

THE LEGISLATIVE ASSEMBLY of MANITOBA

Thursday, June 9, 1977

TIME: 2:30 p.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Honourable Peter Fox (Kildonan): Before we proceed, I should like to direct the attention of the honourable members to the gallery where we have 38 students of Grade 5 standing of the Hayes School. These students are under the direction of Miss Nemez. This school is located in the constituency of the Honourable Member for Swan River.

We also have 20 students of the Sandy Bay School under the direction of Mr. Tom Bales. This school is located in the constituency of the Honourable Member for Ste. Rose.

On behalf of the honourable members, we welcome you here today.

Presenting Petitions; Reading and Receiving Petitions.

PRESENTING REPORTS BY STANDING AND SPECIAL COMMITTEES

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

MR. D. JAMES WALDING: Mr. Speaker, I beg to present the Second Report of the Standing Committee on Private Bills.

MR. CLERK: Your Committee met on Thursday, June 9, 1977, to hear public representation on Bills referred, as follows:

Bill No. 55 — An Act for the Relief of Anne Marie Mumford: Mr. Doug Strange, Mr. Knox Foster, Mr. G. H. Ringstrom.

Bill No. 58 — An Act for the Relief of Peter Martens: Mrs. Bonnie Helper.

Bill No. 71 — An Act to amend An Act to incorporate The Society of Industrial Accountants of Manitoba: Mr. Leonard W. Hampson.

Your Committee has considered Bills:

No. 37 — An Act to amend An Act to Incorporate Heller-Natofin (Western) Ltd.

No. 55 — An Act for the Relief of Anne Marie Mumford.

No. 71 — An Act to amend An Act to Incorporate The Society of Industrial Accountants of Manitoba.

And has agreed to report the same without amendment.

Your Committee has also considered Bill No. 24 — An Act to provide for the Amalgamation of La Centrale des Caisses Populaires du Manitoba Ltee and La Centrale des Caisses Populaires du Manitoba Credit Union Limited, and has agreed to report the same with certain amendments.

Respecting Bill No. 58 — An Act for the Relief of Peter Martens, your Committee has directed that a copy of the proposed bill be served upon John Berger, the owner and driver of the other motor vehicle involved, and that Mr. Berger be advised of the date and place where the Committee will again consider the Private Bill in accordance with Rule 117(2) of the Rules of the House. Your Committee has agreed to meet for this purpose on Tuesday, June 14, 1977, at 9:30 a.m. in Room 200, Legislative Building.

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

MR. WALDING: Mr. Speaker, I beg to move, seconded by the Honourable Member for Gimli, that the report of the Committee be received.

MOTION presented and carried.

MR. SPEAKER: The Honourable Member for Logan.

MR. WILLIAM JENKINS: Mr. Speaker, I beg to present the First Report of the Standing Committee on Industrial Relations.

MR. CLERK: Your Committee met on Monday, June 6, 1977 to hear public representation with respect to Bills referred, as follows:

Bill No. 50 — An Act to amend The Payment of Wages Act: Mr. R. B. Goodwin.

Bill No. 65 — An Act to amend The Employment Standards Act (2): Mr. N. Thibault — Manitoba Federation of Labour; Mr. Bernie Wolfe — Deputy Mayor, City of Winnipeg; Mr. H. A. Crewson — Manitoba Health Organizations; Mr. Bob Hucal and Mr. Nicholas Palylyk — The Meat Packers Council of Canada; Mr. Ralph King — Canadian Chambers of Commerce; Mr. Al Pitts — Canadian Association of Industrial, Mechanical and Allied Workers; Mr. F. L. Hinings — Representing four Aerospace Companies; Mr. F. G. S. Wilkinson — Campbell Soup Company; Mr. H. Holmes and Mr. George Aikins — Labour Relations Council; Mr. Norm Thompson — Canadian Manufacturers Association; Mr. Eric Nernberg — Versatile Manufacturing; Mr. Joe Borowski.

Your Committee met on Wednesday, June 8, 1977, and considered:

Bill No. 26 — An Act to amend The Apprenticeship and Tradesmen's Qualifications Act.

Bill No. 45 — An Act to amend The Vacations With Pay Act.

Bill No. 47 — An Act to amend The Department of Labour Act, And has agreed to report the same without amendment.

Your Committee also considered:

Bill No. 50 — An Act to amend The Payment of Wages Act.

Bill No. 65 — An Act to amend The Employment Standards Act (2), and has agreed to report the same with certain amendments.

MR. SPEAKER: The Honourable Member for Logan.

MR. JENKINS: Mr. Speaker, I move, seconded by the Honourable Member for Ste. Rose, that the report of the Committee be received.

MOTION PRESENTED AND CARRIED.

MINISTERIAL STATEMENTS AND TABLING OF REPORTS BUSINESS OF THE HOUSE

MR. SPEAKER: The Honourable Minister of Mines.

HONOURABLE SIDNEY GREEN (Inkster): Mr. Speaker, with respect to the proceedings of the House. The Agricultural Committee was not completed with its briefs this morning and several of the people presenting briefs were from out of the city. We thought it would facilitate them best if we adjourned the House immediately after Question Period today and continued with the Agricultural Committee and the briefs that are being presented.

This evening we are in Law Amendments Committee with regard to both bills presented and briefs that may be presented on other bills. Tomorrow morning there is a meeting of the Committee on Economic Development where the report of the Manitoba Development Corporation will be continued or discussion on the report will be continued. In the afternoon, we wish to be in the House and to adjourn to committee if feasible. There will be no inclination to meet on Friday morning or on Saturday and the Attorney-General advises me that by Monday morning he will have the proposed amendments to the legislation on Marital Law and it is considered that it perhaps would save time if we did not meet on Monday so that the various caucuses could consider these amendments — and they will be fairly extensive, I understand — and that we meet in the House again on Tuesday morning at 10:30. So that Monday would be a day that would be reserved for the various caucuses rather than coming into the House.

MR. SPEAKER: The Honourable Member for Morris.

MR. WARNER H. JORGENSON: Mr. Speaker, I am not sure whether I understood clearly what the House Leader was planning for Friday afternoon. He said the House would meet but is it the intention to remain in the Chamber or would there be a continuation of one of the Committees?

MR. SPEAKER: The Honourable Minister of Mines.

MR. GREEN: The intention would be to continue in the House as long as there were proceedings before us to continue with but that if we were to complete our activities in the House by 3:30 or 4 o'clock, then we would go into Law Amendments Committee as we have been doing when we completed activities in the past, that we would adjourn to Law Amendments Committee if we happened to complete House business, let us say, by 3:30 or 4 o'clock, which has happened. I'm not saying that it will happen tomorrow. If not, we will go through to 5:30 in the House.

MR. SPEAKER: The Honourable Leader of the Opposition, on a matter of procedure.

MR. STERLING LYON (Souris-Killarney): Yes, Mr. Speaker, just on the procedural matter, can the House Leader advise, or did I hear him say, that the Attorney-General would have the amendments to the family law ready for consideration before the weekend or after the weekend?

MR. GREEN: I am not certain. He will try and do so but he will certainly have them by Monday morning, so that Monday will be available to honourable members to look at those amendments and to consider them. Given the fact that they are fairly new ground we thought that the best procedure would be for caucuses to be able to have Monday to consider how they want to deal with those amendments. But he will have them no later than Monday morning, and he will try to have them earlier, in which case he will be giving copies of them to the honourable members.

MR. SPEAKER: We are on Ministerial Statements. Let us get to the question period, then the members can have an exchange if they wish and it won't fault procedure. Any other Ministerial Statements? Notices of Motion; Introduction of Bills.

ORAL QUESTIONS

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. LYON: Mr. Speaker, a question to the First Minister as the Minister in charge of Manitoba Hydro. I wonder if he is in a position today to advise the House, or to provide the House with the information that I asked of him yesterday with respect to the generating capacities of the various hydro-electric and fossil fuel stations in Manitoba.

MR. SPEAKER: The Honourable First Minister.

HONOURABLE EDWARD SCHREYER, Premier (Rossmere): Mr. Speaker, the written question was transmitted to Hydro in the forenoon. I expect to have that information within 24 hours.

MR. LYON: Well, Mr. Speaker, on that same point. Is the First Minister in a position to confirm the reports that were given to the CBC by Manitoba Hydro yesterday as to the operating status of the various stations in Manitoba, namely the Winnipeg River stations, the Grand Rapids stations, and the Nelson stations. Could he not give us that information, which the CBC obtained yesterday?

MR. SCHREYER: Well, Mr. Speaker, I suppose I could, upon — enough time to compile it. We are, after all, talking in the order of eight stations. Certainly I can confirm that the Winnipeg River has had water conditions for the past several months which have resulted in such reduced operations of the hydro-electric plants in the Winnipeg River such as to provide only in the order of 16 to 18 percent of the power load of the province.

MR. SPEAKER: The Honourable Member of Assiniboia.

MR. STEVE PATRICK: Mr. Speaker, my question was to the House Leader in respect to sittings. Is the committee sitting on Friday evening?

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: No, Mr. Speaker. I indicated that we would be adjourning Friday afternoon. There was no inclination to sit on Friday evening and that we would not resume our activities until Tuesday morning. I also wish to make it clear that the amendments that the Attorney-General is going to be giving the honourable members information respecting would be proposed amendments, which would not be the position of the government when they are being given because they are going to be dealt with by the party caucuses on Monday. But we thought it would save time if we indicated to you what amendments were being proposed, to clear up some of the difficulties. As to whether they will be put or not will be decided by the government on Monday. This is an unusual procedure but we felt it would be used to save time, that we are considering these amendments. They are not amendments which we necessarily intend to put to the bill.

MR. PATRICK: Mr. Speaker, my question is to the Minister of Health and Social Development. In light of the statement made by the Health Minister in Ontario that some defective and dangerous drugs have appeared on the shelves in the market, is there any communication or consultation between the provinces to make sure that these same drugs are not on the shelves in Manitoba?

MR. SPEAKER: The Honourable Minister of Health.

HONOURABLE LAURENT L. DESJARDINS, (St. Boniface): Mr. Speaker, there is a Canadian committee of experts that are monitoring that constantly and if anybody here in the province have any doubts or have any fears, well then of course this is brought to the attention of that committee immediately.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: A supplementary, Mr. Speaker. Are drug manufacturers required to submit new samples of drugs say to the federal authorities in the Province of Manitoba or to the Provincial Department of Health so that people are aware that they are safe to be used?

MR. DESJARDINS: Mr. Speaker, the drug has to be allowed by that Federal Committee that I was talking about, and if there is any doubt, our own Department of Health will take steps to make sure that this is tested.

MR. SPEAKER: The Honourable Member for Assiniboia. Final question.

MR. PATRICK: Mr. Speaker, another supplementary then. Can the Minister indicate to the House how these dangerous drugs appear on the shelves in the marketplace in Ontario?

MR. DESJARDINS: Mr. Speaker, my guess wouldn't be any better than my honourables friend's guess.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. HARRY J. ENNS: Mr. Speaker, I would like to address one further question to the First Minister in respect to his capacity of answering to this House for Manitoba Hydro matters. I wonder if the First Minister would also undertake in the tabulation of the questions to my Leader, the current situation of water passing over the Missi structure unused, that is how many thousand cubic feet per second.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Yes, Mr. Speaker I will endeavour to do that. I think the honourable member is aware that there are still negotiations, discussions going on with the representatives of the Nelson House Band of the Government of Canada about the degree of diversion allowable from their point of view, and from their point of interpretation via the Churchill River Diversion.

MR. ENNS: A supplementary question, Mr. Speaker, to the First Minister. Would it be a fair question to have the Minister perhaps compile a dollar figure in terms of what the delay in reaching a suitable negotiated settlement with Nelson House and other interests is costing us in today's terms of coal and power use?

MR. SCHREYER: Yes, Mr. Speaker, and the honourable member can then transmit that information, although it's been transmitted already to the Government of Canada.

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

MR. HARRY E. GRAHAM: Mr. Speaker, I have a question for the Attorney-General. I would like to

ask the Attorney-General if the two appointments by Order-In-Council, 618 and 619 of yesterday were recommended by the Chairman of the Legal Aid Services of Manitoba?

MR. SPEAKER: The Honourable Attorney-General.

HONOURABLE HOWARD PAWLEY, (Selkirk): Mr. Speaker, both the appointments arose as a result of recommendations from the Legal Aid Services Board, which of course includes the Chairman.

MR. GRAHAM: A supplementary question. Can the Minister indicate why a competition was found to be impractical in these two cases?

MR. PAWLEY: Mr. Speaker, I would have to receive that information from the Legal Aid Services Board.

MR. GRAHAM: A further supplementary question. Will the Attorney-General assure members of the Legislative Assembly that the proper procedure set down under the Civil Service Act will be followed wherever possible in the future?

MR. PAWLEY: Mr. Speaker, I think that the procedures have been followed according to the requirements of the Civil Service Act by the Legal Aid Services Board. I will certainly inquire into these. These are appointments by way of Order-In-Council. They are management type of appointments, but I will examine the preliminary stages leading up to the recommendations to myself.

MR. SPEAKER: The Honourable Minister of Continuing Education and Manpower.

HONOURABLE BEN HANUSCHAK, (Burrows): Mr. Speaker, the other day the Honourable Member for Wolseley asked me if I would confirm or deny that Manitrade was meeting at Gull Harbour Lodge and at that time I took the question as notice. I did check quite thoroughly, Mr. Speaker, to get a complete run-down of those government agencies, and non-government agencies, who meet at Gull Harbour Lodge for conference purposes, and I found that during the month of May, Mr. Speaker, of the 21 conferences held there, there was one for the Manitoba Government, and that was my department. That was about three weeks ago when the Minister from Prince Edward Island came down to take a look at Gull Harbour Lodge because he is very interested in building a similar facility for the people of Prince Edward Island. The others were Dominion Bridge, the Winnipeg Chamber of Commerce, the Canadian Acceptance Corporation, London Life, Hudson's Bay Company, Da Rosa Architects, Transport Canada, London Life, and the like. And this month there were a few more government departments; the Manitoba Trading Corporation did meet there, yes, I can confirm that they met there this week — and the Department of Municipal Affairs and Manitoba Hydro. Again, my department met there because the Minister for Alberta was interested in that facility.

Amongst the others, the Canadian Bar Association has reserved the whole lodge for some time later this month, and A. Defehr Manufacturing, Manufacturers Life, the Bank of Nova Scotia, Shell Canada, Imperial Oil, BACM, Pioneer Grain, Toronto-Dominion Bank and the like — about 20 of them.

In fact, Mr. Speaker, as you can see, the support from the public sector is really minimal compared to that from the private sector. Even those from the private sector are having difficulty getting in. For example, Burroughs Corporation wanted to hold a conference and we had to tell them, "Sorry, we're booked up. We have no room for you." And we had to turn them away.

MR. SPEAKER: The Honourable Member for River Heights.

MR. SIDNEY SPIVAK: Mr. Speaker, my question is to the Minister of Tourism, and Recreation. Having given us that wonderful report, I wonder if he can inform the House whether he has received a financial statement and knows how much Gull Harbour lost last month, in the month of May.

MR. SPEAKER: The Honourable Minister. Order please.

MR. HANUSCHAK: Mr. Speaker, I do not have a financial statement for the month which ended a week and a half ago, but all reports are that the business being what it is, and operating well over 60-70 percent capacity, that we are looking forward to a favourable financial statement.

MR. SPIVAK: Mr. Speaker, to the Minister, I wonder if he can indicate whether his department has forecasted a loss for the month of June.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, I wonder if it would be helpful to the Honourable Member for River Heights, since I assume he is genuinely seeking information, that I would invite him to run calculations together with me. I would postulate that perhaps the losses at Gull Harbour are in the order of 10 percent of the losses on capitalization at Minaki Lodge in Ontario by the Conservative Government there.

MR. SPEAKER: The Honourable Member for Fort Rouge. Order please, order please, order please, order. The Honourable Member for Fort Rouge.

MR. LLOYD AXWORTHY: Thank you, Mr. Speaker. I have a question for the First Minister. News reports indicate that Monsieur Laurin, the Minister of Cultural Affairs for the Province of Quebec, has

indicated he is going to be in touch with the Premiers of Ontario and Manitoba to discuss the mutual exchange of protection for language minority rights. Can the First Minister can indicate whether such communication has been received and in fact whether he is prepared to enter into such discussions?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, that particular passage I have been advised of this morning. There has been no discussion about bilateral agreements between this province and any other province with respect to language rights in Canada. The problem as it exists is one that can only be solved, in our opinion, by means of concerted federal-provincial action across the country and it is not one in which it would be the policy of this government to enter into bilateral negotiations that might smack of treaty with some separate nation which we do not acknowledge exists.

MR. AXWORTHY: Mr. Speaker, I thank the First Minister for the answer to that question, not just for the giving of it but for the substance of it as well. But I would also ask whether the Province of Manitoba intends to appear before the Manitoba Court of Appeal tomorrow in consideration of the case related to language rights in Manitoba to indicate whether it plans to intervene in those court proceedings and offer its own submissions or references.

MR. SCHREYER: Well, Mr. Speaker, because of the import of that, I will take the question as notice.

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. BOB BANMAN: Thank you, Mr. Speaker. I direct my question to the Minister of Tourism, Recreation and Cultural Affairs and would ask him if he could confirm that the government has started expropriation proceedings for a mile-long park along the Red River in the downtown core area.

MR. SPEAKER: The Honourable Minister of Continuing Education.

MR. HANUSCHAK: Yes, Mr. Speaker.

MR. BANMAN: I wonder if the Minister of Education could inform the House whether this proposed park area and expropriation is part of the federal-provincial agreement with regards to the expropriation of park lands along the Red River.

MR. HANUSCHAK: It is to complement the agreement, Mr. Speaker. I presume that the question was addressed to me and not to the Minister of Education. It's a complementary agreement which, I should add, has not, as at this point in time, been signed by the Federal Government. I understand that all indications are that the response will be a favourable one but the agreement itself is before the Treasury Board at this moment.

MR. BANMAN: I wonder if the Minister could inform us when a master plan will be available for public distribution and I wonder if the Minister could tell us, once this master plan has been made public, whether there will be a public forum for discussion by the public and those people affected in that particular area.

MR. HANUSCHAK: Yes, Mr. Speaker, whatever action in the future is taken in the development and preservation of river property, there will be sufficient opportunity for public response and reaction to whatever course of action will be proposed to take. Proper notice thereof will be given to the community and an opportunity given to the community to respond thereto.

MR. BANMAN: Yes, coming back to my first question and that supplementary. I wonder if the Minister could tell us when the master plan will be available for distribution.

MR. HANUSCHAK: In due course, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Virden.

MR. MORRIS McGREGOR: Mr. Speaker, I direct this question to the Minister of Tourism and Recreation, the Minister responsible for the Racing Commission. When will the Minister be announcing a new chairman of the Racing Commission as Mr. Cartlidge has given notice sometime ago and will be through shortly.

MR. SPEAKER: The Honourable Minister of Tourism.

MR. HANUSCHAK: Upon the termination of Mr. Cartlidge's term of service and the appointment of a successor. Mr. Cartlidge, for personal reasons, had wanted to resign and I would like to take this opportunity, Mr. Speaker, to indicate our appreciation to him for having done an excellent job in that capacity. Nevertheless, at the present time he is still continuing as chairman and it wouldn't be until the appointment is made of a successor that an announcement will be made.

MR. McGREGOR: Mr. Speaker, will the successor then come out of the present membership of the Commission or from the outside?

MR. HANUSCHAK: Mr. Speaker, all the members of the Commission are very competent and no doubt there may also be very competent capable candidates elsewhere whom we would want to consider for that appointment. And when the appointment is made, Mr. Speaker, then it will become apparent whether the appointment was made from the Commission or from elsewhere.

MR. SPEAKER: The Honourable Member for Rock Lake.

MR. HENRY J. EINARSON: Mr. Speaker, I direct this question to the Minister of Agriculture. I

would like to ask him if he has had any discussions with the two main farm organizations pertaining to the beef industry, namely the Beef Growers Association and the Cow-Calf Producers? Has he had any discussion with these two organizations pertaining to problems in the beef industry in recent weeks?

MR. SPEAKER: The Honourable Minister of Agriculture.

HONOURABLE SAMUEL USKIW (Lac du Bonnet): Mr. Speaker, I wonder whether the Minister could elaborate somewhat. He refers to particular problems in the last couple of weeks. I don't know what it is that he is referring to.

MR. EINARSON: Mr. Speaker, there are a number of problems that farmers in the marketing of beef have had that did not pertain to the vote therein that was entailed in recent weeks, and there were a number of requests that farmers have been asking for and they did not get insofar as this vote was concerned. I think the Minister knows what I am talking about in regard to setting up agreements between the organization and the Minister's office as to whether a check-off could be held solving some of the problems in the marketing. —(Interjections)—

MR. SPEAKER: Order please. The Honourable Minister of Agriculture.

MR. USKIW: Mr. Speaker, we have always indicated that people who want to do things for themselves on a voluntary basis may do so and we have no hesitation in advising them accordingly. That is quite different from introducing a compulsory measure which has been asked for, and which we are not prepared to do without a majority of producers supporting it.

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

MR. GEORGE MINAKER: Thank you, Mr. Speaker. My question is to the Honourable Minister responsible for Telephones. I wonder if the Honourable Minister can advise: Is the telephone system presently converting the existing phones to the new plug-in type phones without customers' permission?

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

HONOURABLE RENE TOUPIN (Springfield): Mr. Speaker, there is a conversion taking place, mainly in the City of Winnipeg. I would say that in most cases the customer is consulted. It could be that a given region within the City of Winnipeg is being serviced eventually for that type of requirement, where a customer could pick up his or her phone directly at a given centre within the city, but in those cases there shouldn't be a charge to the customer, if that's the case. If the honourable member has a particular instance to bring to my attention, I would appreciate it.

Mr. Speaker, while I am on my feet, I would like to attempt to reply to a question posed of me by the Member for Fort Rouge yesterday. I took as notice a question from the member concerning the provincial agency to which an individual might apply to provide broad band services of a non-programming nature. The answer, Mr. Speaker, is that at present there is no provincial agency vested with the authority to license such matters. If someone wanted to provide a non-programming service over cable owned by the Manitoba Telephone System, that individual or company would negotiate with MTS for lease of facilities for that purpose. That is, I believe, the course that has been followed by Home Cinema, as an example, the firm referred to by the Honourable Member for Fort Rouge in his question yesterday.

As to whether some provincial agency should ultimately be established with power to authorize specific non-programming services, the Discussion Paper I tabled in the House last week was designed to stimulate discussion on that point. As the honourable member knows if he has — and I am sure that he has read the Discussion Paper in question — our suggestion was that there be competition in provision of software for non-programming services, rather than specific regulation of these services. However, Mr. Speaker, if the honourable member feels that for some reason such an agency is needed, I would certainly like to hear his views on it separately.

MR. MINAKER: Mr. Speaker, a supplementary question to the Honourable Minister. I wonder if the Honourable Minister can advise the House what the policy of the Telephone System is in regard to their representatives entering an apartment without the knowledge or permission of a tenant?

MR. TOUPIN: Mr. Speaker, again, that is not considered to be accepted unless there has been a request by the individual to have such services performed in his or her absence. But failing that, Mr. Speaker, I would take that as an invasion of privacy.

MR. MINAKER: Mr. Speaker, a final supplementary question. I wonder if the Minister would look into the matter because I understand this is happening, and I would like to know if the Minister can advise the House how a customer can have this new system removed due to the fact that entry was made without their permission or knowledge and they did not request the conversion?

MR. TOUPIN: Again, Mr. Speaker, it would not be possible for me or the Manitoba Telephone System to investigate just the complaint broadly as it is laid on the record of the House now by the honourable member. I would appreciate if he would give me details, and certainly that will be dealt with.

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

MR. GRAHAM: Mr. Speaker, I have a question for the Minister of Health, who is the Minister in

charge of Lotteries. I would like to ask the Minister what steps a community group would have to go through to make application for membership in Western Lottery (Manitoba) Distributors, Inc.?

MR. SPEAKER: The Honourable Minister of Health.

MR. DESJARDINS: They would be wasting their time, Mr. Speaker, because the corporation is already set up and there is a partnership of three and that is closed.

MR. GRAHAM: Will the Minister endeavour to review this program so other community groups in Manitoba might have a possibility of taking part in the lottery profits of this province?

MR. DESJARDINS: Mr. Speaker, any community can either sell the products of this corporation or they can join Corporation B and sell the other type of sweepstake tickets that we have had in the province for a number of years. They are certainly, if anything, better off than they were before, because in that lottery the province doesn't participate at all. It doesn't keep one cent of . . .

MR. GRAHAM: A final supplementary. Could the Minister indicate how many other people in the Province of Manitoba would be wasting their time trying to communicate with the Minister?

MR. DESJARDINS: A little less than the people who would get information from a member that doesn't pay attention during the Estimates review.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. R. (Bud) SHERMAN: Thank you, Mr. Speaker. My question is to the Honourable the First Minister. I would ask him whether he can advise the House whether he gave an undertaking, approximately in the early part of April, to the Winnipeg Chamber of Commerce and five other employer groups to meet with them prior to any steps in the direction of proclaiming The Workplace, Safety and Health Act?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, I believe that a meeting is being arranged for approximately the 26th of June. I can't be sure if that is the exact date, but in that week. And I might add that that we are doing in order to attempt better to understand their source of concern. It is not correct to say that is was an undertaking.

MR. SPEAKER: The Honourable Member for Radisson.

MR. HARRY SHAFRANSKY: Mr. Speaker, my question is to the Minister of Highways. In the light of the accusations recently made by the Honourable Member for Morris that the Government of Manitoba is buying property from the Minister of Agriculture, and in the light of the insinuation that there is something nefarious about this, and that the Minister profits from it . . .

MR. SPEAKER: Question please.

MR. SHAFRANSKY: . . . could the Minister of Highways tell the House if it is correct that the Government of Manitoba has recently purchased or is currently purchasing property from the Honourable Member for La Verendrye?

MR. SPEAKER: The Honourable Minister of Highways.

HONOURABLE PETER BURTONIAK (Dauphin): Mr. Speaker, I believe that there is a small parcel that the Highways Department is interested in in that particular area.

MR. SHAFRANSKY: A supplementary question. Is the Minister of Highways going to conduct an inquiry to see if the Honourable Member for La Verendrye used his connections to sell his land to the government, and to what extent he profited by doing so?

MR. BURTONIAK: Mr. Speaker, if I may, I think in all fairness I do believe —(Interjections)—

MR. SPEAKER: Order please.

MR. BURTONIAK: . . . that we do have an understanding that the legislative procedure is that any land properties, and I believe maybe some other properties as well, dealing with the members of the Legislature, that it has to be gone through as expropriation and expropriation only.

MR. SPEAKER: The Honourable Member for Fort Rouge. Order please. Does the Honourable Member for Radisson have another question?

MR. SHAFRANSKY: Yes, Mr. Speaker, I have a question to the Minister reporting for Manitoba Hydro. I have here a piece of political literature . . .

MR. SPEAKER: Question please.

MR. SHAFRANSKY: . . . apparently being peddled by the Member for Wolseley. It shows . . .

MR. SPEAKER: Question please.

MR. SHAFRANSKY: Yes, Mr. Speaker, I am coming to it, but it shows photostats of two Hydro bills, of something called Hearst Enterprises and also indicates that the Enterprises . . .

MR. SPEAKER: Question please.

MR. SHAFRANSKY: . . . is in arrears of payment of Hydro bills. Mr. Speaker, I wonder if the First Minister has any reason to believe that when the Honourable Member for River Heights introduced his bill proposing that the hydro users need not pay their Hydro bills in the winter, he specifically had Hearst Enterprises in his mind.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, I'd like to, if I could, follow-up with the Minister of Communications on the answer to the question concerning cable. When he indicated that there is no

regulatory agency dealing with non-programming soft items, can he indicate does he include the delivery of broad-band information news services as part of that non-programming item that will be non-regulated?

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

MR. TOUPIN: That's my understanding, Mr. Speaker.

MR. AXWORTHY: Mr. Speaker, I wonder if the Minister has examined whether in fact the delivery or dissemination of information news through the broad-band, even if it's not itself a program form, it should come under the auspices of the CRTC.

MR. TOUPIN: Mr. Speaker, I'll take that question as notice.

MR. AXWORTHY: A supplementary, Mr. Speaker. In the Minister's reply, he also indicated that the paper issued by the government was for purposes of discussion. Can he indicate how that discussion is to take place. Does he intend to have hearings between sessions? Is there to be some form of public forum where representations can be made so that the public of Manitoba can make their response to this paper and decide what kind of communication policy they would like to have?

MR. TOUPIN: Mr. Speaker, first of all the document in question has been distributed to members of the House. I am expecting some reaction from members of the House in regard to hearings with groups, individuals interested in the formulation of a policy that is still to be decided.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Speaker, my question is to the First Minister. Yesterday I asked the First Minister about the differential in kWh for Hydro that we export to the United States and we import at the present time during low water levels. The Minister indicated there was a difference. Can the Minister, or is at all possible to indicate what is the difference per kWh that we export power to the United States and that we import now at the present time? Can it be determined what is the difference in kWh or is it fluctuating every day or what is it?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, as I undertook yesterday, I'll have to provide that information to the honourable member in table form because there is some considerable detail involved. There are much more than just one or two rates; there are several rates depending upon the nature of the power purchased. There is a great differential between power that is purchased during the night and on weekends as compared to during the daytime on a weekday. That applies both ways in terms of export value and also in terms of import costs.

I could give my honourable friend that information without saying very much as to quantity, and that would be misleading because to be meaningful, the answer would have to show how much has been purchased at each of the several different rates and that will give you an idea of really where the great bulk or volume has been transacting at, which prices.

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. BANMAN: Thank you, Mr. Speaker. I direct my question to the Minister of Highways and it arises from the questions from the Member for Radisson. I would ask the Minister to inform the House when the Order-in-Council for the land expropriated from myself about a year ago for the widening of the PTH No. 12, and I understand the sum was about \$250.00, I wonder if you could tell us when that Order-in-Council was passed?

MR. SPEAKER: The Honourable Minister of Highways.

MR. BURTONIAK: Mr. Speaker, I understand that that Order-in-Council has not been passed as yet.

MR. BANMAN: I wonder if the Minister could advise the House if the Order-in-Council expropriating land from the Minister of Agriculture has been passed yet?

MR. BURTONIAK: No, Mr. Speaker.

MR. BANMAN: I wonder if the Minister could confirm that the expropriation of land from the Minister of Agriculture, that the amount is substantially more than the one in question here?

MR. BURTONIAK: Mr. Speaker, I don't know what kind of question that is, really. So many things depend on the amount that is paid for the land and I think the honourable member should understand that.

Mr. Speaker, while I am on my feet, I would like to reply to a question posed to me yesterday by the Honourable Member for Assiniboia. He was quite concerned about the condition of Trans Canada Highway No. 1 East and felt that perhaps there was some damage done on the highway or maybe there was something wrong with the way the construction was done. I can assure the honourable member that it is neither. Usually the procedure is that once the highway is paved, it takes about a year or two — although we have tried some different techniques and tried to put seal coating on sooner and that has not been all that satisfactory — but we feel that a year or two after the asphalt has been laid, that a seal coating is put on in order to preserve the asphalt. So this is exactly what was being done there for a stretch of about ten miles or so. I understand that it is either completed already or will be completed today. It is not done by any contractor; it is done by our own staff. The problem

that seemed to be there — a lot of people had phoned in and said that they had suffered some damages to their windshields and all that. There were signs put on there not to pass for that area but I suppose human beings being what they are, especially on the weekends, they ignored those signs and kept passing other vehicles and it wasn't those who were abiding by the law but it was the people who were passing — innocent people were getting windshields and windows smashed.

Also, the other day the Honourable Member for Roblin was enquiring about PR 219 and he stated in Hansard on Friday, June 3rd that "while Public Road 219 is being rebuilt between Powerview and Stead and the new curves that are being constructed are unsafe and the contractor is not building the shoulders that were promised."

As I answered him at that time, I didn't understand where the honourable member got that information. I would like to inform my honourable friend that there is a distance of 9.3 miles that we have had three different contractors on because it involved different kinds of work. There was rock work to be done; there was subgrade; and then of course there was asphalt surface treatment. Now, the original alignment on this 9.3 miles had 24 deviations in horizontal alignment and numerous substandard vertical alignments — 24. Now, the 24 deviations in the original alignment ranged from two degrees for every 30 feet, up to eleven degrees per 30 feet of curvature.

The new alignment, Mr. Chairman, has 14 curves. In other words, we have cut down ten curves, the maximum being five degrees, of which there is only one, and almost all vertical curvature has been improved.

The final top width of the roadway is 32 feet; 22 feet as asphalt surface and two five-foot shoulders which is essentially the same as PR 304 to the north.

I want to assure the honourable member that this final product is a great improvement over the original and as it traverses through the Pre-Cambrian Shield the standards are more than adequate.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. LYON: Mr. Speaker, getting away from deviations for a moment, I have a question for the First Minister. With respect to a question about the alleged inability of apartment owners on demand metering to get estimates from Hydro, the First Minister indicated some time ago he was going to send me some information. Has he had the opportunity to provide that as yet?

MR. SCHREYER: Yes, Mr. Speaker, I did forward that information by way of a memorandum from Hydro with a covering letter from myself approximately a week to ten days ago and followed it up with some elaboration a day later after that. So perhaps my honourable friend could check the files and see if he hasn't received it. I will check with my office but I'm sure it was dispatched about a week or ten days ago.

MR. LYON: Mr. Speaker, I wish to thank the Honourable First Minister for his courtesy. I hope he didn't send it by Federal mail service.

ORDERS OF THE DAY

BUSINESS OF THE HOUSE

MR. SPEAKER: Order please. Question Period time is up. The Honourable Member for Gladstone.

MR. JAMES R. FERGUSON: Mr. Speaker, I have a substitution for the Law Amendments Committee. I would like to substitute the Member for Brandon West, McGill, for the Member for Rhineland.

MR. SPEAKER: Agreed. The Honourable Member for Flin Flon.

MR. THOMAS BARROW: I want to make a similar change, Mr. Speaker. The name of Uruski will replace that of Petursson on the Law Amendments.

MR. SPEAKER: Agreed. So ordered. The Honourable House Leader. The Honourable Leader of the Opposition.

MR. LYON: On Page 3665, it has been brought to my attention that a witty and some might say perceptive comment was attributed to me, down near the bottom of the page. It said: "Mr. Lyon: Mostly Communist."

That remark was made from behind my back. I don't know who made it but it wasn't Mr. Lyon.

MR. SPEAKER: Order please. The Chair has no control of interjections so the honourable members will have to suffer with them. The Honourable First Minister.

MR. SCHREYER: I thought perhaps, Mr. Speaker, I could be allowed to sympathize publicly with my honourable friend, the Leader of the Opposition. I have heard that there are difficulties in the national Conservative Party, but I didn't realize that it extended to the provincial to the extent that their worthy leader would be described as a communist. That's rather going too far.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, I wonder, I wanted to adjourn the House now and I still have that intention, but I wonder whether the Agricultural Committee members could go to Agricultural Committee and that we could deal with the introduction of second reading of Bill No. 81 so that it

could get to Law Amendments Committee. I'm advised it will take only a couple of minutes. So can we say that the Agricultural Committee will start meeting now, that we will merely deal with Bill No. 81 and then adjourn the House. So the Committee can start now.

MR. SPEAKER: Agreed. The Honourable Member for Morris.

MR. JORGENSON: Does the House Leader seriously expect that a bill standing in the name of the Minister of Labour can only take a couple of minutes to introduce?

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, I'm sure that the Minister of Labour is now going to prove me right.

SECOND READING - BILL (No. 81) - AN ACT TO AMEND THE EMPLOYMENT STANDARDS ACT (3)

HONOURABLE RUSSELL PAULLEY, Minister of Labour (Transcona) presented Bill (No. 81) - An Act to Amend The Employment Standards Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister.

MR. PAULLEY: Mr. Speaker, in order to expedite the business of the House, this morning I distributed to the spokesman of the Conservative Party in matters of labour and also to spokesman for the Liberal Party, a copy of my remarks which are brief.

Mr. Speaker, I would now like to introduce Bill (No. 81) - An Act to Amend The Employment Standards Act. The amendments proposed in this particular bill are essentially technical and are intended to clarify certain provisions in the Act and to simplify the administration of the Act.

The first proposed change of the Act deals with the service of orders, notices and other documents on persons. A clause is being added to make it clear that orders and documents may be served on an officer or director of a corporation. The existing Act does not spell out this explicitly.

The other proposed amendments are essentially administrative in nature and relate to notices of termination of employment. Generally the Act provides that an employee must give notice equal to one pay period if his employment is to be terminated. An employee who wishes to terminate his employment must give his employer similar notice. No change is being proposed of these basic provisions. The changes relate to the administration of the notice requirements.

Under the existing Act where an employer or an employee has failed to comply with the notice of termination requirements, the Employment Standards Division of the Labour Board are empowered to order the payment of moneys to either party. In determining the amount of moneys owed, the Division or the Board must take into account the moneys that the employee would have earned during his regular working hours in respect to the period for which the notice of termination should have been given, but was not. In some cases there has been some difficulty in determining what an employee's regular hours of work would have been during the period of notice. To eliminate some of these difficulties, the term "regular hours" is being defined to make it clear that they are employees' normal hours of work excluding overtime that may be worked from time to time. Overtime hours in excess of the standard hours would not be used in determining the amount of money owed or the failure to comply with a notice of termination requirements.

Further amendments give the Division and the Labour Board some discretionary authority to deal with situations where both the employer and the employee may be partly at fault in failing to comply with the notice of requirements. At present, the Board must order the payment to the employee or employer as the case may be, of the total amount that the employee would have earned during regular hours in the period in respect to which notice should have been given. The amendments authorize the Board or Division to order the payment of only part of this amount. This would be done when both parties are at fault. Other amendments are intended to provide some consistency with wage collections procedures under the Payment of Wages Act. For example, where the Division makes an order, any person affected will have seven days in which he could request the Division to refer the matter to the Labour Board for determination. On receiving such a request, the Division would be required to refer the matter to the Board.

With regard to appeals against Labour Board of orders and decisions, changes and additions to the Act are being proposed to provide consistency with procedures under the Payment of Wages Act. For example, a person will have fifteen days, which was previously a thirty-day limit, to appeal a Board decision to a judge of the County Court, which was previously to a magistrate.

Under certain other sections in the Act, Mr. Speaker, these are new and generally provide that a person loses his right of appeal if he has failed or refused to appear before the Labour Board when the Board was considering the matter; and that a person appealing a decision, must notify the Board of his intent to appeal; and that when filing an appeal, he person appealing must file with the Court the amount ordered to be paid pending disposition of the appeal. These latter provisions are identical with provisions in the Payment of Wages Act, and will enable claims relating to the notice of termination to be processed in the same way as other wage claims. That is the purport of the amendment, Mr. Speaker. I hope I have been brief enough.

Thursday, June 9, 1977

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. SHERMAN: Well, Mr. Speaker, I move seconded by the Honourable Member for Birtle-Russell that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, I move seconded by the Honourable Minister of Labour that the House do now adjourn.

MOTION presented and carried, and the House adjourned until 2:30 tomorrow afternoon.