "WARN" when the proportion of alcohol in the blood of the person whose breath is being analyzed is less than 50 milligrams of alcohol in 100 millilitres of blood; and

(b) the roadside screening device shall not be calibrated to register "FAIL" when the proportion

of alcohol in the blood of the person whose breath is being analyzed is less than 100 milligrams of alcohol in 100 millilitres of blood.

MOTION presented.

MR. SPEAKER: The Honourable Attorney-General.

MR. MERCIER: Mr. Speaker, again, the effect of the amendment is to decrease the period of suspension for a person who registers "warn" on the alert machine. That is a person between .5 and .1. Reduces the period of suspension from 12 to six hours and maintains the 12-hour suspension for a person who registers "fail". This, I think, meets the concerns expressed in the Chamber the other day. It meets the concern expressed for those who will in fact be probably convicted of an offense under the Criminal Code for impaired driving, and I commend it to this House.

MR. SPEAKER: The Honourable Member for Selkirk.

MR. PAWLEY: Mr. Speaker, I do have to commend the Attorney-General for accepting the suggestions that were raised in the House and in committee in regard to this particular point. I think that the proposed amendment is one that certainly meets common sense. It reduces the period to six hours, dealing with those that register "warn" on the alert machine and our concern is not so great insofar as those of course that exceed 100 milligrams, because they will be dealt with under the provisions of the Criminal Code, as they should be dealt with. So that the amendment before us is a constructive one. It's reasonable, and I do think, also' it demonstrates very well the effectiveness of listening to representations made by opposition members and I want to personally commend the Attorney-General for accepting the suggestions that have been made, and I think we have better legislation as a result.

MR. SPEAKER: Are there any further comments on report stage of this bill? Is it the pleasure of the House to adopt the bill as amended? The Honourable Government House Leader.

MR. JORGENSON: No, Mr. Speaker, I believe that all we can do at this stage is simply accept the amendment. It's the amendment that we're voting on, and I note that the Member for St. Johns has an amendment as well. I don't think that we can complete the consideration of this bill unless we have the . . .

MR. SPEAKER: Order please. The Honourable Member for Selkirk.

MR. PAWLEY: Mr. Speaker, I don't believe the amendment from the Member for St. Johns is yet before the House and in view of the amendment that the Attorney-General has introduced I can say that it would not be our intention to introduce that amendment. I believe that this covers adequately the intentions of the Member for St. Johns.

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSON: Mr. Speaker, I believe that would pose some problems for the Clerks since the Member for St. Johns does have an amendment on the Order Paper, but if my honourable friends can give us the assurance that the amendment that he intended to propose is not going to be proposed and to be satisfied with the amendment that has been proposed, then I think it would satisfy the Clerk's Office. But I wouldn't want to create some difficulties for them.

MR. SPEAKER: I seek the advice of members of this Chamber on this particular report.

MR. JORGENSON: Mr. Speaker, may I suggest then that we simply accept the amendment and leave the bill standing on the Order Paper until we have found out one way or the other as what the intentions of the Member for St. Johns are. So I suggest then we can move on, Sir, after having accepted that amendment, if somebody wants to take the adjournment of the debate and hold it until this afternoon, and then we will find out just exactly what the Member for St. Johns wants to do and we can proceed with it then.

QUESTION on the amendment put and carried.

MR. SPEAKER: Is it the pleasure of the House to report the bill?

MR. JORGENSEN: No, Mr. Speaker, just let it stand will you please, Sir? Will you call Bill No. 27?

BILL NO. 27 — AN ACT TO AMEND THE CLEAN ENVIRONMENT ACT

MR. SPEAKER: Report stage. An amendment proposed by the Honourable Member for Selkirk. The Honourable Member for Selkirk.

MR. PAWLEY: Mr. Speaker, I beg to move, seconded by the Member for Brandon East; That Section 6 of Bill 27, An Act to amend The Clean Environment Act, be amended by striking out the word and figures "May 15, 1978" in the third line thereof and substituting therefor the word and figures "November 1, 1972".

MOTION presented.

MR. SPEAKER: The Honourable Member for Selkirk.

MR. PAWLEY: Mr. Speaker, this amendment is intended to propose a retroactive feature in order to deal with a fine which in fact should have been paid by a major oil company, which was in transgression of the provisions of The Clean Environment Act.

Mr. Speaker, it will be argued by some that retroactive legislation is bad, and in general that may very well be the case. But it's interesting that those that sometimes raise that argument are themselves the authors of such retroactive legislation, when greater equity is achieved by some retroactivity than by eliminating any retroactivity whatsoever. We have examples before the House, the Family Law legislation.

One of the objections to the proposed family law legislation is that there is retroactivity to the legislation. Well, Mr. Speaker, that has not been a concern with respect to that legislation by either the government or the opposition. We both have shared the view that that legislation should be retroactive, that there should not be provision for a unilateral opting out.

There are also areas involving The Highway Traffic Act, and provisions for retroactivity, which have already been introduced in this particular session. Here, the retroactivity only relates, not to the substance of the legislation, but to procedure, and, Mr. Speaker, it is our view that to fail to have retroactivity insofar as the amendments to The Clean Environment Act are concerned, would create an inequity and greater injustice by the provisions that presently exist; that a major oil company, which in fact has managed to defy the provisions of The Clean Environment Act, would not be dealt according to the intentions and provisions of The Clean Environment Act, although others that have abided by the provisions of The Clean Environment Act, and the intentions of same, would be dealt with according to the law. This is not an equitable type of situation.

Mr. Speaker, there is already just a little bit of retroactivity in the legislation before us. It is retroactive to May 15th, so the government cannot argue that they are presenting to us a bill that has clean hands in its entirety insofar as retroactivity is concerned. There is a little bit of pregnancy, if one must put it that way, insofar as retroactivity in the present bill before us, so government is not coming to us with a completely clean hand, saying that there is no retroactivity; there is some. And by accepting the provision, Mr. Speaker, that is reflected in the amendment before the House, we would be remedying what would otherwise be a serious inequity insofar as dealing with the provisions of The Clean Environment Act.

The Member for Inkster, who has dealt with the particular Act as a former Minister of Mines and Natural Resources, is much more familiar with the particular case than I am, Mr. Speaker, and will deal with that case in much greater detail, but I would recommend the amendment to the House.

MR. SPEAKER: The Honourable Minister of Mines.

MR. RANSOM: Well, Mr. Speaker, this question had arisen previously in committee and our position has not changed, in that we are unable to accept this proposed amendment. If perhaps I outlined the background to the situation, it would help to clarify it.

First of all, the question does not hinge around fines, as the Honourable Member for Selkirk had suggested, but around the recovery of costs expended by my department in dealing with the cleaning up of the environmental contamination resulting from spillage of gasoline. I might also say that the company involved had expended some, I believe, \$150,000 on cleaning up this particular situation, and the government had expended in the neighbourhood of \$80,000. Under the provisions of the Act as it existed, when the department attempted to recover the additional costs of the clean-up, the law was declared *ultra vires* and therefore the department was unable to recover those

costs. To make the Act retroactive, Mr. Speaker, would be to go back in one specific case to catch this particular company, and recover costs which they previously had been unable to recover, and it is not in my layman's view an analogous situation to those two cases pointed out by the Honourable Meer for Selkirk with respect to Family Law and The Highway Traffic Act. Any retroactivity in those two situations, Mr. Speaker, were not specifically designed to deal with a particular case, but have a general application. The retroactivity that is being proposed by the honourable member for The Clean Environment Act is to deal with one specific case, which has already been dealt with in the courts, and the law has been found to be *ultra vires*. I might also say that, with respect to the small amount of retroactivity which is in the Act now, Mr. Speaker, that simply has served notice on the public that any costs incurred by the department in cleaning up contamination after May 15th of this year would be recoverable under this Act. There is no specific case that that applies to, Mr. Speaker.

For those reasons, we cannot accept the amendment.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I wish to deal with this question in an effort to try to get the same type of consideration from honourable members that we got with respect to The Highway Traffic Act bill, that this is not a political question, it is not a division on party grounds, it is a simple question of administration, and what is equitable and just. I tell the Minister that the amendment before him is not with respect to a single case, it's with regard to any and all cases that arose since the passing of The Clean Environment Act and the present time. There is more than one case, and there are cases, Mr. Speaker, which the companies concerned have paid the amount of damages. And I want to make it quite clear that it is not the law that was held to be *ultra vires*, it was the procedure, Mr. Speaker, whereby a finding could be made by the Clean Environment Commission establishing a debt, and what the court said was that the Federal Government is the only one that could appoint judges, that this appears to be the appointment of a judge to replace the Superior Courts. Therefore, we are finding not that the law is wrong but that the Clean Environment Commission is not entitled to be established as a court by the provincial government.

And all that we are saying now is, okay, it's not the Clean Environment Commission, it's the Court of Queen's Bench, but the law permitting the recovery of damages, Mr. Speaker, I'm not even certain that that needed the Clean Environment Commission. There is a common law that says that when somebody has on his property a dangerous substance and permits it to escape, that the people who suffer by virtue of that escape — and it could well be the province — have a right to sue, and if the Minister was saying, that regardless of the law we're not going to follow that procedure, we are going to go ahead and sue these people, it would be one thing. But he is suggesting and said in committee, that we're changing the rules in the middle of the game. Mr. Speaker, it is not a game. This is a condition whereby there is a person who has a noxious and dangerous substance which he has a duty to control. The substance got out of hand; as a result of that people in Brandon were suffering. Was the province to sit by and do nothing? No. The province went and did a job on dealing with removing the difficulties that were created, and the province is now merely seeking to recover the amount which it expended in doing so.

It went under The Clean Environment Act, Mr. Speaker, which was drafted by law officers of the Crown, tried to recover it. The judge who heard this case, Mr. Speaker — and I think that the Minister will correct me, it wasn't a simple matter. I believe that judgment was deferred for at least six months and possibly more than that; I think maybe it may have been deferred for almost a year. But it was a single judge, Mr. Speaker, and the consideration in the department was, "Are we going to appeal this as far as we can to the Supreme Court of Canada despite what may be the merits or non-merits of the judicial decision?" And I will admit that some will say that this decision looks fairly strong and there is no sense appealing it, Mr. Speaker, but I can tell you that there are many cases which looked the other way, in which the decision appeared to be strong, and has been reversed. Rather than going through several courts and reversing, or attempting to reverse, the decision, it was considered that we have a right to legislate, and that the company would not be prejudiced by the legislation because we are merely asking that what previously was the right to recover be continued.

In this case, Mr. Speaker, I am not at all certain that the Crown could not issue a statement of claim, and that common law ask for that recovery. But the Minister indicates that they have successfully found themselves to be not responsible and he is not proceeding. We are merely asking that the procedure be changed, not the law; that the procedure be made applicable to that case. And if my honourable friends are saying that they don't enact retroactive legislation, then let me indicate, Mr. Speaker, Bill No. 28 — that's the immediate next bill which was passed by this House unanimously — says as follows, with regard to almost the identical situation. In that case the Employment Standards Division was making certain orders. The courts held no such division existed

and therefore the orders are ultra vires. Now, that's what they held. Did the government say: Well, all of these employers who have succeeded in challenging the validity of this law no longer have to be concerned with it, that we don't change the rules in the middle of the game. That these employers are scot-free, or at least scot-free insofar as this procedure is concerned; whatever other procedure a claimant wants to take if it's still available to him. No, that's not what the government said. The government says, every decision, order or thing done or made under this Act, by the Employment Standards Division of the Department of Labour, or by a person designated by the Minister under Section 22, as it stood prior to the coming into force of this Act, is hereby ratified, validated and confirmed, and shall not be challenged, declared invalid or set aside.

Mr. Speaker, that's typical lawyer's language. No lawyer can say in a will, "I give something." He says, "I give, devise and bequeath," because giving is not enough, and if giving is not enough, one must devise as well, and if giving and devising is not enough, then they must bequeath as well, so we give, devise and bequeath. And I don't know whether it's hearkening back to the days where you perhaps were paid by the word, but nevertheless, let us look what it says here. It is hereby ratified, and if ratified is not enough, it is ratified and validated; and if ratified and validated still leaves a doubt, it is ratified, validated and confirmed. And after being ratified, validated and confirmed it is still doubtful, so it says that it shall not be challenged. And even if it states shall not be challenged, it says declared invalid or set aside. Now, how many words do you have to use to say that it's going to be made okay? I would be satisfied, Mr. Speaker, that the previous Act not be ratified, validated, and confirmed. I would be satisfied with validated. I'm going to make it easier for the Minister; he doesn't have to go so far as the Minister of Labour. He doesn't have to say, ratified, validated and confirmed. You don't want to be so tough; just say validated. You don't even have to use the words, "and shall not be set aside."

But we would like, Mr. Speaker, the Minister to deal with this situation, as has been dealt with on numerous other occasions, and members on both sides of the House, Mr. Speaker — and I haven't been one of them, by the way — have voted for bills, another one of which is before the House this year — An Act for the Relief of Ingibjorg Elizabeth Alda Hawes. Those were for individual persons, and those I did refuse to vote against, Mr. Speaker. I didn't believe that the law should be changed for one person. But this is not changing the law for any person; it's changing a procedure which has been found to be, by one single judge, to be incorrect, in order, Mr. Speaker, to specifically let somebody off the hook. Because even this Act, if it was passed, would not result in the recovery of the money; you would still have to prove that they were responsible, and you'd still have to prove that the costs of cleaning up were reasonable, so it doesn't cause the company to have to pay anything, it merely causes them to have to face their responsibility.

There are several other Acts, Mr. Speaker, before this House, which contain far more difficult retroactive changes. The Minister of Highways has already indicated that one, which he has himself introduced, is so broad that he's going to have to re-look it, but that one, Mr. Speaker' didn't deal with Imperial Oil. I'm not sure of the company, but it didn't deal with a major oil company. It dealt with hundreds of people, hundreds of Manitobans, who were unable to fight charges in other jurisdictions, and what the Minister says, that this Act that he is bringing in will be valid — I think until 1972 or something, I can't remember, I'm sorry — but all of those convictions will be valid, even though they're invalid, that they will now be valid. Now, if we do that to hundreds of individual Manitoba citizens without even giving them a chance to defend — because they have no chance to defend. At least Imperial Oil has a chance to defend. Mr. Speaker, I have again used the name Imperial — I can't remember if it's Imperial. The Minister is nodding his head, so it's not, and therefore I apologize for the use of any company name, but to show, Mr. Speaker, that I was not considering it with regard to the company involved, I don't even remember the name of the company involved. I'm not after a company; I'm after a principle. And it seems to me that somebody had tremendous power in influencing the government to forego this attempt to recover what they should be attempting to recover and which they are doing, Mr. Speaker, in other pieces of legislation, with more more broad-ranging and inequitous, if I may use that word, legislation presently before the Chamber and approved on second reading. And some approved on third reading.

Mr. Speaker, I would strongly urge the government to reconsider its position and adopt this amendment. It will not result in anybody having to pay anything which the Crown is not able to prove they should pay, and it merely changes the procedure.

MR. SPEAKER: The Honourable Minister of Mines.

MR. RANSOM: Mr. Speaker, the honourable member says that . . .

MR. SPEAKER: Order please. I believe the honourable member has already spoken. Are you ready for the question? Shall the amendment be concurred in?

QUESTION put, MOTION lost.

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

MR. SPEAKER: Before I call in the members, are there any further amendments to this bill? Call in the members. Order please. The question before the House is: Shall the amendment be concurred in?

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

YEAS: *Messrs. Adam, Bostrom, Boyce, Cowan, Evans, Fox, Green, Hanuschak, McBryde, Malinowski, Parasiuk, Pawley, Schreyer, Uskiw.*

NAYS: *Messrs. Anderson, Banman, Blake, Brown, Cosens, Craik, Domino, Downey, Driedger, Einarson, Enns, Ferguson, Gourlay, Jorgenson, Kovnats, Lyon, McGill, McKenzie, Mercier, Orchard, Mrs. Price, Messrs. Ransom, Sherman, Spivak, Steen, Wilson.*

MR. CLERK: Yeas 14, Nays 26.

MR. SPEAKER: I declare the amendment lost. Are you ready for the question on the report stage of the bill?

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSEN: Mr. Speaker, I move, seconded by the Minister of Highways, that Bill No. 27, An Act to amend the Clean Environment Act, be now read a third time and passed.

MR. SPEAKER: Order please. May I point out to the honourable member that according to our rules it should be passed at the next sitting. I have been advised that while that is what the rules say, that the practice in the House is that we proceed immediately with concurrence of all members of the Chamber. (Agreed)

MOTION presented and carried.

MR. SPEAKER: The Honourable Government House Leader.

MR. JORGENSEN: Mr. Speaker, would you call Bill 65, 69 and 57.

ADJOURNED DEBATES — SECOND READINGS Cont'd

BILL NO. 65 — AN ACT TO AMEND THE HUMAN RIGHTS ACT(2)

MR. SPEAKER: The Honourable Member for Brandon East.

MR. EVANS: Thank you, Mr. Speaker. I only have a few remarks to make on this particular bill which is an amendment to the Human Rights Act. However, I can't be as short as the Honourable Attorney-General, who introduced this bill with one sentence, which I find a bit regrettable because there is really no explanation in the Honourable Minister's introduction of the bill except with one reference to automobile insurance contracts.

Specifically the Minister, on Page 4970 of Hansard, Tuesday, July 11th — I am quoting the Honourable Minister: "Mr. Speaker, this bill deals with a number of practical exceptions to the present legislation that have been recommended by the Manitoba Human Rights Commission, with the exception of that amendment to subsection (3) dealing with the Automobile Insurance Contracts which has been recommended by Autopac; and the Minister responsible for Autopac to make an exception with respect to those contracts, all of which, Mr. Speaker' are practical problems and the amendments deal with the solution to these particular practical problems." And that is the entire text of the introduction by the Minister as I can make out from looking at Hansard.

What I am concerned with, not so much with the reference to the automobile insurance contracts and the debate that has taken place on that, and some of my colleagues have made known their views on that particular matter — what I'm concerned with is the amendment to Section 6(6) which

is now being broadened from its previous latitude. In my view, Mr. Speaker, the previous bill, the previous legislation, gave the Human Rights Commission considerable latitude already in allowing for employment, allowing for certain exemptions for exceptions for employment. Section 6(6), to read it as it stands now, imina- provides for any discr tion — perhaps I should read it: "The provisions of this section relating to any discrimination, limitation, specification, or preference for a position or employment based on sex, age, marital status, physical handicap, or political beliefs, do not apply where sex, age, marital status, physical handicap or political belief is a reasonable occupational qualification and requirement for the position or employment." That is Section 6(6) as it now stands.

What this amendment does, Mr. Speaker, as I see it, is to add to those exceptions, race, religion, and colour and for the life of me, I do not know why this particular section is being broadened. As a matter of fact, I think it is too broad already. I wonder who is to decide what is reasonable. I suppose ultimately it is the courts, but I'm afraid that it is not just a minior opening of the door, that it leaves the door very very wide open for a lot of abuse and a lot of discrimination to take place that might not occur otherwise. I don't think it is any profound statement to observe that a lot of discrimination continues to exist in the Province of Manitoba. I don't know whether you will ever legislate discrimination away. away; I'm convinced you won't. But nevertheless, we can, as we have done through this legislation, take certain steps to help ensure the rights of persons within our society. Unfortunately, discrimination does exist and particularly with regard to females in the workplace, and I think while there are many many more women working today in jobs and occupations that were not open to them previously, so while they do have more opportunity today, it still seems to me that there is still a great amount of discrimination being exercised again women. In my views, the Human Rights Commission and the government should be even more aggressive than it has been to date, to help offset this discrimination that takes place, particularly in the workplace.

I don't see, therefore, Mr. Speaker, why Section 6(6) — I don't even understand why it was placed there in the first place because while we can understand that it is necessary to have certain exemptions because of the peculiarity of the employment and therefore one has to be reasonable, such as employing someone to work in a particular religious institution, a church, synagogue, a temple, or what have you, or some particular political organization. I can see the need for exceptions in that respect, but that is taken care of already in Section 6(7).

Section 6, Subsection (7) says: "The provisions of this section relating to a limitation or preference in employment do not apply to an exclusively religious, philanthropic, educational, fraternal or social organization that is not operated for private profit and is operated primarily to foster the welfare of a group or class, a person characterized by a common race, nationality, religion, colour, sex, age, marital status, physical handicap, ethnic, or a national origin, where in any such case one or more of the above enumerated criterias *abona fide* occupational qualification and requirement."§

So I say, with Section 6(7) already existing and providing, I think, reasonable exceptions, why is it necessary for the Minister now to come in and broaden Section 6, Subsection (5), which is now referred to in this amendment as Section 6, Subsection (6). I think that it is a backward step and I would like, if the Minister is going to close debate, I would very much like to hear the explanation for it. As I said, I don't think that it is necessary to go beyond what is already in existence. As a matter of fact, I would like to rstrict even more so than is now being provided for in the existing legislation. I think that it is a backward step. It allows for more discrimination in our society in the workplace, and I think that this is regrettable.

There have been many speeches made the last year or so about freedom in this province. I submit, Mr. Speaker, that in order to provide the maximum or more optimum freedom for people in the workplace, in places of employment, that we should not be proceeding with this particular amendment that I am referring to, the amendment that is referred to as 6' Subsection (6). As a matter of fact, if any amendment should take place, it should be in the reverse. We should reduce the amount of discretion allowed by the employer and by the Human Rights Commission and ultimately by the courts in this manner.

So, as I said, Mr. Speaker, I did not intend to speak at any length on this matter but I, for the life of me, don't understand why this particular amendment is being brought in at this time by the Minister and I look forward to his explanation, if he has one for the House. Thank you.

QUESTION put.

MR. DEPUTY SPEAKER, Mr. Abe Kovnats (Radisson): The Honourable the Attorney-General will be closing debate.

MR. MERCIER: Mr. Speaker, once again I must point out that with the exception of t related to

Autopac, all of the amendments have been recommended to me by the Human Rights Commission in view of their experience operating and attempting to enforce the provisions of the existing legislation.

With respect to the first amendment, this amendment adds to the present exception included in 1(e), which is where occupants are required to share a bathroom or kitchen facility, the further exception — and the classic example pointed out by the Human Rights Commission is the little old lady who is apprehensive about sharing a common entrance with a male tenant and the principle which led to the acceptance of situations where there are shared bathroom or kitchen facilities, appears to be equally applicable here. I think all members will accept the reasonableness of that position.

With respect to Section 6(4), the Commission has pointed out that even they believe that it is imperative that an employer be permitted to enquire at least about those physical handicaps that may affect employment. I want to say, Mr. Speaker, that I have been privileged to have had an opportunity to work in some little way with the League for the Physically Handicapped in past years and there were other amendments that were proposed that would affected physically-handicapped people that I simply would not accept. This would appear to be a reasonable amendment that has been suggested by the Commission and I submit it for favourable consideration.

With respect to Section 6(6), the added reference to race, religion and colour, it is pointed out by the Human Rights Commission that, examples have been cited to them of a black actor required to play a black role. There are native paraprofessional programs for school divisions, various social services employ native counsellors or field workers, and technically these violate the provisions of the existing legislation. They point out that with respect to religion, the Commission advised an engineering firm that it could advertise "Moslems preferred" for a position to work in Medina where non-Moslems are not allowed to live. The Commission considers religion to be *abona fide* occupational qualification and requirement but it technically violated the provisions of the existing legislation.

Certainly the employers' definition will not be the final interpretation of what is a reasonable occupational requirement. It may very well be, I think, as the Member for Brandon East indicated, that eventually the commission or the courts would have to interpret that. But, again, the commission is pointing out these exceptions, practical exceptions, primarily in the one area which he refers to, as a result of affirmative action programs which violate the provisions of the legislation.

The Minister of Highways has spoken with respect to the so-called "Autopac" amendment. The final section simply deals with a technical amendment that is required to the legislation to give them the power to dismiss a complaint.

Mr. Speaker, I think these, what are being suggested, are recommendations of The Human Rights Commission, which they have in their experience felt were reasonable in view of practical difficulties which have arisen in the administration of the Act, and perhaps if there is any further technical discussion required of the amendments we could pursue that in committee.

QUESTION put, MOTION carried.

BILL NO. 69 — AN ACT TO AMEND THE CIVIL SERVICE ACT

MR. DEPUTY SPEAKER: On the proposed motion of the Honourable Minister of Labour, the Honourable Member for Brandon East.

MR. EVANS: Thank you very much, Mr. Speaker. Again, I only have a few words to add to the debate on this. Having listened to very many interesting speeches in this Legislature on various aspects of the operation of the Civil Service and indeed the size of the Civil Service, and while I don't necessarily intend to dwell upon that, I would only add that the various differences of opinion on the size of the Civil Service do indicate to me that some members, particularly members opposite, are not taking into account seasonal factors that are at work in the size of the Civil Service. When you compare a fall figure, a figure of a certain level of employment in the fall with a certain level of employment, let's say, in early spring or in March, you are comparing apples with oranges because there are many many of our departments that have a considerable seasonal fluctuation in the number of personnel that they are required to retain, simply, of course, because of the climatic situation.

The other point I'd like to make, of course, is that with the previous government's Job Creation Program there were many people that were retained on a direct employment basis. Many of these — in fact all of them, I suppose — were on a contract basis. And for the Honourable Minister without Portfolio responsible for the Task Force to talk about reduction in contract people, it is easy to refer to a reduction in the number of contract people because many of those people were brought on as part of the direct Job Creation Program, and many of them would have been going

anyway. Many of them would have been leaving because the Job Creation Program, at least Phase One, would have concluded in September or October, although there was Phase Two that we were about to put into place.

It's rather interesting that the Minister of Finance the other day did make reference to the fact that there were still a considerable number of people that were directly retained by the government under an employment program. Although it was a tail reflection of what we had attempted, nevertheless I imagine that these people that are directly employed by the government are on a contract basis.

So I say for the government to say that they have eliminated so many hundreds of contract jobs, I daresay upon examination a great number of those contract jobs were jobs that were created especially in connection with the previous government's Job Creation Program, short-term to deal with a particular cyclical unemployment problem.

I'd like to say at this time that there is considerable evidence brought forward by my colleague, the Member for Inkster, that if you make the proper comparisons the size of the Civil Service hasn't necessarily decreased and, without getting into that debate, I am willing to predict that given another year the size of the Civil Service of Manitoba may be larger than it is today. Of course, one reason that the Civil Service grows, one reason that the public sector grows, is because the society in which we live is demanding more services on the part of government. If you get into a Children's Dental Care Program, for example, using dental nurses and so on, then obviously you add to the size of the Civil Service to deliver a particular program.

If the present government, of course, decides to reduce government services, to cut back on programs, well no doubt there can be some holding of the line of the number of employees. But I wonder if what we're going to see is a reduction or what we are seeing perhaps is a reduction in services by the government and at the same time not the same amount of reduction, if any reduction, in the size of the Civil Service. So that really you're getting less output per employee, thereby the amount of services being reduced, and yet the numbers in the Civil Service not being reduced, so that the output per employee or the productivity of the employee is therefore automatically diminished, through no fault of the employee himself or herself.

I think it's rather interesting to observe, Mr. Speaker, that we already have in Manitoba one of the leanest Civil Services, size of public service, of any of the provinces. I think that figures published by Statistics Canada, which are on a comparable basis province-by-province, do indicate Manitoba to have one of the lowest sizes of Civil Service per thousand population of any of the provinces. And it's rather interesting to note that the province — at least according to last year's figures — the province that had the fattest Civil Service was the Province of Alberta, which has had a Conservative Government now for a few years. They have got the greatest number of civil servants per thousand people of any province in Canada. And of course if you go to any conference that the Province of Alberta attends, this becomes quite apparent because they usually come with three or four or five times the number that the Province of Manitoba would bring, or Saskatchewan or B.C., or many other provinces. Alberta, I guess, is reflecting its oil wealth. I don't know what it's reflecting. I don't think it's reflecting . . . I'm not sure that it's reflecting Conservative philosophy. I don't think there is any philosophical position on this. I know this particular government is very concerned with having a small Civil Service, the smaller the better, but I remind them that the Conservative Government of Premier Peter Lougheed has one of the fattest, largest size of a Civil Service for the population of any province in Canada.

So Manitoba, as I said, has had a fairly lean Civil Service for some years and I suspect that position won't change relatively unless there is some very serious, even greater cutback in the level of government services. I can't see any change in our relative position. And in terms of the absolute numbers, I would even venture to predict that we could see some increase in the size of the Civil Service when we look at these figures again next year.

I think, however, there is an unfortunate connotation and unfortunate implication in this debate on the size of the Civil Service, because while everyone can agree that we should get the most for our dollar, for the taxpayer's dollar, that we should have the maximum productivity, that we should have the greatest output per person employed. Nevertheless in many of the remarks that have been made by members opposite, I gather that there is a certain demeaning attitude prevalent. An attitude demeaning of the public sector, employment in the public sector, being somehow worse or of a lower level of quality and a lower level of benefit to the community than private employment. Somehow or other private employment is supposed to be better than public employment. I say, Mr. Speaker, that that's an erroneous attitude to take. It's really a false approach. It's a false observation but nevertheless that implication is present in many of the speeches made by the members of the government side, that somehow or other public sector employment is of a lower quality than private sector employment.

I submit, Mr. Speaker, that you have to take each department, each section of each department, one at a time and look at it. And I would say by and large the public sector employment is of

a calibre and of a nature that is of great value to our society. I could conversely point to the private sector and see where there are many people that are working in the private sector in occupations that one might question, one might wonder the value thereof. You know the proverbial encyclopedia salesman that goes door to door. I wonder if he's making a great contribution, any greater than say someone who is working in the provincial forestry service trying to look out for fires, or whatever he may be doing with wildlife, and so on.

I think other members on this side have made reference in the private sector to people that may be working in massage parlours. You know, the girl who gives a body rub in a massage parlour. She is in the private sector. Is her service any more valuable . . . ? —(Interjection)— Is her service as valuable or is it more valuable than a nurse or a nursing assistant, let's say, working in a personal care home or in some hospital? And I would say that by and large the occupations in the public sector are honourable professions or honourable positions, and in the vast bulk of cases they are very necessary positions, whether they are medical personnel being retained by the Department of Health; whether they be environmental engineers; whether they be labour inspectors; whether they be people that work for the Department of Highways — we've got one of the best Highways Departments in the country — whether they be people in the Department of Agriculture. By and large these people are engaged in very worthwhile occupations and that's more than I can say when I take a look at what goes on in the private sector. There is a great deal of waste that goes on in the private sector. There is a great deal of useless activity. There is a great deal of activity which we would all be better off if it didn't occur. —(Interjection)— Well, I'm not saying that a lot that occurs in the private sector isn't worthwhile. Of course, it is. —(Interjection)— No, it's not a different story. What I am saying is that it's easier to point the finger at the private sector and see a lot of occupations and people at work engaged in rather useless occupations — virtually useless — and we would be all better off if they weren't occupied in those particular professions or trades, or whatever it is.

I think the other point that I'd like to make, Mr. Speaker, is that we have seen under the Conservative Government a politicalization of the Civil Service. I think that the firing of contract employees on the assumption that they were all members of the New Democratic Party, which is an erroneous assumption, but nevertheless there have been references made by members of the government side that in so many words that all contract employees somehow or other were active members of the New Democratic Party and therefore this is one of the good reasons why they were reducing contract employees. Well, I say again that this is a false assumption. It's a false observation and I think to take that attitude and to decide whether to retain or fire someone on that basis, is a political move, and it's certainly not in keeping with the platitudinous statements that have been made in this House about how we need to have a Civil Service that is not political.

I think that the moving into areas such as the firing of secretaries and clerks and other lower echelon people in the Civil Service — I think that's blatant witch-hunting that we saw after the last election, where secretaries were quizzed in this building as to whether or not they participated in the last election, as though that was somehow to be the criteria on whether or not they were to be retained as secretaries in this building. I think that that is very unfortunate, and as I said, to me, it indicates that this government is interested in having a Civil Service that is very pro-Conservative.

I want to add one caveat to that, however. I, for one moment, do not disagree with the matter of Deputy Ministers. I think that a Deputy Minister must be in tune with the Minister and with the government of the day. I admire the American system, at least that part of the American system, in that respect, when government changes, all the administrative heads of departments may change also if the Governor changes. I realize it's a different system, but I think that it's imperative for any government of any political party to have Deputy Ministers who are, of course, professionally competent. You want someone who is professionally competent, but at the same time, they should be on the same wave length as the government of the day, they should have some empathy with what the government is trying to do. They should be in tune with the government, and I, for one, would not criticize the firing of Deputy Ministers on that account. Not at all. I do question the firing of Deputy Ministers before the government is sworn in, I think that is bad taste, if nothing else. It may even be unconstitutional, I don't know, but to call in Deputy Ministers two or three days before a government is sworn in and tell them in so many words that they are fired I think is callous and I think you could argue that it is unconstitutional. But, at any rate, I do recognize that it's imperative for a government to have a senior person in the department who can relate well to the Minister and to the government of the day.

I agree, as I very seldom agree, with the Minister without Portfolio responsible for the Task Force, that democracies today are facing a very serious problem, and that problem is the ability of the elected representatives of any party to be able to maintain adequate control over the bureaucracy, to be able to maintain adequate control over the administration of programs, over the administration of departments. It's so very easy to let a Deputy Minister and the senior officials

run with the ball, as it were, without any reference to the Minister, without any reference to the government. I think that it's not a problem that's necessarily peculiar to Manitoba, it's a problem peculiar to all democracies, and I don't know whether we are any worse off or any better off, but I think that we should recognize that it is a problem, and it's very very easy for a Minister not to have adequate control over his department because he or she is very busy in all the other functions, and other activities that a Minister must be engaged in, whether it be sitting in this House, sitting in the Cabinet or going to various functions or having meetings, or what have you. So I agree with the Minister without Portfolio, the Member for River Heights, that this is a serious problem, and I'm not sure how it is going to be solved, but I think that we should maybe copy the system that's used in Saskatchewan, I believe in Saskatchewan, that the Deputy Ministers are requested to file their resignations the day they are appointed, and those resignation are kept by the Premier, and when the election is called, the Deputy Ministers, in effect, have their resignations accepted, or if not accepted then maybe accepted right after the election. There may be some merit in that particular suggestion.

I repeat, that I think that it's imperative that the Deputy has professional competence, that he or she has adequate technical knowledge, has administrative ability. I think that that is an absolutely *sine qua non* criteria, but I say that he or she needs something additional to that, and that is an ability to work with the government of the day, with the Minister that has been appointed by that government.

I would close, Mr. Speaker, in commenting that Manitoba has historically and traditionally one of the finest Civil Services of any jurisdiction in the world. I think generally speaking the Civil Service in Manitoba has been very loyal in the carrying out of its functions. My experience with the Civil Service, generally, is that they are very competent people, regardless of what level that you run into them; certainly dedicated, some are very very dedicated, and they are certainly very efficient. I think by and large that Manitobans should be very proud of the fact that they have an excellent Civil Service, as I said, probably one of the finest Civil Services in the world. So, I think it is very regrettable that we do get these demeaning remarks from meers opposite about the worthwhileness of public service, about the validity of the public sector and what the public sector can do.

In closing, Mr. Speaker, I would repeat too, I venture to say, and I'd like to be in this House a year from now to see what the size of the Civil Service will be . . . I would be willing to predict that unless something very drastic happens in the way of elimination of whole departments or reductions in a vast scale of government programs, that we'll see the size of the Civil Service larger next year than it is today, and I look forward to the debate at that time as to the relevant size of the Civil Service. Thank you.

MR. SPEAKER: The Honourable Minister of Labour will be closing debate. The Honourable Minister of Labour.

MRS. PRICE: Mr. Speaker, I believe there's been sufficient debate on this amendment to The Civil Service Act, but before I close it I would just like to answer a couple of questions that the Member for St. George posed to me.

Section 15 deals with the Acting Status, and it will be at the management's discretion, since it will be in the agreement but not in the Act.

Section 28, subsection 1, deals with Probation, and will allow management to have different lengths of time for probation. And the agreement, as they so desire, I would like to point out that it will be the policy and is the policy of this government to treat all employees fairly and equally.

I would just like to close by thanking the members of the opposition for supporting the bill.

MR. SPEAKER: Are you ready for the question?

QUESTION put MOTION carried.

BILL NO. 57 — AN ACT TO AMEND THE PUBLIC SCHOOLS ACT

MR. SPEAKER: The Honourable Meer for Winnipeg Centre.

MR. J. R. (Bud) BOYCE: Mr. Speaker, I have a 38-minute speech prepared, but sitting here, I was rather empathic with my friend, the Member for Lakeside, when he was trying to get into gear this morning, and I was taking a look at Moses behind him, just shaking his finger at us saying, that there are really only 10 laws; and I take a look over here at the other corner, where Solon's sitting with his pencil poised in case somebody says something profound — and I don't think he has moved his arm since I've been here — so, I don't think that I can really add that much to

this debate at this point in time. I steal my expression from my friend for Burrows.

But seriously, Mr. Speaker, just briefly, I would like to put on the record that some of the things that have been mentioned I would accept as being valid, such as the Member for Inkster's suggesting that this is but the foot in the door, the wedge. I would believe that to be a forecast of things to come, and I would say that that is well, because as he pointed out, there are a nuer of debates that go on at the same time, when we are talking about such things as amendments to The School Act, which would allow for greater funding of other organizations and direct funding to the public school system. Some people take the occasions to suggest that the 1890 decision was unjust; some people argue that that's a valid position, but nevertheless the rehashing of the debates, I don't think t this time does us very well.)

The impression that the school systems in themselves, the separate school systems or divergent school systems breed interfaith or inter-racial frictions, I don't accept as valid. I think that these attitudes are given to the children in the home, and I think that the school has precious little impact on them in this regard.

There was a documentary on one of the stations the other night showing the situation in northern Ireland, where young children are being inculcated — and they get it from the home, they don't get it from the school. About 20, I think as my mind recalls it, about 20 of them walking down the streets, chanting, "If you hate the British army, clap your hands." And they did a parallel, they went from one side to the other. I use the reference to Ireland, because I'm familiar with the history of that country. It was a couple of years ago, I read in Time Magazine where a chap by the name of Boyce was shot and killed . . . and this particular difficulty that they are encountering. But I come from this breed of people. But in this country we have learned that the hatreds that are passed on are passed on by the homes, you know, they're not done in the schools. I mentioned in earlier life I lived in Elm Creek. In the public school system, which was a school system supported by tax dollars, one of the rooms within the public school system was reserved for one of the Masonic Orders. We accepted that in the community, we didn't see anything untoward about that — I don't know about the legality of it, in retrospect, but nevertheless it was done. The idea that we can have greater harmony of peoples through a public school system itself without the support of the community I think is wishful thinking. This is one of the problems of our educational system, there's too many people think that the schools, you know, should solve all of the problems that people have in human development. Well, Mr. Speaker, if that is the intention of our society, they had better be prepared to allocate much more in public resources than they have to this point in time.

To make this particular point, Mr. Speaker, about how the families are expecting too much from our institutions, one of the things that has crept in our society since about 1955, I would suggest, in this regard, is that the schools and school boards have put in place a system which they call "Career Counselling" it was originally called "Career Counselling", where they would try and make available someone within the school system who would be able to advise the student population where they might fit in into the economic world, where they might find a place for their talents and their education. And this grew . . . I'm sorry, I have to go back a bit. This first started back in 1935, really, but in Canada as a result of the large increase in public funding which went into the public school system relative to Sputnik, they included some of the frills which had by and large been in the eastern and the American systems in education.

But nevertheless to come back to the idea that, in 1970, 1977, 1978, 1979 and future years, that the public school system was able to help people with all the problems which human beings have in development, I think, is an error, that this industrial education or industrial counselling and how people can fit into society became more and more and more a capacity or an assumed capacity to help people with the emotional problems and development. In the City of Winnipeg they established a Child Guidance Clinic and in mentioning these facilities and capacities in the way that I do, Mr. Speaker, I'll support them entirely. We have to have them. But nevertheless, I don't think that the people in the Province of Manitoba should be deluded that they are going to solve all the problems.

It is strange in this sense, that when somebody who comes from another system which a lot of people would disagree with, when it he comes over to our side, sort of thing, or comes and involves himself with our system, they expect him to criticize the other system entirely. I'm thinking of Solzhenitsyn in his recent remarks where when he come out of Russia, he said, "You know, it's an awful system." When he came over to our system, he said, "It's an awful system." Because what it has become in this context is a very materialistic system and he suggests that we have to look at other things than just materialism in the development of people.

Of course, this once again in my judgment emanates from the families and the family is still — and we hear very very little about it — still the basis of our whole society. If it isn't, it ought to be, because if it isn't then we're really getting nowhere, because if people think that governments or public insitutions or the private sector or anything else are going to solve their problems in the development of people that isn't based on some family background, then I think we're just deluding

ourselves and the public.

Mr. Speaker, when I started my few remarks the other day, I said . . . even worse than this. I think that people have to move towards a system of education where they face the fact that the family is the unit in our society and the family is supported in accomplishing their goals as far as education is concerned, their goals in knowing what the child is like, knowing how they think that he should fit into a society. I'll make rather an obtuse point. I guess it's rather obruse. One of the problems in changing to the new Math, the Chem studies to be, you know, the different ways of teaching physics in the system, in so many instances these new attempts fail because they didn't have the support of the family. The child would go home, "Oh, that new Mathematics. Everybody knows we've got ten fingers and you count this way," and Chem studies, "Who needs chemistry," and it is the bad-mouthing of different programs at home sent many youngsters through an educational system where the teacher was, you know, fighting up hill.

So this idea that a school system, public or private, can really accomplish what I think the goals of humanity should be relative to an educational system, without the support of the family, is doomed to failure.

When we say we have in Manitoba a public school system, everybody thinks that it is a unified system, it is uniform throughout the Province of Manitoba. Well in no way is this true, Mr. Speaker. The teachers who are hired by school boards are hired without tenure for a period of two years and if you don't fit into that particular community, they don't fire you, they just don't renew your contract. I know that in some areas where a teacher goes into a community and he is faced with the responsibility, as I was, of teaching biology, and he gets into the Darwinian theory of evolution and he forgets to point out that the differences between law hypothesis, theory and fact, all of these sort of things in the human discourse, and how much credence or credibility can be given to the different ways of referring to human thought, that when we're talking about theory that's what it is, it is a theory. There is evidence to support this contention. But if people put it in a juxtaposition that it is a conflict with Genesis in a community, and the school board the next year doesn't renew his contract, that is what goes on. So those people who think that Darwin's theory of evolution is infallible, that it is the way things are, and that their way of thinking of it is being taught in the schools of the Province of Manitoba, that is not the case.

All sorts of value judgments are made by all of the people when they want something done. I know it places me in a somewhat vulnerable position in this regard because it almost makes of me a situational ethicist in that I will support the bill because we cannot in my judgment accomplish what the Member for Inkster said should be accomplished. Because if it could be accomplished in a Manitoba scene, as it has been relative to Sacre-Coeur on the Winnipeg scene, I don't think that we would need this bill. But nevertheless, that not being the case, then, Mr. Speaker, I intend to support the measure.

MR. SPEAKER: The Honourable Minister of Education will be closing debate.

Pardon me, he will not be closing debate. —(Interjection)— Oh, we've passed the amendments. The Minister will be closing debate.

The Honourable Minister of Education.

HON. KEITH A. COSENS (Gimli): Mr. Speaker, in rising to close the debate, I have to mention at the outset that I am very much aware of the significance and the importance of this particular bill and, of course, the significance of this whole question in the Province of Manitoba. In the last few months, I should mention that I have spent some time reading several histories of the province and some time reading through the debates that have taken place on this particular question over the years and I am well aware of the different arguments that have come forth as this province has developed. But I think we have reached a point in our civilization, in the development of this particular province, where certain things have changed. I should also mention, Mr. Speaker, that in considering this question, I have looked at what has been happening in other jurisdictions across this country and in North America and am very much aware of what is happening there as well.

Of course, as Minister of Education, responsible for the education of all the children in the province, the question of the private schools, the parochial schools, is one that I cannot avoid. I have to mention also, Mr. Speaker, that as one who has spent some 37 years in the public school system, as a pupil and as a teacher and administrator, that I have great faith in that particular system and I am a great proponent, a great believer, in the public school system. But as has been pointed out by honourable members opposite, in our society if we believe in the right of people to form private organizations then I think government also has some responsibility in that area as well to support those private organizations.

Let me just recap for a minute, Mr. Speaker, the situation as we see it today and to do that I don't have to go back too far in history. Perhaps I could start at 1965 with the shared-service

legislation brought in by the Roblin government and I believe the three principles that were enunciated at that time have been stated here in the debate. But there was one particular principle that also was enunciated by Premier Roblin at that particular time and he said that if the people of this province have an obligation — and certainly they do, it's not an if — to provide an education for each child in the province, — and I think we accept that obligation — if a child is entitled to the whole of that education, then by the same token that child is entitled to a part of that education. It seemed to me that particular statement made by the Premier of the Day, Mr. Roblin, is basic to what we are talking about here. Of course, in the legislation that he brought in at that time was the idea that services would be shared between the public school and the private school in the public school. However, as we know, in the late 1960s and early 1970s, agreements were signed where the services were not provided in the public school. Agreements were signed that covered services that took place in the private school and they were signed by all the Ministers of the day, both Conservative and NDP.

The problem and the situation, of course, that we are faced with is that unclear sections of the legislation resulted in conflicting legal opinions. Some division boards refused to adopt the practice of signing agreements with the private school boards. Others took advantage of a broader interpretation and, of course, others held back because of uncertainty of that particular interpretation. What resulted, Mr. Speaker, was an inequity where only some 25 percent of the students in the private schools were able to avail themselves of government grants and the rest were not. Not a fair situation, Mr. Speaker. In fact, in 1977, we had some five school divisions that had signed agreements of this particular type. It should also be mentioned, Mr. Speaker, that of the total number of grants that were being paid out by the government, many of these were for the typical type of shared agreement where the agreement covered services that were being provided in public schools such as Home Economics, shops, swimming, this type of arrangement. It also covered, of course, the other type where the services were being provided in the private school.

So what we have is a situation that is inequitable, Mr. Speaker, not fair, where some, because of chance are treated differently than others, and this is part of our basic problem, the part of the situation that we face. We also know that many of the parochial schools particularly are faced with very serious financial problems to the point that many of them, I suppose, in the months ahead would very seriously have to consider closing and the students from these particular schools going into the public school system. I believe the Member for Fort Rouge has pointed out that from a strictly financial point of view, the burden that this would place on the government would be much greater than the alternative that is being suggested.

Faced with this situation, Mr. Speaker, and it is the situation that I faced as a new Minister, it was my feeling that we could not continue a practice that has some legal consequences, that where the legality of the agreements was in doubt and so we looked for a solution. Bill 57 is that solution, Mr. Speaker. We feel that it eliminates the misunderstanding in the current legislation. It confirms what has been going on for some ten years administratively and ministerially, because those decisions that have been made by school boards and by Ministers over the ten years certainly have developed a certain practice that has worked and seems to have worked very well in some five major school divisions. The bill, Mr. Speaker, will remove that basic inequity where some children, depending on where they live, are treated more justly than others.

I think another aspect of this particular bill, Mr. Speaker, that has not really been focused on or mentioned too much in the debate that's taken place, is the fact that this bill requires that the private school, in order to qualify for the grant, has to have certified teachers. I believe this is a move that is supported by all aspects of our educational system, and I know that it is one that is not unwelcome to the private schools, parochial schools, nor is it unwelcome in the public sector. We feel that this has to benefit all children in the province, particularly those in the private school, who may not have had the benefit of certified teachers.

The bill also requires the private school that teaches sufficient number of regular school subjects to provide an education equal to the standard in the public schools.

And of course, the important point that I don't think has been brought out in debate, Mr. Speaker, is that private school students still are entitled to attend the public school to receive instruction under this shared service legislation. One of the speakers, I believe it was the Member for Elmwood, said this is the end of shared service agreements. That's nonsense, Mr. Speaker. There will still be children from private schools attending public schools under shared service agreements for Home Ec, for Industrial Arts and other courses that they cannot receive in the private school.

And perhaps most basic in the bill, Mr. Speaker, is the fact that it recognizes school board autonomy, the fact that the local people have some say in the educational practices of their locality. And as a person who believes in school boards, in these people who are elected, who serve the people in their own locality — and I would say, Mr. Speaker, much closer in all cases to the people they serve than perhaps we are, as members of this Legislature — that to bypass that local autonomy would be a mistake. And so it has been left in the bill.

Monday, July 17, 1978

Well, the debate, Mr. Speaker, I have found most interesting, and the contribution, I think, has been most edifying, and I think it has contributed a certain amount to some aspects of the problem. I didn't expect, of course, that all members would agree with the bill, for varying reasons. Some have hearkened back to the 1972 resolution, and I spent some time reading those debates, and of course there has been some criticism of members on our side who were present at that time. I have heard that they have somehow made a turnabout, that they have gone against what they stood for at that time, but Mr. Speaker, I would suggest, in talking to members on this side, that they voted against that resolution, not on the principle, but on the idea that it was merely a delaying action. It was a compromise on the other side, among the members there who agreed that there should be some support, and those who disagreed, that it was, in the words of one of my colleagues, a snow job, and that he would have voted for the legislation if it had come forward at that time, but he saw a resolution to study as nothing but a delaying action and it was something that he would not support. Legislation, yes, but a resolution to study, no.

And I have no intention, Mr. Speaker, of rubbing any salt in any wounds; that's not the intention of the bill from my point of view. It's to clarify a situation. But I know that members on the other side, particularly those who sat in Cabinet, must find themselves in a bit of an embarrassing position, because although we have heard from one of the members that this didn't come to Cabinet, I know that the regulation changes had to come to Cabinet, and I know that the Member for Inkster, who was very much against any type of public money going to private and parochial schools, was in a Cabinet that had to vote to raise the amount of the grant from \$9,300 to \$10,000; I mean, that's established, Mr. Speaker. And of course, if what we've heard in the debate is a great deal of time being spent in people trying to more or less rationalize their position as far as that was concerned, and I think that's unfortunate. There's been more time spent on rationalization of position than perhaps on the pros and cons of the bill, but be that as it may, Mr. Speaker, I can see that it is a rather difficult situation for several of the members opposite.

The Member for Inkster tells us that no one will be able to live with this bill, yet he lived with it for eight years, or at least with the practice. —(Interjection)— And if he didn't live with it graciously, as far as we know, that apart from a certain spell in 1972, he must have condoned what was going on and he can't escape that.

But as I've said, that's not my purpose to dwell on that particular aspect. My purpose is to promote a bill that we feel will clarify, and we are optimistic, will in the future solve many of the problems that have resulted in a situation that has developed over some 10 years. And though I have jotted down some of the arguments put forth by the honourable members opposite, particularly those who are opposed, I find that practically all of those arguments are answered by their leader, in his speech, who says nothing harmful has ensued, and likely, nothing harmful will ensue. And he says you can't argue with the experience of 10 years; it hasn't been harmful or fractious. And he also says — and I'm quoting, I hope, accurately: "Custom and convention, after several years, become lawful practice." And he's referring to what has evolved over the 10 years. And he has also said, "I believe it will work well. And the local option is not so terrible." And Mr. Speaker, I feel that those quotes from the Leader of the Opposition answer very effectively some of the arguments that I've heard from some of the other honourable members who find themselves opposed to this bill.

The Member for Logan says it's a pussyfoot piece of legislation. Well, I suggest to him that we at least have the intestinal fortitude to bring forward legislation to do something about it, and if you don't do anything about it for eight years then you are pussyfooting around. And I have some difficulty in accepting the idea that he would call this pussyfooting when that is exactly what happened for eight years, pussyfooting around the situation.

The Member for Fort Rouge says that this bill will rectify an injustice in the system, and I'm rather interested, Mr. Speaker, that the Member for Fort Rouge has apparently reversed his position as far as this matter is concerned. I think that takes a certain type of character, and I believe that there is a real problem, Mr. Speaker, if you are in politics for too many years and you fasten on to a principle early in your career that you must hold to that tenaciously, regardless of what happens in society, and society is changing, and the situations are changing.

The Member for Burrows, of course who was a former Minister of Education is reluctantly supporting the bill, as I suppose he reluctantly signed the agreements. He finds himself in a very awkward position, I'm sure; at least he is not being hypocritical by saying that he now will oppose the bill. He was in an impossible situation.

The Member for St. Johns, who is opposing the bill, says ". . . however, this bill is not the end of the world." And I had some trouble following his arguments because at one time he was on one side of the question and another time, on the other side. He says, of course, that he's ambivalent, but he is not supporting the particular bill.

The Member for Elmwood, of course, says this marks the end of shared services. Well, that's nonsense, Mr. Speaker. That's absolutely nonsense. In no way does it mark the end, and as I've mentioned before, there will still be agreements between school boards and private schools regarding

Monday, July 17, 1978

services that will be offered in the public school. And he says this will mean more money for private schools and less money for public schools, and that's nonsense too, Mr. Speaker. This government is committed to the support of public schools' adequate funding, and we will continue that funding. And of course, the Member for Elmwood — I'm sorry he is not here this morning — says this is a distortion of shared services. He says it's monkey business. Well, you know, he once again finds himself in that hypocritical position of he sat in a Cabinet that, if he calls it distortion, supported the distortion, and if he calls it monkey business, he was part of the monkey business. —(Interjection)— Now, whether he was absent from the Cabinet meetings where regulations were discussed to increase the grant from \$9,300 to \$10,000 or not, I don't know. And of course, the Member for Elmwood also mentions, Mr. Speaker, that this will cause a great proliferation of small private schools in particular. And Mr. Speaker, I suggest that we have had a number of small private schools, parochial schools coming forth in the country in the last three years, and I suggest that we will continue to have a few of those in the province, and whether there is any provincial assistance in the form of grants or not, these schools will continue.

Mr. Speaker, this bill, we hope, we trust, will clarify what we feel has been an inequitable situation, clarify what we feel has been a rather cloudy bit of legislation, and we have every hope that in the future it will solve what has been a rather curious problem.

QUESTION put. MOTION carried.

MR. COSENS: Mr. Speaker, could we have Yeas and Nays?

MR. SPEAKER: Call in the members.

MR. SPEAKER: Order please. The motion before the House is second reading of Bill 57, An Act to amend The Public Schools Act.

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

YEAS: *Messrs. Adam, Banman, Blake, Bostrom, Boyce, Brown, Cosens, Craik, Domino, Downey, Driedger, Einarson, Enns, Ferguson, Gourlay, Hanuschak, Hyde, Johnston, Jorgenson, Kovnats, Lyon, McBryde, McGill, McKenzie, Malinowski, Mercier, Miller, Minaker, Orchard, Mrs. Price, Messrs. Ransom, Sherman, Spivak, Steen, Wilson.*

NAYS: *Messrs. Cowan, Evans, Fox, Green, Parasiuk, Pawley, Uskiw.*

MR. CLERK: Yeas 35, Nays 7.

MR. SPEAKER: I declare the motion carried.

The hour being 12:30, the House is adjourned and stands adjourned until 2:30 this afternoon.