



Fifth Session — Thirty-First Legislature
of the
Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

30 Elizabeth II

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The Honourable Harry E. Graham
Speaker*



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MANITOBA LEGISLATIVE ASSEMBLY**Thirty - First Legislature****Members, Constituencies and Political Affiliation**

Name	Constituency	Party
ADAM, A. R. (Pete)	Ste. Rose	NDP
ANDERSON, Bob	Springfield	PC
BANMAN, Hon. Robert (Bob)	La Verendrye	PC
BARROW, Tom	Flin Flon	NDP
BLAKE, David	Minnedosa	PC
BOSTROM, Harvey	Rupertsland	NDP
BOYCE, J. R. (Bud)	Winnipeg Centre	Prog.
BROWN, Arnold	Rhineland	PC
CHERNIACK, Q.C., Saul	St. Johns	NDP
CORRIN, Brian	Wellington	NDP
COSENS, Hon. Keith A.	Gimli	PC
COWAN, Jay	Churchill	NDP
CRAIK, Hon. Donald W.	Riel	PC
DESJARDINS, Laurent L.	St. Boniface	NDP
DOERN, Russell	Elmwood	NDP
DOMINO, Len	St. Matthews	PC
DOWNEY, Hon. Jim	Arthur	PC
DRIEDGER, Albert	Emerson	PC
EINARSON, Henry J.	Rock Lake	PC
ENNS, Hon. Harry J.	Lakeside	PC
EVANS, Leonard S.	Brandon East	NDP
FERGUSON, James R.	Gladstone	PC
FILMON, Hon. Gary	River Heights	PC
FOX, Peter	Kildonan	NDP
GALBRAITH, Jim	Dauphin	PC
GOURLAY, Hon. Doug	Swan River	PC
GRAHAM, Hon. Harry E.	Birtle-Russell	PC
GREEN, Q.C., Sidney	Inkster	Prog.
HANUSCHAK, Ben	Burrows	Prog.
HYDE, Lloyd G.	Portage la Prairie	PC
JENKINS, William	Logan	NDP
JOHNSTON, Hon. J. Frank	Sturgeon Creek	PC
JORGENSEN, Hon. Warner H.	Morris	PC
KOVNATS, Abe	Radisson	PC
LYON, Hon. Sterling R.	Charleswood	PC
MacMASTER, Hon. Ken	Thompson	PC
MALINOWSKI, Donald	Point Douglas	NDP
McBRYDE, Ronald	The Pas	NDP
McGILL, Hon. Edward	Brandon West	PC
McGREGOR, Morris	Virden	PC
McKENZIE, J. Wally	Roblin	PC
MERCIER, Q.C., Hon. Gerald W. J.	Osborne	PC
MILLER, Saul A.	Seven Oaks	NDP
MINAKER, Hon. George	St. James	PC
ORCHARD, Hon. Donald	Pembina	PC
PARASIUK, Wilson	Transcona	NDP
PAWLEY, Q.C., Howard	Selkirk	NDP
PRICE, Hon. Norma	Assiniboia	PC
RANSOM, Hon. Brian	Souris-Killarney	PC
SCHROEDER, Vic	Rossmere	NDP
SHERMAN, Hon. L. R. (Bud)	Fort Garry	PC
STEEN, Warren	Crescentwood	PC
URUSKI, Billie	St. George	NDP
USKIW, Samuel	Lac du Bonnet	NDP
WALDING, D. James	St. Vital	NDP
WESTBURY, June	Fort Rouge	Lib
WILSON, Robert G.	Wolseley	Ind

LEGISLATIVE ASSEMBLY OF MANITOBA

Tuesday, 28 April, 1981

Time — 2:00 p.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

MR. SPEAKER: The Honourable Member for Radisson.

MR. ABE KOVNATS: Mr. Speaker, the Committee of Supply has adopted certain resolutions, directs me to report the same and asks leave to sit again.

I move, seconded by the Honourable Member for Virden, report of Committee be received.

MOTION presented and carried.

MR. SPEAKER: Ministerial Statements and Tabling of Reports . . . Notices of Motion . . . Introduction of Bills . . .

INTRODUCTION OF GUESTS

MR. SPEAKER: At this time I would like to draw the honourable members' attention to the Speaker's gallery where we have Mr. Edward Latter, High Commissioner for New Zealand.

On behalf of all the honourable members, we welcome you here this afternoon.

At the same time we have 16 visitors from the Health Sciences Centre under the direction of Mr. Chuck Robinson.

We have 20 visitors from the Steinbach Ministerial Association which is in the constituency of the Honourable Minister of Sports.

We have 40 students from the Nelson McIntyre Collegiate and 40 students from St. John's Prince of Wales College in Newfoundland under the direction of Mr. Bill Peckham. This school is in the constituency of the Honourable Member for St. Vital.

On behalf of all the honourable members, we welcome you all this afternoon.

ORAL QUESTIONS

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

MR. SAUL CHERNIACK: Mr. Speaker, I'm just wondering before I ask a question whether the students from St. John's are not more to be my constituents rather than that of the Member for St. Vital.

But the question I would like to direct, Mr. Speaker, is to the Minister of Economic Affairs who, I assume, was one of the Ministers much involved in the discussions with Alcan relating to the investigation on the possibility of an aluminum plant, whether he can inform us what studies were made by

the government to calculate the tax savings that would inure to the company, Alcan, in their ownership of Hydro production, rather than payment of rates.

MR. SPEAKER: The Honourable Minister of Economic Development.

HON. J. FRANK JOHNSTON (Sturgeon Creek): Mr. Speaker, I'm afraid the member will have to ask the Minister of Energy that specific question as to those calculations. The Department of Economic Development worked very closely with Alcan on many different phases regarding Manitoba, but not on those particular negotiations.

MR. CHERNIACK: Mr. Speaker, of course we can get the information later, I assume, but since it would be a matter of great interest and concern for negotiation purposes as to what savings there would be to Alcan in the opportunity to own Hydro production resources in Manitoba, then the question that should be asked as well is what would be the cost to the revenues of the Province of Manitoba, and indeed, to the Federal Government by the fact that there are such tax savings? I assume that the Minister could only take the first question, and this second question as notice to be responded to by whatever Minister is knowledgeable in these areas.

MR. JOHNSTON: Mr. Speaker, I would have to take that question as notice for the Minister of Energy as well.

MR. CHERNIACK: One further question that the Minister might be prepared to take as notice is whether or not the negotiations contemplate a water rate chargeable to Alcan which would be fixed and not flexible as the present water rates are in relation to Hydro and other users of water rates. Probably that question too will have to be taken as notice.

MR. SPEAKER: The Honourable Member for Inkster.

MR. SIDNEY GREEN: In the absence of the Minister of Consumer Affairs, I would like to direct a question to the Attorney-General. In view of the fact that the Greater Winnipeg Gas Company has announced to the public that it was playing February, March and April Fool with its customers, does the Attorney-General consider that it would be appropriate to have an industrial inquiry commission to see just what role the nonpayment of customer accounts or the failure to pay customer accounts or the fooling about customer accounts could have had in that industrial dispute?

MR. SPEAKER: The Honourable Attorney-General.

HON. GERALD W.J. MERCIER (Osborne): Mr. Speaker, I'll take that question as notice for either the Minister of Consumer and Corporate Affairs or the Minister of Labour.

MR. GREEN: Mr. Speaker, I'd like to direct a question to the House Leader which is related and is

a supplementary question. Can the House Leader indicate as to whether or not the government has taken a position with regard to the bill that has been presented to the Legislature which would leave no doubt about the legal responsibility of the gas company with respect to events of this kind in the future?

MR. MERCIER: Mr. Speaker, again I take that question as notice for the Minister responsible for The Public Utilities Act, the Minister of Consumer and Corporate Affairs.

MR. SPEAKER: The Honourable Member for Inkster with a final supplementary.

MR. GREEN: Yes, Mr. Speaker, in view of the fact that the question was taken as notice then I gather the government has not formulated an opinion that it is going to oppose the bill at this time.

MR. MERCIER: Mr. Speaker, again, that matter will be answered by the Minister for Consumer and Corporate Affairs so the Member for Inkster should not make any assumptions.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MS. JUNE WESTBURY: Thank you, Mr. Speaker, my question is addressed to the Honourable Minister of Northern Affairs. Mr. Speaker, what steps has the Minister taken in view of the resignation of the Mayor and Council of South Indian Lake?

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

HON. DOUG GOURLAY (Swan River): Well, Mr. Speaker, I understand that the council have sent a letter directed to me. I have not as yet received it but I have staff into the community of South Indian Lake to get more details on the situation there and report back to me.

MS. WESTBURY: Mr. Speaker, is it the intention of the Minister to review the division of responsibility and the terms of reference of Northern community councils in order that they should have more authority in awarding contracts within their own areas?

MR. GOURLAY: Well, Mr. Speaker, I don't want to act on the information that I have read in a newspaper article, I would want to wait and get the actual particulars as to what has taken place in that community.

MS. WESTBURY: Mr. Speaker, I would ask the Minister then, surely he can confirm whether in fact his department did interfere in the awarding of a contract that had been made by the council and which allegedly the department phoned and countermanded.

MR. GOURLAY: Mr. Speaker, I think it's important to wait until I get the letter supposedly directed from the council as to their views to what has taken place. I'd be quite happy to comment further on that when I receive the information.

MR. SPEAKER: The Honourable Member for Churchill.

MR. JAY COWAN: Thank you, Mr. Speaker. My question as well is to the Minister of Northern Affairs and deals with the matter of South Indian Lake. I'd ask the Minister of Northern Affairs if he is prepared personally to make a visit to that community at this time or in the very near future for the purpose of sitting down with the Mayor and the community council so that he can have the type of frank and complete discussions which are necessary to overcome a situation which I believe has been caused in large part by that Minister's refusal to meet with community councils and mayors on a regular basis, to try and iron out some of these difficulties before they reach the point of resignations of mayors and councils in small Northern communities?

MR. GOURLAY: Mr. Speaker, I would like to advise the House that it has been my policy to visit as many communities as often as possible as time will permit. I have visited with a number of community councils during the past year including that of South Indian Lake. We have discussed many issues affecting communities and particularly the community of South Indian Lake.

There have been a number of issues I have discussed with the Mayor and council and obviously there is another concern that is bothering the council at the present time. I understand they have resigned but they have directed the letter to me to outline their concerns and as I mentioned earlier, I have not received that letter yet as I understand it was directed to Thompson and I have not received it here in Winnipeg but I have staff into the area working with the community.

MR. COWAN: The question to the Minister, Mr. Speaker, and I know he doesn't have to answer the question directly but I would hope he would take this opportunity to do so, was is he prepared himself to go into the community in the very near future so that they can sit down and discuss these problems? I ask the question specifically because the article indicates and the people I have talked to in the community since the time of the resignation, confirm that they believe they lack the trust of the government, lack the confidence of the government and that every decision they make, or most decisions they make that are of a crucial nature to the community, are overruled. I think that's a serious allegation and it's an allegation directed against the Minister, so I ask the Minister, is he prepared now to make the commitment today to go in there as soon as his Estimates are over so that he can more fully develop the types of communications and the types of conversations which are necessary to alleviate these types of problems before they start?

MR. GOURLAY: Mr. Speaker, I have a copy of the article in the newspaper that says the Mayor and council of this Northern mining community have resigned. I have visited that community; it is not a mining community, so I don't know just how much other truth there is in this newspaper article. But anyway, I am prepared to go into any community to discuss problems with councils, individuals or

whatever. I have already been into South Indian Lake in the last year; I'm prepared to go again if it's necessary, but I'm not going to respond to newspaper articles, I want to get the facts as they really are.

MR. SPEAKER: The Honourable Member for Churchill with a final supplementary.

MR. COWAN: I can assure the Minister that I am not responding solely to a newspaper article as well. (Interjection)—

MR. SPEAKER: Order please, order please. Has the Honourable Member for Churchill a question?

MR. COWAN: I certainly do, Mr. Speaker. My question is, as it has been confirmed by councillors in the community that they, in personal conversations to myself, believe that they are being overruled by the Department of Northern Affairs on numerous and similar other occasions . . .

MR. SPEAKER: Order, order please. Has the honourable member a question?

MR. COWAN: Is the Minister prepared, or has the Minister taken the time to date to contact any councillors or the mayor of that community so he can, in fact, for himself on a personal basis substantiate the allegations which are made in that article, or is he relying upon the internal mechanisms of the department which are sometimes slow and bulky, to bring him up-to-date on an issue which he could very well clear up by a simple, direct phone call to the people involved? Has he taken that action yet, and does he intend to take that action in the very near future?

MR. GOURLAY: Mr. Speaker, I have every confidence in the staff that are working in the Department of Northern Affairs and that's their responsibility to bring back the necessary information to me. On the other hand, I have had calls from the CBC; apparently they have been notified directly by the mayor and council of the problem but I have not responded to their calls either.

MR. SPEAKER: The Honourable Member for Seven Oaks.

MR. SAUL A. MILLER: Thank you, Mr. Speaker. To the Minister of Municipal Affairs, could he advise the House whether Thompson has yet received its per capita payment on the growth taxes based on 2.2 percent of personal income tax, whether they've yet received that amount for this fiscal year?

MR. GOURLAY: Mr. Speaker, I understand that those payments are to go out in the month of July so I would assume that they have not received this year's per capita grant at the present time.

MR. MILLER: Thank you, Mr. Speaker. I wonder whether the Minister could tell us whether the payment will be made based on the population of 19,000, which the Premier indicates, in his opinion, that's the size of Thompson, or whether it will be

based on 14,500, which the Mayor of Thompson feels is the population of Thompson.

MR. GOURLAY: Mr. Speaker, it'll be based on the 1976 census figures.

MR. MILLER: Mr. Speaker, is the Minister saying that no adjustment is made between the five-year period of the official Federal Canadian Government census; is he saying no adjustment is made except for once every five years?

MR. GOURLAY: Mr. Speaker, I think I'm correct in saying that but I will check it further to confirm that is the correct answer.

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

MR. BILLIE URUSKI: Thank you, Mr. Speaker, this question is to the Minister of Municipal Affairs. Yesterday the Minister indicated that the province objected very strenuously to the termination of the two-year Community Services Program from Ottawa, Mr. Speaker, and in light of the recent Budget cutbacks which the Minister of Finance brought in indicating the end and termination of the Special Municipal Loan and Emergency Fund legislation and the transfer of some \$24.8 million into General Revenues, is the Minister of Municipal Affairs prepared to persuade his colleague, the Minister of Urban Affairs and the Minister of Finance to change that plan and to allow municipalities, once again, to have a program of assistance in good community works rather than bring about a further cutback in the municipal programs that they have now undertaken, Mr. Speaker?

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

MR. GOURLAY: Mr. Speaker, we've already spent considerable time in my Estimates discussing this very issue and I can assure the House that we did press the federal people to continue on with the long-term program to follow up from the CSCP program. Although the Federal Government have decided in their wisdom to cancel out on that program, they have not completely closed the door that there will be no other types of funding available to municipalities across Canada. We are continuing on with dialogue and discussions to endeavour to come up with a new program funded by the Federal Government and certainly we are prepared to do what we have to do with the municipalities but we're not going to let the feds off the hook that easy and come up with their own program at this time that would probably eliminate any assistance from the Federal Government at a later date. As I said, the discussions are still going on; we're still hopeful that a program will be available to assist municipalities.

MR. URUSKI: In view of the Minister's comments that 90 percent of the federal funds went to nine communities in the Province of Manitoba and the remaining 10 percent, which amounted to less than \$2 million, went to the 200-plus municipalities, would this not now be a time to be able to dovetail the Special Municipal Loans Fund to those remaining

funds which of course have now been cancelled out and create a program of municipal works much needed to the small communities that many of the members opposite and members on this side represent? Would this not now be also an abandonment if this legislation is terminated, Mr. Speaker, for the sake of lowering the so-called budgetary figures of deficit that the Tories are talking about?

MR. GOURLAY: Well, Mr. Speaker, as I indicated earlier, we'll do what we have to do to help the municipalities but at the present time we're not finished discussions with the Federal Government; we don't want to let them off the hook this early and so easy.

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

MR. URUSKI: Mr. Chairman, in view of the fact that the terrible Federal Government has allowed their program to lapse, which they indicated would lapse after two years, what is the provincial, — (Interjection)— well, Mr. Chairman, if I am wrong in making that statement, the Minister indicated in committee last night that originally the Community Services Program was announced for two years. Can the Minister indicate, are they prepared to allow the municipalities to be completely on their own as they have been now for two years; or are they prepared to come up with a program to assist them in doing necessary worthwhile community projects?

MR. GOURLAY: Well, Mr. Speaker, as I explained fully in the Estimates, I thought there was a number of programs funded by the Federal Government assisting municipalities and some back in '78 or '79. They approached the provinces and said we would like to roll all these programs into one program and we'll allow two years to work out a long-term program but this interim program will be called the Community Services Contribution Program — which was to run two years — would give time to put in place a long-term program funded by the Federal Government to help all the municipalities. So the two-year interim period has run out.

But the federal people have said now, we've changed our minds on this; we don't want to continue on this program at the present time but we are prepared to maybe look at some other types of specialized programs, for obvious reasons known to them, but they haven't explained to us in the provinces as to why they saw fit to cut this program off when previously they had three programs in place. There was the Neighborhood Improvement Program; there was the Water and Sewer Program; and there was an infrastructure type of municipal program that was available to municipalities.

The nine larger municipalities in the province took the major role in using those programs available; it worked out to I think 93 percent for those larger communities and only 7 percent was applied for by the other communities in the province. So when the two-year interim program came into place it was decided by the Province of Manitoba that we even it out at 90 percent to the larger communities and divide the 10 percent amongst the other communities in the province. I might add that the Federal

Government did not want to have this program shared with communities less than 10,000 people.

MR. SPEAKER: The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, yesterday the Member for Transcona asked me whether there would be an inquest into the death of a young boy from the north part of Winnipeg who died as the consequence of a home-made rocket explosion. Mr. Speaker, I can indicate to him that an inquest will be held with respect to that matter and a date will be set shortly.

Mr. Speaker, the Opposition House Leader also enquired yesterday as to the number of bills that members could expect during the balance of the session. Mr. Speaker, I can indicate to him that there will probably be in total, 61 or 62 bills of which 30 are Private Members' bills and that of course is subject to the government determining whether or not any other bills may be necessary as a result of any urgent or special consideration.

MR. SPEAKER: The Honourable Member for Rupertsland.

MR. HARVEY BOSTROM: Thank you, Mr. Speaker. My question is to the Minister of the Environment and it's related to the High Lake molybdenum mine. I would ask the Minister if he has been informed that the City of Winnipeg has apparently asked the mining company for a meeting to discuss their concerns with respect to that proposed mining venture, and to date the mining company has refused to meet with the city people. I would ask the Minister if he would intend to make any representations to the mining company on behalf of the city to try to get the two parties together so that their concerns could be discussed?

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

HON. GARY FILMON (River Heights): Mr. Speaker, I should reiterate what I've said before, that the relationship in which we have the most opportunity to impose the kind of water quality standards that we must have in order to protect the City of Winnipeg's water supply is on a government to government level whereby we would ask the Province of Ontario through the Ministry of Environment to impose upon this development the kinds of standards that we need in order to protect that water supply.

As a consequence, I have scheduled a meeting with the new Minister of the Environment the Honourable Keith Norton, in Toronto next Tuesday with Mayor Norrie and we will be personally making representation to him to ensure that he understands what our concerns are and what level of protection we require for the City of Winnipeg's water supply.

MR. BOSTROM: Mr. Speaker, a supplementary question to the same Minister. Could he indicate if he has his staff, or anyone, monitoring the extent of the work being done on the proposed mine site? I ask this question, Mr. Speaker, because apparently there is work continuing on the site and there is some concern that the mining company may be moving towards establishing their full operation in

anticipation of getting the full approval from the Ontario Government.

MR. FILMON: Mr. Speaker, I'll answer the question in the same manner in which I've answered it before. We are aware that certain surface-level work is being done; certain parts of the development which will not contribute polluting effluent to the lake are under construction at the moment that's totally at the risk of the mine developer and it's something over which we have no control, nor does the Ontario Government. As long as they are not contributing pollution to High Lake, to the water quality, or air-quality standards in that area, there is no reason why anybody could stop them from doing that portion of the construction and development of the mine.

But the thing they may not do is put the mine into operation with the full tailings operation which will contribute, if untreated, if improperly dealt with, could contribute pollution to the water in High Lake and they are not able to do that until they get a licence to do so, and that licence has not been granted nor is it in the process of being granted at the moment.

MR. BOSTROM: Mr. Speaker, I would ask the Minister further to his information supplied, how would he expect to know what the impact of the proposed mining venture would be on that particular lake if he does not have his officials checking what is happening at the site now; also checking to see what the existing water quality is on that lake to see if the present activities of the mining venture at this time are having any impact on the water quality in that lake?

MR. FILMON: Mr. Speaker, I indicated before that meetings between senior officials of our department have been carried on ever since the proposal was brought forward; that there has been an exchange of technical information; there's been a review of the process that would be gone through; there was an agreement for the measuring and sampling of water quality standards that will be undertaken in the very near future — obviously they couldn't be sampling water qualities until the ice was off the lake. This thing is being pursued and our department is totally involved in the procedures, Mr. Speaker.

MR. SPEAKER: The Honourable Minister of Health.

HON. L.R. (Bud) SHERMAN (Fort Garry): Mr. Speaker, further to the response given by the Honourable Attorney-General a few moments ago. Yesterday the Member for Transcona asked me two questions with respect to the incident that was at the subject of the Attorney-General's response. I can advise the House that the Emergency Department at Seven Oaks Hospital is fully operational and that precise and correct procedures in terms of the transportation of the accident victim and the transfer of that victim between Seven Oaks Hospital and the Health Sciences Centre were followed to the letter, Mr. Speaker. I think further, that the wildly irresponsible accusations made outside this House by the Member for Transcona are an affront to the system; they are totally false and they are deserving of an apology, Sir.

MR. SPEAKER: The Honourable Member for Transcona.

MR. WILSON PARASIUK: I'd like to ask the Minister of Health if he can explain and confirm the statements that he made in the Legislature in the Health Review Estimates that Seven Oaks Hospital has anaesthetists of a different and lower quality than that in other hospitals; that Seven Oaks Hospital is presently suffering a shortage of special skill nurses. Can he indicate whether in fact that is the fact with respect to Seven Oaks Hospital and if that is not why Seven Oaks Hospital is not fully operational as a hospital at present?

MR. SHERMAN: Mr. Speaker, the Health critic for the opposition may not know it but the health system in Manitoba knows it and the public of Manitoba know that Seven Oaks Hospital will be phased into full operation by April 1, 1982. The health system in Manitoba and most persons with any knowledge of health systems also know that for the establishment full phasing-in and full operational accomplishments of any major hospital in any major city the standard schedule is approximately three years. The system and the public also know that the Seven Oaks Hospital is operating, at the present time, fully staffed and fully equipped up to one-third of its bed capacity. What the Member for Transcona asked me about yesterday was the Emergency Unit at Seven Oaks and about the transfer by ambulance from Seven Oaks to the Health Sciences Centre of a particular accident victim. I attempted to obtain that information for the member and in fact did obtain it but, not prepared to wait for that, not willing to be responsible or objective about it, he has gone outside the House, made wildly inaccurate, wildly irresponsible and totally false accusations about the system, about the Emergency Unit at Seven Oaks, Mr. Speaker. I repeat that his remarks deserve an apology.

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

MR. DESJARDINS: Yes, Mr. Speaker. Isn't it a fact that this is the question and answer period. The Minister is chastising a member, criticising him for speaking outside the House and this is hardly the place. I feel that the member is not in order and if this is allowed I think then the Member for Transcona should have the same chance to explain.

MR. SPEAKER: Order please, order please. It is not the responsibility of the Chair to dictate what type of answers the Minister gives in answering a question. It is desirable that those questions be given in a parliamentary manner, in a manner that is acceptable to the Chamber. If a member takes objection to it he can rise on a point of order and state his point of order. I listened to the point of order raised by the Honourable Member for St. Boniface and I find it was not a point of order.

The Honourable Member for St. Boniface.

MR. DESJARDINS: There wasn't even a question asked by the member today. The Minister rose in his seat and started making it . . .

MR. SPEAKER: Order please, order please. The Chair has ruled on the matter.

The Honourable Member for Transcona.

MR. PARASIUK: Mr. Speaker, my supplementary is to the Minister. In view of the fact that when I raised matters pertaining to the conditions at St. Adolphe Nursing Home the Minister at that time got up and made the same accusations about myself. In view of his past record of misleading the House with respect to quality of health care, can he assure us and can he give us an actual explanation as to why it was that a person was taken to Seven Oaks on an emergency matter where time was of the essence and then transferred on to another hospital? Can the Minister indicate why that was done? He has not done that yet, Mr. Speaker.

MR. SHERMAN: Mr. Speaker, I think it is rather regrettable, if not deplorable, that anybody on this side of the House has to explain to the so-called Health critic of the opposition why an accepted and standard medical and hospital procedure is followed. That question has not been asked by former Health Ministers of this House; I notice it hasn't been asked by the Honourable Member for Seven Oaks or the Honourable Member for St. Boniface because they know better, Mr. Speaker. That accident victim who suffered a lethal injury was transported as quickly as possible to the nearest available emergency room which is standard procedure. An attempt was made there to stabilize his condition and then the decision was made to move him to the major trauma centre in Western Canada at the Health Sciences Centre. That is standard procedure and standard procedures were followed throughout and followed to the letter, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Transcona with a final supplementary.

MR. PARASIUK: Yes. I'd like to ask the Minister again if he can inform us whether, in fact, Seven Oaks Hospital is staffed with the same quality of anaesthetists and special skill nurses as is the case in the more established hospitals like Health Sciences Centre and like the St. Boniface Hospital, in view of the fact that the government has opened up, after some considerable delay, the Seven Oaks Hospital, giving the people in that area the impression that it is a first-line fully operating hospital?

MR. SHERMAN: Mr. Speaker, all I can say is that again I reject out of hand the implications in the member's question — giving people the impression he suggests. The people of Manitoba know that Seven Oaks will be a major community general hospital and that it will be phased in fully by April 1, 1982 which is a rather rapid phase-in in fact considering the point at which equipment was received and the doors were actually opened.

Insofar as this particular incident is concerned we are dealing with emergency and I said earlier, Mr. Speaker, the Emergency Department at the Seven Oaks Hospital, I am advised by the hospital through the Health Services Commission, is fully operational and fully staffed. It is true that only one-third of the medical-surgical beds in the hospital are open but that has been common knowledge to the public and the system; that moves to approximately two-thirds this fall and the full total by next spring, Mr. Speaker, and it has no bearing on the incident to which the Member for Transcona is referring.

MR. SPEAKER: The Honourable Member for Minnedosa.

MR. DAVID BLAKE: Mr. Speaker, my question is directed to the Minister of Economic Development and Tourism. There was a press release today announcing Pacific Western Airlines have negotiated a contract for about 650,000 with the Manitoba Telephone System on automated reservation telephone equipment. Would this indicate they're moving their reservations office into the Winnipeg area?

MR. JOHNSTON: Yes. Mr. Speaker, I am very pleased that the announcement has been made today. I know that the PWA have been working with the Manitoba Telephone System for nearly eight months to arrange the supply of equipment to PWA so that one of the major reservation areas of PWA will be in the Winnipeg area and in the Vancouver area. Yes, it has been going on for eight months.

MR. BLAKE: Mr. Speaker, a supplementary to the same Minister. I wonder if he could give us any indication what this would mean in terms of employment for the people of the Province of Manitoba.

MR. JOHNSTON: The estimate that I have had over the period of time that they have been working on it, Mr. Speaker, is in the area of 45 to 50 new people working in Winnipeg in the new reservations centre.

MR. SPEAKER: The Honourable Member for Brandon East.

MR. LEONARD S. EVANS: I'd like to ask a question also, Mr. Speaker, of the Minister of Economic Development. I ask the Minister if he is now ready to recognize that the economic climate in Manitoba is not conducive to as much growth as we would like to see, inasmuch as the publisher of Winnipeg Magazine has now announced that it will fold in June because — to use his terms — "of massive losses and because the retail sector in Winnipeg is softer than it was two years ago".

MR. JOHNSTON: Mr. Speaker, the retail sales have been up in the Province of Manitoba over the past year 1980, over '79. The situation with the Winnipeg Magazine, Mr. Speaker, is the same situation that the Member for Brandon East keeps alluding to. His way of solving the situation is he would either buy the company or force the people to read it. The magazine will survive if they can sell advertising and have articles in it that people want to read, and if that doesn't happen I guess their financial situation is such that they cannot carry on in business.

MR. EVANS: Mr. Speaker, first of all, on a point of order, I reject totally and categorically the nonsense that we've just heard from the Minister of Economic Development, about me forcing people to read a magazine. That's utter nonsense. (Interjection)—

MR. SPEAKER: Order please, order please. Has the Honourable Member for Brandon a question?

MR. EVANS: Yes, I have a supplementary question, Mr. Speaker. The Minister referred to an increase in

retail sales last year over the previous year. The figures show an increase of 6.8 percent, which is less than the rate of inflation. Will the Minister therefore now verify that the level of retail sales was lower in 1980 than they were in 1979 in real terms or in physical volume terms?

MR. JOHNSTON: Mr. Speaker, the retail sales in Manitoba that he speaks of, the average is made up because the retail sales in 1980 over 1979 in Winnipeg were 8.4, and they were lower in the rural area in 1980 over '79, which gave us the average that the honourable member is speaking of.

Mr. Speaker, the average increase of retail sales across Canada, and I don't like the comparisons, but I have to say to you that eight provinces out of 10 were under the Canadian average because Alberta was about 14.2 percent up and B.C. was about 16 percent up, which put the Canadian average completely out of whack; and that's the type of economic analysis that is worth looking at which the Member for Brandon East doesn't know how to do.

MR. SPEAKER: The Honourable Member for Brandon East with a final supplementary.

MR. EVANS: Mr. Speaker, I'm pleased that the Minister has verified that the retail sales industry is lower in 1980 in Manitoba than it was in 1979. Also, Mr. Speaker, is the Minister ready to recognize that the level of bankruptcies in this province is of serious proportions? Finally, is he ready to recognize this inasmuch as the publisher of this particular magazine soon to go out of existence, has stated that thousands of dollars in uncollected advertising revenue had to be written off due to bankruptcies?

MR. JOHNSTON: Mr. Speaker, if you have write-offs, I guess you have write-offs because you can't collect the money. The advertising was put in and you're looking at a profit and loss basis.

Regarding bankruptcies, Mr. Speaker, it hasn't changed in Manitoba. When you take a look at per-thousand companies the bankruptcies in Manitoba are in the middle of Canada. We're right in the middle, Mr. Speaker. (Interjection)—

MR. SPEAKER: Order please. The time for Question Period having expired, the Honourable Minister of Natural Resources.

TABLING OF REPORTS

HON. HARRY J. ENNS (Lakeside): Mr. Speaker, I ask the indulgence of the House to revert to tabling of documents. I apologize to honourable members for intruding on them at this time but it is the tabling of the Whiteshell Master Draft Plan Summary. I ask this indulgence because the report will be made public and distributed at a public meeting tonight at the Art Gallery. I don't have sufficient copies with me but I will later on in the afternoon, distribute additional copies to the different offices, as well as have them available to members of the media from my office.

Thank you.

ORDERS OF THE DAY

MR. SPEAKER: The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, I move, seconded by the Honourable Minister of Natural Resources that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

MOTION presented.

MR. SPEAKER: The Honourable Minister of Health.

MATTER OF GRIEVANCE

MR. SHERMAN: Mr. Speaker, I rise on a matter of personal grievance as Minister of Health of this province, to defend an emergency hospital unit; a health care system; an ambulance and emergency components of that system, against the totally outrageous and irresponsible accusations and criticisms of that system that have been made outside this Chamber in the past 24 hours, not only by one who is a member of this Chamber, the Member for Transcona, but one who is ostensibly the official Health critic for the Opposition. I believe I have a responsibility, Mr. Speaker, as Minister of Health and the Chief Administrative Officer responsible for this system, to defend it against that kind of irresponsible and scandalous attack.

Yesterday, Mr. Speaker, the Member for Transcona asked me some questions in the House relative to a fatal injury that occurred in an accident recently in the Seven Oaks area of Greater Winnipeg and I said I would pursue those questions and seek out the information and the answers to them. Before waiting for me to provide him with that information or with any answers he went out of this Chamber direct to the media and relieved himself of what can only be described, Mr. Speaker, as a diatribe against emergency services at Seven Oaks Hospital.

At the same time he cast a cloud over the emergency services at all our suburban hospitals and he laced it with a tissue of untruths about government budgeting policies and alleged staff shortages. Mr. Speaker, Seven Oaks Emergency is fully operational and the procedure that was followed in the case which has been at the centre of these particular questions and answers and now at my grievance as Minister of Health was absolutely correct, established by our Medical Standards Committee; pursued and followed to the letter by the ambulance attendants in question; by the professionals and paraprofessionals in the medical field who were involved; and certainly by the two hospitals, Seven Oaks and the Health Sciences Centre.

Mr. Speaker, the member's comments may serve the purpose of getting himself a headline but I want to say, Sir, that they do not serve the health care system of Manitoba and they do not serve the dedicated persons who serve in the health care system of Manitoba. They do not serve the people of Manitoba who depend and can continue with every justification, Sir, to depend on the excellence of that system. As an aside, I would say that in my view neither do they serve either his credibility or his reputation as a publicly elected representative, supposed to be honest and responsible, supposed to be the Health critic of the Opposition. Seldom in my experience, Mr. Speaker, either in this Chamber or in politics generally, have I seen a performance to equal

the performance by the Member for Transcona in the past 24 hours for cynicism, for self-serving and for irresponsibility, not to mention ignorance, Mr. Speaker. The very essence of the member's publicly reported statements on this matter betrays an appalling and I think a dangerous ignorance of our hospital system, our ambulance system and our emergency system. In fact, it betrays an ignorance of the subject of health care generally. I describe this ignorance as dangerous because in health care, Sir, ignorance does constitute danger and I would suggest that it's in fact symptomatic of the basic approach that's all too often taken by the Member for Transcona to his whole responsibility as Health critic for the Opposition. He treats the subject as an esoteric debating topic, something to be used to pile up debating points in an academic competition.

Well, Mr. Speaker, it isn't an esoteric debating contest and it isn't an academic competition. I've had my angry exchanges with the Honourable Member for St. Boniface, a former Minister of Health in the previous government, but never never, Mr. Speaker, in our most heated arguments, has the Honourable Member for St. Boniface ever made statements casting clouds unfairly over our health care system or any part of it or sowing seeds of doubt and worry unnecessarily, incorrectly and dishonestly in the minds either of our health care professionals or the people of Manitoba who rely on our health care system and who are justified in feeling secure in it.

The same can be said for the Honourable Member for Seven Oaks, Mr. Speaker, another former Health Minister in this Chamber. I can't imagine the Honourable Member for Seven Oaks or the Honourable Member for St. Boniface, despite the heat of some of our arguments in debates, spouting the nonsense and the dishonest nonsense and the damaging nonsense that the Member for Transcona has been spouting in the past 24 hours because those two members, Mr. Speaker, Seven Oaks and St. Boniface, know too much about the system. They know what the health system is all about and they have respect for the terrible burden of responsibilities that is borne by those who serve in it, professionally and paraprofessionally and otherwise and they have respect for the public sense of security and that, Mr. Speaker, is the basic difference between the Member for Transcona and between the two former Health Ministers to whom I've referred on the Opposition side.

The member who now serves purportedly as the Opposition's official Health critic reveals frequently, and he's revealed again in his latest outburst, that he knows little or nothing about the system and he has no respect for it. I say to the Member for Transcona that health is not an esoteric debating topic; it's not a topic to be used to pile up academic points. It's far too serious, responsible and fragile for that and if he wants to be of service to this province in his Health critic's role he'd be strongly advised, Mr. Speaker, in my view, to grow up politically, to get rid of some of his sophomore ideas and to pattern himself a little more closely along the lines of his colleagues from St. Boniface and Seven Oaks.

The incident referred to at the centre of these questions and answers in the past 24 hours and the Member for Transcona media outburst, Mr. Speaker,

involved the very tragic death of a 16-year-old boy who was fatally, lethally injured in a recent explosion. I want to tell the Member for Transcona that youth had barely arrived at Seven Oaks Emergency when his heart stopped. Emergency staff took "99 action" to restart his heart and infuse lost blood and stabilized the patient. When the patient was sufficiently stabilized to move, in their opinion, he was moved to the Health Sciences Centre. That is a correct procedure, Mr. Speaker, whether the Member for Transcona knows it or not. The Health Sciences Centre is a major trauma centre, operates a major trauma unit which is probably the best of its kind in the Northwestern quadrant of the North American continent; maybe the best of its kind, certainly one of the best of its kind on the whole North American continent.

Whether the Member for Transcona, purporting to be Health critic for the Opposition knows it or not, Mr. Speaker, not every hospital has a CAT scanner; not every hospital has open heart surgery; not every hospital has chemotherapy and not every hospital has a major-trauma unit. These are highly specialized, sophisticated capabilities which for the most part, particularly in cities of metropolitan populations of less than a million, are concentrated in one or two major tertiary-care centres; in this case hospitals like the Health Sciences Centre and St. Boniface.

Other hospitals have extremely good, high quality and efficient equipment in all those fields and in other fields but not honed to quite the specialist degree, the emergency capability of the major tertiary centres that possess those units. It is absolutely standard procedure in the case of a serious accident of that kind to get that victim to the nearest hospital, the nearest emergency room, where he or she can receive blood, can receive initial treatment for the shock, the trauma that sets in, in 99 percent of cases of this kind and can be stabilized and properly evaluated as to what kind of acute care, intensive care and indeed continuing emergency care is required at that time.

There are cases obviously that require the only kind of care and treatment that can be provided by such units as the trauma unit of the Health Sciences Centre and in those cases those victims are stabilized and transferred as quickly as possible to those units. This is what happened in this case. It was a major trauma case. In fact, Sir — and I don't think that I am at liberty at this juncture to disclose the nature of the injuries, even if I were at liberty I wouldn't feel constrained to do so at this juncture, I think that sort of information awaits the outcome of other procedures — but I can assure you, Mr. Speaker, that the youth in question regrettably and tragically suffered massive injuries.

I was told days ago, not in the wake of questions asked by the Honourable Member for Transcona yesterday but days ago, shortly after the accident by medical personnel that he was so badly injured, unfortunately, that it was a hopeless case. The child subsequently died at the Health Sciences Centre and I know all members of this House are saddened by that, but the fact is that the best efforts and the best capabilities and capacities of the medical expertise that exists in our system here in Winnipeg and here in Manitoba were brought to bear; were brought to

bear in proper continuity; and were brought to bear under proper direction and according to proper procedure.

I'm not going to make very much, Mr. Speaker, of what the Member for Transcona said with respect to government budgeting and staffing except to say that his suggestion: That inadequate staffing at Seven Oaks Hospital may have played a role in that death is a destructive and a penalty false statement, Mr. Speaker. It has absolutely no scintilla of fact, or truth, or documentation, or justification to support it.

The operational level of that emergency unit is up to par and up to where it should be and up to requirements and every effort was made by that staff to save that life. But as I've said, I have been told unofficially that it was virtually hopeless from the time the injured youth was picked up and ambulance attendants arrived on the scene.

I just want to say about that reference to staffing and to hospital budgeting policies, Mr. Speaker, that the Member for Transcona persists in dealing with contrived fictions; persists in ignoring the facts and there is not much that one can do about that expect appeal to his sense of honour and responsibility as an elected legislator.

We've just come through my departmental Estimates; he participated in them; he knows but he refuses to acknowledge what our hospital Budget is this year; what it was last year; what it was three-and-a-half years ago when we came into office. He knows that since coming into office this government has increased the hospital's Budget in Manitoba from \$264 million to \$399 million in that short span of time. He knows that Seven Oaks was only completed physically last fall and awaited arrival of delayed shipments of equipment and staffing orientation sessions that made it impractical even to put the hospital partially into operation until January of this year, so that what we were dealing with where Seven Oaks is concerned is this year's Budget; and this year's hospital Budget has received no criticism from anybody, not even the Member for Transcona, representing as it does a 20.4 percent increase over last year. So whatever the Member for Transcona may want to say which I don't accept but he is entitled to say, about budgetary approaches some years ago, he cannot apply that argument to Seven Oaks, which has only come on stream in the last five to six months and is therefore dealing with the current year's Budget.

Mr. Speaker, I dismiss those statements as false; I dismiss them out of hand; I dismiss them as irresponsible and I appeal to the Member for Transcona to approach his job with a little more honesty and responsibility than that. Mr. Speaker, my main concern is not those untruths. My main concern is the slur on the Seven Oaks Emergency Department; the slur on the emergency capabilities of other suburban hospitals; on the system and that fabricated horror story which really serves no purpose but one, Mr. Speaker, to get some publicity for the Member for Transcona. Counterbalanced against that we have that fabrication, that tissue of untruths which, Mr. Speaker, produces a very unnecessary and undeserved shock wave.

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

MR. SHERMAN: This, Mr. Speaker, produces a very unnecessary and undeserved shock wave in the

system and in the public and I think as I said earlier this afternoon, Mr. Speaker, that that kind of reprehensible conduct and slur on the system calls for an apology by anybody purporting to be a health critic.

Further to that, Mr. Speaker, and I conclude on this note, the member is calling for an inquest into this death, for a de facto inquest into the whole question of emergency care at Winnipeg suburban hospitals and the question of why some cases are shuffled to the Health Sciences Centre.

I want to tell the Member for Transcona, Mr. Speaker, that regardless of what my colleague the honourable Attorney-General does, I reject that request; I repudiate it out of hand and I will not countenance that kind of an approach. It's an approach that implies incompetence; it's an approach that implies incompetence; it's an approach that implies incapacity to respond in a sophisticated and professional manner; and those are slurs on the system that I will not accept and I will not accept any procedures that attempt to sanction them, or that attempt to give them any kind of credence. That is why I say, Sir, that I will not countenance such an approach or such an inquiry. The system does not need that kind of an inquiry.

The system has evolved through a succession of Legislatures in this province, of governments in this province and Health Ministers in this province and through the people of Manitoba who have paid for it, into a system that is enviable not only on this continent but in this world. The emergency component of it is one of the strongest components of it and does not deserve to have weaknesses and fallibilities imputed to it in the manner implied by the approach taken by the Member for Transcona and his call for a wide-ranging inquest into the whole system.

I defend the system but they don't need me to defend them; they defend themselves by their record every day, by their performance day-in and day-out, week-in week-out and decade-in decade-out in this province, Mr. Speaker. I defend the system's proven methods and its proven procedures. I would rather take the advice and the counsel of the Medical Standards Committee as to what procedures should be followed in a case like this than I would by a layman, whether that layman be the Member for Transcona or myself, Mr. Speaker. I don't presume to have the knowledge to convulse and revolutionize these procedures, these systems that have evolved through expertise in the professional knowledge. The Member for Transcona obviously does. He knows more than all those in the field, professionally, para-professionally and support-wise who have over the years through as I say, the leadership of a succession of governments and Ministers of Health including my opponents from Seven Oaks and St. Boniface and through the willingness of the people of Manitoba to pursue the objectives that have been achieved in our health care field.

I want to tell the Member for Transcona that nobody is sloughed off to the Health Sciences Centre; nobody taken or transported to the Health Sciences Centre ever considers themselves as being sloughed off or shuffled off — I think his term was shuffled off — that happens to be one of the great and most highly respected medical and health care

institutions in North America. When you go to the Health Sciences Centre in circumstances such as these and other circumstances — not all circumstances but other circumstances — you're going because that's where that major capability and capacity is located, in this case the major trauma unit, Mr. Speaker. Obviously the so-called Health critic for the opposition doesn't know that.

Mr. Speaker, I conclude by repeating what I asked for some time ago and that is the serious attention of the Member for Transcona to his own responsibilities in this field and a serious effort to rise above the tendency he has to be superficial in his approach to health issues; to be sophomoric in his approach to the health care debate which is far too serious for that; and to be cynical in his apparent willingness to seek any opportunity at the damage of a sense of security for the public and at the damage of a sense of pride and professionalism for the field itself to enhance his own political reach.

He certainly doesn't enhance his political reputation by what he does. He thinks no doubt that he enhances his political reach by doing it because of the circulation he gets on his comments through the media and that may be so but I don't think the people of Manitoba are going to be fooled by that, Mr. Speaker. I can tell him if he's interested that professionals and paraprofessionals in the system are dismayed by that kind of conduct and have conveyed their sense of dismay and disappointment to me. So I think he should take that lesson to heart, Mr. Speaker, and I think that he should seriously consider the justification to my request that he apologize to the system. The system has been profoundly insulted by his remarks and I think his performance can be categorized without risk of exaggeration, as disgraceful.

I haven't in the time that I've been Minister of Health to my recollection in my memory, ever risen on a Matter of Grievance. I think that it's somewhat out of the ordinary — although certainly the previous administration practised it rather broadly — somewhat out of the ordinary for Ministers of the Crown to rise on personal grievances. I do this in this case, Mr. Speaker, because I am the Minister of Health defending the health care system against the unfair, destructive, unjust and irresponsible accusations of a member of this Chamber who is supposed to be a responsible servant in the health field by virtue of his designation as health critic of the Opposition.

Mr. Speaker, I want it firmly recorded that our health care system doesn't have to sit still for that damage and no Minister of Health has to sit still for that kind of damage. We reject the fictions and the falsehoods of the Member for Transcona out of hand.

QUESTION put, MOTION carried and the House resolved itself into a Committee of Supply with the Honourable Member for Radisson in the Chair for the Department of the Attorney-General and the Honourable Member for Virden in the Chair for the Department of Municipal Affairs.

CONCURRENT COMMITTEES OF SUPPLY

SUPPLY — MUNICIPAL AFFAIRS

MR. CHAIRMAN, Morris McGregor (Virden): Call the Committee to order and we're on 4.(a).

The Honourable Minister.

HON. DOUG GOURLAY (Swan River): Mr. Chairman, I do have a little bit of a problem and would ask the indulgence of the Committee if we could skip No. 4 and move on to 5 and then come back to 4 after that. I have a staff member that's involved in a Secretary-Treasurers banquet and graduation this evening and so if we can deal with that section now that would free him up for the engagement this evening.

MR. CHAIRMAN: All agreed? (Agreed) Okay, 5.(a).
The Member for St. George.

MR. BILLIE URUSKI: Mr. Chairman, could the Minister indicate whether in this area dealing with local governments and local government districts whether there is any change in terms of the approach and changes within the department in its services to local government?

MR. GOURLAY: No, there has been no change whatsoever in the delivery of this.

MR. URUSKI: Mr. Chairman, I'm assuming that the liaison work between the department and fledgling councils of local government districts and municipalities continues to be part of the work of the Services Branch to local governments as well as providing them assistance primarily advisory in nature and that's pretty well the thrust of the department; am I correct?

MR. GOURLAY: That's correct, Mr. Chairman.

MR. URUSKI: Mr. Chairman, are there any changes in terms of administrators within local government districts contemplated? Are there any vacancies now in local government districts throughout the province or any changes that may be anticipated in this year?

MR. GOURLAY: I understand that the position of Administrator is open at Alonsa at the present time.

MR. URUSKI: Mr. Chairman, that is as a result of retirement. Are there any other openings at the present time? What is the status of the LGD of Alexander?

MR. GOURLAY: The Administrator that moved to Alexander about a year ago at this time and he's still at Alexander. No transfer is contemplated I understand at this time.

MR. URUSKI: Mr. Chairman, there was a change a year ago. If I may ask, who is the Administrator at Alexander now?

MR. GOURLAY: Roger Bouvier.

MR. URUSKI: Yes, yes. I know Roger. In terms of the relationships of councillors and the branch, I know that from time to time there are occasions where, because of the changing nature of the role of resident administrators, there have been, one could put it, clashes or personality conflicts arising between newly elected councillors in local government districts. Is there any particular problem

areas that are current in terms of LGDs that the Minister would be aware of in terms of any conflicts that are going on, and disputes. I know, for example, for a short while in the LGD of Armstrong there were some personalities there but I believe that's pretty well working itself out, and the problem that occurred in Alexander. Have matters fairly well stabilized throughout the LGD system in the province now?

MR. GOURLAY: Mr. Chairman, I'm advised by staff that everything seems to be working quite well at the present time; there's no sour spots that we know of.

MR. URUSKI: Mr. Chairman, could the Minister indicate what role, if any, are staff playing in the current negotiations between the government and local government districts dealing with the Crown land transfers? Are staff from your department involved in those negotiations? Maybe the Minister could give me an update on that.

MR. GOURLAY: Could you be a little more specific?

MR. URUSKI: In 1977, I believe, or the latter part of '76, a policy was established to return LGD lands which were tax-sale lands which were being administered by the Crown on behalf of local government districts, were to be returned to those local government districts and the process of returning them was subject to negotiation where LGDs could, if they so desired, take all the lands back. The province may have used some of those lands so there would have had to be some exchange made. The LGD could have taken cash, in lieu of those lands, without any area of direct responsibility, or they could negotiate some portion of either of those areas, but this was the process that was to be started with all the local government districts. I understand that a number of agreements, and I think maybe the Minister has that information, were concluded. I know that Crown land staff, both from Natural Resources and Agriculture, were involved and it was my understanding that Municipal Affairs were playing kind of a facilitator role and being involved in setting up those negotiations and being kind of a go-between between the two groups to try and arrive at some position without getting, if one could speak, the feathers ruffled on either side of the table and to make things go more smoothly. Maybe the Minister would like to bring us up-to-date as to how many agreements have been concluded and the types of agreements that have been agreed upon to date; whether there's been a mix; whether it's been going particularly one way and the general state of negotiations dealing with the return of the LGD Crown lands.

MR. GOURLAY: Mr. Chairman, the procedure that you speak of continues to function in that manner and the staff play a liaison type of role. The number of agreements that you speak of, it's an ongoing . . .

MR. URUSKI: I believe some are signed. Are you aware of . . .

MR. GOURLAY: We could probably get that exact number. We don't have that right at our disposal.

MR. URUSKI: Would the process be concluded? Say, is it likely that the negotiation process would

end at the end of '81 or does it appear that some will still be outstanding at the end of the year because I know it's a time-consuming process and you go one LGD at a time; one council at a time in terms of doing the negotiations so it is a time-consuming process. Where is it at in terms of length of time; another year, another two years; what's the time-frame for the conclusion of those agreements.

MR. GOURLAY: Mr. Chairman, we expect that all the agreements should be completed during 1981.

MR. CHAIRMAN: 5(a) — pass — the Member for Ste. Rose.

MR. A.R. (Pete) ADAM: Yes. In regard to the Administrator at Alonsa. Has he left yet or is he still on staff?

MR. GOURLAY: Mr. Chairman, I understand that he has an extension until the end of July.

MR. ADAM: Yes, and this is in addition to the extension that he has already put in; he has gone over the 25 years hasn't he?

MR. GOURLAY: I understand this is the only extension that he's had.

MR. ADAM: Is there someone else standing by to replace, or has there been any applications for that position?

MR. GOURLAY: Mr. Chairman, that position is being advertised and hopefully there'll be a suitable candidate for that position come the 1st of August.

MR. URUSKI: Mr. Chairman, on the Pensioners School Tax Assistance Program, are there staff within the department that do assist pensioners in actually filing their returns? Is that area of service now under the Department of Municipal Affairs?

MR. GOURLAY: Mr. Chairman, the pensioners do come to the municipal offices for assistance. Some phone in or write in but assistance is provided to pensioners.

MR. URUSKI: Is there any assistance provided through the department or is that through the Department of Finance or is it here; that area of the program is now under Municipal Affairs which I believe at one time was under the Department of Finance in terms of where there were assistants who travelled rural Manitoba and assisted pensioners and other low-income people in filing for their tax credits. That program, the rural component of it, was discontinued a couple of years ago, but there is still a component within the City of Winnipeg, there is an office that assists. Am I speaking of that office that assists low-income people?

MR. GOURLAY: It's people in our offices that look after that; assisting through the Winnipeg office.

MR. URUSKI: Would that be part of the staff within the Municipal Services Branch, or there would be a group of staff within the department that do nothing else but fill out returns because I'm not sure that that's the case. I'd like some clarification on that.

MR. GOURLAY: The Municipal Services staff do all the processing of the applications. If there are some pensioners come forward and require assistance on this then they are assisted if they request it.

MR. URUSKI: I just don't want to put the Minister on the spot, maybe I'm not making myself clear. I know that the department assists applicants, in terms of whether their residence qualifies for the Homeowner Tax Program and that assistance would come in and those forms would be filed through the department but the actual preparation of income tax returns, that's why I raised that, because it indicated Pensioners School Tax Assistance Program. What really does that entail from the Minister's department?

MR. GOURLAY: I understand it's just the processing of the applications that are received.

MR. URUSKI: Those would be the applications where pensioners who would have school taxes on their residence beyond the minimum and those applications would come through the office and they would be processed. It would not be the group that would be handling the actual filing of returns. Thank you.

MR. GOURLAY: That's correct.

MR. CHAIRMAN: The Member for Ste. Rose.

MR. ADAM: Do pensioners in order to obtain this credit, it's not done through the filing of the income tax return. The pensioner goes into the administrator's office or the local government office and makes an application for education tax above what is allowed on the income tax return. Is that it? He makes an application to the secretary or whoever is there for an amount up to what? Is it \$175 or up to the amount of education tax?

MR. GOURLAY: Whatever the maximum is, I believe it's \$175.00. Any applications that would be submitted, we would process them. Either they can do it directly or go through the local office.

MR. ADAM: They are processed?

MR. GOURLAY: Yes.

MR. ADAM: I see.

MR. GOURLAY: They can be mailed out.

MR. ADAM: That has nothing to do with the filing of the Manitoba Tax Credit form?

MR. GOURLAY: No.

MR. ADAM: In addition to that?

MR. GOURLAY: That's correct.

MR. CHAIRMAN: The Member for St. George. The Member for Ste. Rose.

MR. ADAM: When did we pass the Assessment?

MR. GOURLAY: No, we're coming back.

MR. ADAM: Oh, I see.

MR. CHAIRMAN: The Member for St. George.

MR. URUSKI: Mr. Chairman, the programming for the rolls is done through Municipal Services and Research. Are there any changes in terms of the way the notices and the programming is carried out? Have there been any changes in the data processing? The collection of data from the assessors that is imputed into the program is basically continuing where all buildings are being assessed so that all the data is being compiled and that is how the records are being kept.

MR. GOURLAY: That's correct.

MR. URUSKI: Okay.

MR. CHAIRMAN: 5.(a) — pass — the Member for Ste. Rose.

MR. ADAM: On this rebate, Homeownership Tax Assistance, the secretary or the administrator will process the application there or it's done here by staff in Winnipeg?

MR. GOURLAY: They all come into Winnipeg. In some cases they are mailed in directly; in some cases they are sent in through the municipal offices to the central processing in Winnipeg.

MR. ADAM: What happens? Does the Minister or the Minister of Finance send out a little cheque by mail, just before Christmas that this cheque goes out with a little message inside saying what a nice government, that's a nice Minister we have, is that the way it's processed?

MR. GOURLAY: That sounds like a good idea, thanks for the suggestion.

MR. ADAM: I'm asking if that's the way it's done?

MR. GOURLAY: Well, they are then handled by the Department of Finance.

MR. ADAM: So the cheque is mailed out to the property owner, is that correct? To the recipient?

MR. GOURLAY: Right.

MR. ADAM: He gets the cheque in the mail. What is the reason for handling it this way? It seems to me that this is a costly way of handling it, having to mail out a cheque; I know it's good politics I suppose; but it would be costing in my opinion more money to have it done that way than processing the way the other credits are.

MR. GOURLAY: These are ones that aren't credited to the municipality.

MR. ADAM: They are not credited to the municipality. This would apply to senior citizens regardless of means, is that correct?

MR. GOURLAY: You see the normal flow of citizens, the municipality gets this credited right on the tax bills.

MR. ADAM: What does this other program applied to — the tax assistance — who does that apply to? To the same people?

MR. GOURLAY: It's the same program but it's for those people who are missed that qualify for this extra.

MR. CHAIRMAN: 5(a) — pass; 5(b) — the Member for Ste. Rose.

MR. ADAM: How long has this program been on?

MR. GOURLAY: I would say it's two complete years now.

MR. ADAM: How many pensioners, Mr. Chairman, would receive a rebate under this program? Do you have figures?

MR. GOURLAY: We don't have that information apparently. We could endeavour to obtain that. It's available through Finance, I presume.

MR. ADAM: Those figures are available.

MR. GOURLAY: Yes.

MR. ADAM: And the Minister would undertake to provide them to the committee?

MR. GOURLAY: Yes, I would do that.

MR. CHAIRMAN: The Member for St. George.

MR. URUSKI: Yes, Mr. Chairman, just so I understand it correctly. The records on the number of senior citizens would not be anywhere else but within your department under this program in terms of who receives the Pensioners School Tax Assistance Program. I would assume that they would be found in no other department than Municipal Affairs. The day to day data keeping, I presume would be done in Municipal Affairs so that if one would use the word — the raw data — of applications and numbers would be in Municipal Affairs. Am I correct?

MR. GOURLAY: That is correct and we'll endeavour to get that information.

MR. CHAIRMAN: The Member for Ste. Rose.

MR. ADAM: Does this program apply to any other individuals, as well as pensioners, because I'm looking at the title of it, "Manitoba Resident Homeowner Tax Assistance and Pensioner's School Tax Assistance". I'm wondering, it seems to be in the title here that there are others involved in this program as well.

MR. GOURLAY: Well, there's renters get assistance. This is the Resident Homeowner Tax Assistance. Excuse me, Mr. Chairman, the Pensioner's Program came in two years ago, I think they've had two complete years now of assistance; the other program has been going on now for a number of years.

MR. URUSKI: Mr. Chairman, the Manitoba Resident Homeowner Tax Assistance, there will still be

continual applications being made of people who build homes, or property changes, and maybe two homes on a property which are subsequently split off; so there would be an ongoing need for updating information and the like and that's what's also being done within the department, I'm assuming.

MR. GOURLAY: Apparently there's a dwelling unit listing sent out to the various municipal offices and they check that.

MR. URUSKI: Mr. Chairman, the Minister indicated he will try and get information on the number of applicants that are there for the Pensioner's School Tax Assistance Program. How is the breakdown? Is it on a municipal basis, or is it on a regional basis, or is it just strictly numbers that are kept? What kind of records would be available to this Committee without any great onerous work to be put into compiling that information?

MR. GOURLAY: We think that it's broken down by municipality but staff will check on that and get the information.

MR. CHAIRMAN: 5(b) — pass; 6(a) — pass.
The Member for St. George.

MR. URUSKI: Mr. Chairman, are we going on or are we going back?

MR. CHAIRMAN: All right, if you're ready, okay. 4(a) — pass.
The Member for St. George.

MR. URUSKI: Mr. Chairman, I wonder if I could ask the Minister, I believe there was an Interim Report in June of 1980, the First Interim Report of the . . .

MR. CHAIRMAN: If I could just back up a step. You've got me a little bit confused here.

Resolved that there be granted to Her Majesty a sum not exceeding \$930,900 for Municipal Affairs — pass.

The Member for St. George. 4(a).

MR. URUSKI: Mr. Chairman, there was an Interim Report, as I was indicating, going back to last June. Since then I believe there's been an updating of a report; I believe the Minister tabled one in the House. I've looked through my files and in our caucus room there, we don't have the more up-to-date version. Was there not another report since June, 1980 that's been tabled by the Committee?

MR. GOURLAY: You're referring to the Assessment Review Committee?

MR. URUSKI: Right.

MR. GOURLAY: Yes, they've had two reports. There was one that we dealt with last year on the freezing of the assessment levels and a Second Interim Report was tabled in the House; I tabled it in the beginning of this session.

MR. URUSKI: Mr. Chairman, that's the one I'm referring to. I wonder if the Minister, at his convenience before supper, if staff could provide us

with a copy if it's available of that report; or the Minister may wish to dwell and bring us up-to-date on some of the comments that have been made by the Review Committee in this latest document that he has tabled.

MR. GOURLAY: Mr. Chairman, copies are readily available. I'll have someone go up to my office. I have some copies there that can be made available to the members of the Committee but basically the Second Annual Report dealt with the single assessing authority be established in the province to deal with the assessment, both in the rural part of Manitoba as well as the City of Winnipeg.

MR. URUSKI: Mr. Chairman, was the recommendation fairly clear that a single assessing authority be established for the Province of Manitoba?

MR. GOURLAY: That's right. This was included in the Second Interim Report, recommending to government that a single assessing authority be established.

MR. URUSKI: Have there been discussions that have been undertaken between the province and the City of Winnipeg which has, I believe, the other assessing authority within the province, in terms of amalgamation, use of formula? What's happened during this process if the Minister can indicate?

MR. GOURLAY: I can report, Mr. Chairman, that a subcommittee of Cabinet has reviewed the Second Interim Report and it was felt that it would be inappropriate to move on the recommendations of that report prior to receiving the final report of the Assessment Review Commission because we do not know at this time what the final report will be recommending to government. It was felt by the subcommittee of Cabinet that by acting on it now we would be sort of putting the cart before the horse not knowing what the final recommendations would be with respect to the Assessment Review. This recommendation was presented to Cabinet. No further action will be taken on that recommendation until we get the final report of the Assessment Review Commission.

MR. URUSKI: Mr. Chairman, there obviously would have been a rationale as to the desirability of having a central assessment agency for the Province of Manitoba. That desirability I presume comes from what problem areas or what areas — that there is a distinct difference between the way the Province of Manitoba — the Municipal Assessment Branch handles its operations and the City of Winnipeg. I don't believe there are other assessment bodies that have carried their own or does Brandon have some of its own? No, there are provincial assessors in Brandon — just Winnipeg and Manitoba. What was the rationale for coming forward with a single assessing authority?

MR. GOURLAY: I think the second Interim Report substantially deals with the process that was used in eventually coming forth with the recommendations contained in the second Interim Report. But we felt at this point in time that we would like to see what

the total recommendations or the final report are from the Assessment Review Committee before we started putting authorities in place without knowing what the final recommendations were going to be.

MR. URUSKI: Mr. Chairman, is there any difference in terms of the program of assessment between the City of Winnipeg and the Municipal Assessment Branch covering the rest of Manitoba, in terms of their approach to the assessment of land and building values? Are they two different formulas, two distinct formulas in terms of the approaches that have been in place?

MR. GOURLAY: Mr. Chairman, there are some differences between the two assessing authorities. There isn't a great deal of differences but there are some slight variations in the procedure followed.

MR. URUSKI: Mr. Chairman, with no great difference, has this made any impact on being able to determine, I guess, applying the equalization formula across the province in terms of the way the city does its assessment versus the rest of the province or has that been able to be clearly distinguished? The differences can be clearly distinguished and compensation can be made for those differences in being able to get an equalization formula for assessment throughout the province.

MR. GOURLAY: I guess the biggest difference would be in the case of the City of Winnipeg; their assessment levels are much more out of date than there are in the provincial assessing. Because of the factors used in equalization they probably are that much more inadequate in respect to the City of Winnipeg than they are in a provincial area.

MR. URUSKI: Mr. Chairman, we passed legislation last session to freeze the assessments. What was the outcome of that freezing? Now that you've had the legislation in place, what actually did it end up doing in terms of this year's tax rolls? What's the net effect on the tax rolls of the province?

MR. GOURLAY: It really had no change. It more or less maintained the status quo and that was the reason for doing it so that the Assessment Review Commission would not have added complications in coming up with detailed information, if the levels were changed in the process or in the interim when the Assessment Review Committee was going about its function.

MR. URUSKI: Mr. Chairman, is the City of Winnipeg assessment system being put on a computer program as is the provincial one? Are they both on computer programs so that if changes are necessary that the changes would be put into place relatively easily?

MR. GOURLAY: Yes, both systems are on a compatible arrangement so there'd be no major problem.

MR. URUSKI: Has the province in terms of rural areas completed its updating of assessments? I know that there's always the ongoing — that there are many many municipalities that are behind in

numbers of years — but with the updating all buildings are being assessed and an updating of the entire record pool is being maintained. Has that been done throughout the province up till now or we will not have that basic data until X number of municipalities have been reassessed?

MR. GOURLAY: The business of reassessment on rural municipalities is an ongoing process and there's about roughly 12 percent of the municipalities reassessed each year. The buildings are being assessed but there's still quite a way to go before that is completely finished. It's been going now for about four or five years so it may be nearing 50 percent, or somewhere close to 50 percent.

MR. URUSKI: So basically only half the data that would be required to make some kinds of assessment and policy decisions as to which way a government might want to proceed with changes in the Assessment Program, the relevant data will not be available for maybe another three or four years. Am I reading the Minister correctly?

MR. GOURLAY: That's correct. I understand that it's somewhere below 50 percent, the assessment of farm buildings at the present time.

MR. URUSKI: Mr. Chairman, what kind of manpower would be required to — I know there were approvals made going back in '77 and I don't know whether you've had any further approvals which I don't believe you have in the assessment field and maybe it's not a matter of manpower — that this matter can be brought up to date once and for all and then inflation factors being imputed into the program and the reassessments or updating of assessments be done right from a central location with certain factors to be imputed and the values of buildings and properties could be changed that way. I gather that's not happening now or is it happening on the portion of the data that's already available?

MR. GOURLAY: To speed up the reassessing or to get the information on buildings, it would mean redirecting the efforts of the assessors to do buildings and slow down on the reassessment of the municipalities. How it's been handled in the past is that when municipalities come up for reassessment, buildings are included at the same time; but the information on buildings could be speeded up if there was a redirection to concentrate on buildings only.

MR. URUSKI: What I'm getting at, Mr. Chairman, the government no doubt will be looking for recommendations from the Assessment Review Committee and to make certain intelligent recommendations to government for policy changes in the assessment process, one would think that they would have to have some basic information as to see what will happen if you make certain changes and decide to make certain changes in the entire assessment program. Without the basic knowledge as to what will happen if a shift is made one way or the other, then will you not be placing the Assessment Review Committee in a difficult position unless you are not expecting a recommendation or a report from them for another year or two? Maybe that's the area that I should be questioning.

MR. DEPUTY CHAIRMAN, Henry J. Einarson (Rock Lake): The Honourable Minister.

MR. GOURLAY: Mr. Chairman, the Assessment Review Committee I understand has been using the information that is available on those areas that have been completed as a model. I am not aware of what kind of recommendation the Assessment Review Commission of course would be bringing into the government but they are using data that is available to them from the Assessment Branch.

MR. URUSKI: Looking ahead, certainly whoever is in government will be looking at various alternatives and one can almost speculate on all the different kinds of alternatives which may be open to the Review Committee and different ways that shifts, if so desired, can be made and changes made in the taxation of property versus buildings or buildings versus property and the like. But before that can be done, while you may have a model in which you can look at for giving you some data and where you can extrapolate across the whole province to implement something like that, I guess what you are indicating is that nothing basically can happen for four years. Am I reading your information correctly? That if you are going to make some fundamental changes in the approach to assessment and property taxation that it would take another four years before all the data, at least basic data, is brought together.

MR. GOURLAY: Mr. Chairman, in the second Interim Report there are several projections that they use from the information that they've obtained from the files and I guess it depends on the type of recommendations that the Assessment Review Committee wish to bring forward. Certainly we would be very disappointed to say the least if it's got to be another four years. We are expecting that the final report will be much sooner than that.

MR. URUSKI: Mr. Chairman, the Minister indicates that he will expect a final report. That's fine to receive a final report. Will the government be able to act on a report if the data is not up to date, the information that is required? Unless the Minister says that the information can be made readily available very quickly and there is no problem, within a year we could have all that information together, fine. I'd like to know some of the Minister's views on this.

MR. GOURLAY: Mr. Chairman, I haven't heard any concerns from the members of the Assessment Review Commission that they are running into problems with insufficient information. I think that from my point of view they are progressing with their report and they don't appear to be running into any problems because of lack of information and we would expect that the final report would be brought to the government within the next year.

MR. URUSKI: Then we should be prepared on the basis of what the Minister is indicating, that there will be no great difficulty of implementing changes that the government may see fit to implement with respect to changes in the assessment other than cosmetic changes — when I'm talking about cosmetic changes, introducing a new computer system — I mean that system has been in place for

a number of years. I mean all of us are in agreement that has to be done; the system has to be computerized; we have to get our base data available and that's been agreed to by whichever administration is in government.

The thing that's always a problem is to either agree or allow the staff, the directors of the branch to say, yes, we need another half-a-dozen assessors and this will speed up the process. That's probably where the branch is sitting now as to whether or not they should have another six — or they can handle 6 or 10 or 15 assessors to handle the program — we know that we've been always historically behind. We've never lived up to the legislation in terms of handling the assessment process of every five years — I believe the legislation indicates that reassessment should take place every five years — we've always been behind whether it has been your administration previous, ours, and yours now, we've been in the same situation.

I recall I think, there was one push that we made that we were involved in even ourselves, I believe in a crisis in terms of the numbers of assessors, that we ended up approving I think 12 or 15 assessors at one time because the situation was getting so critical; we were getting so far behind; so that was done. I call those kind of — and the Minister may feel differently and I'd like to hear his comments — the kind of recommendations of the computer systems. I say that's basic but it's really cosmetic because everyone agrees about that; there's no basic changes; the city has a computer system; the province has a computer system; so we're agreed. Now we look at ways of melding at the administrative level, melding the two systems together.

Then they talk about the development of assessment objectives, concepts, methodology as an essential prerequisite. Well, Mr. Chairman, I would have hoped and maybe it hasn't been done throughout the years, that continually the staff between the two branches do liaison, do try and develop a standard model in ways of doing the assessment, so that's another administrative matter. Both those are administrative and should be ongoing, that whatever changes there are they can be agreed to between the two and those would be carried on.

The third one, a new computer processing approach is required, I'm not sure. Maybe the Minister wants to comment or maybe the staff can indicate what basic difference in processing is required from what is now in place, or whether there is two different methods being handled by the city and by the province that there would have to be some changes to make the systems more compatible.

Mr. Chairman, I'm just looking at the headings (d), the development and operations cost cannot be determined at this stage. It is not possible to provide you with even a rough estimate of costs for developing and implementing a new system at this stage. Well, Mr. Chairman, I would assume that that's a problem because of the outdatedness of our data base in terms of not being able to make the changes in the data base without having all that information gathered yet. I'd like to know whether the thinking within the branch and the Minister's office is that at a point in time when the basic data is

collected that changes in assessment of existing buildings and structures will be able to be conducted from a central point without having to have — unless there are major renovations and changes in property — any updating of assessments will be able to be done from a central point imputed in terms of land values and building values in a certain area and that's how the changes of assessment will be made. On those kinds of comments I'd like to hear from the Minister.

MR. GOURLAY: Mr. Chairman, first of all I think we have to move fairly slowly at the present time with respect of the day-to-day assessment function. To step it up may be contrary to the eventual program that will be adopted and implemented later and with respect to the two authorities, we are endeavouring to work closely together to iron out any possible differences that we can see as far as we know now in approach, is that we don't run contrary to some of the final program that the province agreed upon.

The computer obviously will play a very important role in the future and of course that will have to be programmed to meet the recommendations that will be adopted with respect to the overall assessment function in the city and in rural Manitoba. But I can say it's been an ongoing process with the Provincial Assessor and the City of Winnipeg Assessor to try and work closely on many areas that we feel will be important — depending on whatever the final recommendations will be — and I think it's important at this time that we don't go off on a tangent that would be contrary to the direction we want to go, subject to the final report of the Assessment Review Commission or whatever the government of the day decides to adopt.

MR. URUSKI: Mr. Chairman, can the Minister indicate what information is not available on file now to be able to say we've got the base data on 50 percent of the properties? What information has yet to be gathered to make the data base complete? What really has to be gathered?

MR. GOURLAY: It's difficult to answer that question at the present time not knowing what the recommendations will be to government and what the government will eventually decide, what route to go.

MR. URUSKI: I understand that, Mr. Chairman. What I'm getting at is, are all buildings within the province and residences on the rolls today, have we got that data base complete in terms of properties and all buildings? Are all pieces of property on record? That's the kind of question I was asking. I realize it's very difficult to even attempt to guess what might be the recommendations because one doesn't even want to venture because there are so many alternatives that can be taken in the process, so all one would be doing would be simply speculating — and one doesn't want to do that — but what we're trying to understand is when the Minister indicated that 50 percent of the data is not available; it's not complete . . .

MR. GOURLAY: I should correct that for the sake of the record. What I meant, 50 percent of the information is not available, that is just dealing with

farm buildings only. All the other information is available; it's not computerized; but all we're lacking is probably somewhere over 50 percent of farm buildings' information, and that is all that is lacking at this time.

MR. URUSKI: Which means a fairly substantial workload to get that information together. It would be the municipalities who have been reassessed say in the last four years, as has been indicated, where you have now got that information. It'll be all those other municipalities that are on the program to be reassessed, and some of which may be farther away than four years, in the line of how the progression of reassessment. So that's what I'm getting at, Mr. Chairman, because ultimately when you're going to be making a decision looking at as to whether or not farm buildings are going to be taxed; whether the home quarter is going to be taxed, and something else is going to be left off. If you're going to make any shifts those are the kinds of things one has to look at.

Let's not kid ourselves basically you're looking at the property base for taxation and ultimately you're going to have to attempt to move one way or the other. Are you going to end up saying to the rural communities, "We are going to tax the farm residence and we're going to leave land base off"; or you're going to say, "We're going to leave the land base on and maybe tax the buildings and the home quarter and leave that off"; or some combination. But in order to at least look at what is happening and what will happen in that process you've got to have the information to be able to look at those alternatives, or maybe some combination of something else that is being thought of, those kinds of shifts that will ultimately have to be made, you will require the data. You haven't answered as to whether that can be readily undertaken within say a year or so, that if that was the thrust that was going to be taken that information could be made available.

MR. GOURLAY: Well, Mr. Chairman, if the report indicates that farm buildings are to be assessed and that information is not complete we would have to redirect the efforts of assessors to pick up the remaining assessments on those buildings. It could be conceivably done in a year's time if that was the direction that was recommended. It would be a case of redirecting the efforts of assessors to pick up the information that is lacking.

MR. URUSKI: Taking that at the Minister's word, what then will suffer? What's going to be the next move if you redirect — and I would assume that you'd have to redirect a major portion of your efforts to get that information — where then do you fall behind? Is that going to be another major crisis occurring if you redirect all your efforts into one area and leave something else stand?

MR. GOURLAY: Mr. Chairman, we are sort of talking about a hypothetical situation, in a sense, that it would mean if we redirected the efforts of the assessors to pick up say farm buildings, then the statutory requirements of reassessing every five years would obviously fall somewhat further behind.

MR. URUSKI: Mr. Chairman, there's no doubt that you'd be further behind in the statutory

requirements. Can I ask this, that if the base data was there is it conceivable that assessments could be brought up-to-date without an actual on-field, on-site inspection by the assessors? Could it be done more sophisticatedly within the main office of the program by imputing changes in values of farm land and buildings in an area? Is that a possibility?

MR. GOURLAY: Mr. Chairman, that's true. I think that this is the goal that we are looking at to speed up this process, by computerizing the updating. No doubt there will always have to be some on-site inspections but certainly we are relying on this speeding up the eventual process down the road once we get the final program in place and get on with the assessment program.

MR. URUSKI: Mr. Chairman, that's really my concern, so that we're not here a year from now, and someone else may be in your spot and is going to end up saying, "Well, look we really couldn't do very much even though we had the recommendations of the Municipal Assessment Review Committee because we didn't have the data in place to look at what the possibilities really meant to us and really what they meant on the provincial basis because we don't have the data". So if it takes urging I'm telling the Minister look don't get yourself into a bind; make sure that you are able to provide yourself with the necessary data to make the decisions and at least leave yourself open with whatever options you require to make that assessment. Whatever the recommendations will be that information will be required.

That's really what I'm getting at because no matter how you move you will need that data base sooner or later, even if you talk about commercial — whatever the words are, I'm not up-to-date on all the words — but 100 percent value assessment, so then you need all the properties on record. Whether you move to make some of the changes that I've mentioned before you still need that data base so I tell the Minister that he should prepare himself. There's a vacancy rate within the department of some I believe 16 vacancies at the present time; whether there should be a reallocation of priorities if that is the government's desire in Municipal Affairs to deal with the assessment area at the present time, this may be the time to say, "All right, we're going to put on a number of additional people". Of course, that takes time, even the training of new personnel takes, I presume, the better part of a year to get people into the field and trained so that information and those options that you may be looking for are there for you.

MR. CHAIRMAN: The Honourable Minister.

MR. GOURLAY: Mr. Chairman, I appreciate the comments of the honourable member. We realize that there's a big job to be done once this information is all put in place. However, we are reluctant to bring on a lot of new staff at the present time not knowing just what direction we'll be going, use of computers, data base and so forth. I might say at the present time we've only got two vacancies in the Assessment Branch which is a pretty good state.

We realize there's a big job to be done but we have to be patient not to sort of get on with the job

before we know really what direction we're going. I appreciate the fact that we don't want to delay this any more than we possibly can — although I think that we're probably looking at at least a year after we get the final report — because I've given my promise to the Union of Manitoba Municipalities and the Urban Association that we want as much input from these people to make sure that we get the best possible assessment program in place. We're prepared to really get with it once we get the report, get some dialogue and to come in with a final program. But I appreciate your comments. We are concerned that we don't want to delay this assessment process any longer than absolutely necessary because it's important to us all.

MR. CHAIRMAN: The Member for Ste. Rose.

MR. ADAM: Yes. I wonder if the Minister could advise us what areas of the province that are not completed yet — the 50 percent? Is it in the remote areas?

MR. GOURLAY: No, these areas are all over the province. Reassessment has been taking place in many parts of the province. We can get you the information very quickly as to those areas that have been reassessed, where the buildings have been assessed, within a rough idea of those areas that have been done say in the last five years.

MR. CHAIRMAN: 4.(a) — pass; 4.(b) — the Member for Ste. Rose.

MR. ADAM: What areas are going to be done this year?

MR. GOURLAY: That are being reassessed in 1981?

MR. ADAM: Yes.

MR. GOURLAY: There's nine districts in the province and reassessment is going on in all of those districts; some municipalities in each of those districts throughout Manitoba. But I can read off the 1981 Assessment Program.

In the Dauphin area there's the RM of Minitonas. I wonder if we could just photocopy this. — (Interjection)— Read it into the record? In 1981 in the Dauphin region: RM of Minitonas, RM of Shellmouth, Shell River, Ethelbert, Ste. Rose, Winnipegosis.

In Minnedosa area: Saskatchewan, Strathclair and Minnedosa. In the Morden area: Warren, Montcalm, Emerson, Notre Dame and Somerset. Souris area: Arthur, Brenda, Virden. Thompson: There's the LGD of Grand Rapids, LGD of Lynn Lake, Cross Bay and Herb Lake Landing, Ilford, Norway House, Pikwitonei. Brandon: There's part of the City of Brandon. Portage area: RM of Caldwell, Norfolk, Portage, McGregor. In the Selkirk area there's Gimli, Lac du Bonnet, St. Clements, Winnipeg Beach, Fishing Lake, Island Lake, Little Grand Rapids and a number of Northern communities. Steinbach area: RM of Franklin, RM of Whitemouth, LGD of Reynolds and LGD of Piney. Those are the areas that are being done in 1981.

MR. ADAM: How do you do the Northern Affairs there? You've got some in there obviously. Like Thompson is in Northern Affairs, is it?

MR. GOURLAY: But Thompson is a municipal.

MR. ADAM: Yes. But what about the other communities in the Northern Affairs, how are they done and when are they done?

MR. GOURLAY: They're handled the same way as the RMs or LGDs.

MR. ADAM: They're part of a larger unit. In Dauphin, if you do Dauphin how much do you do? How far do you go out of Dauphin? Do you go by the RM, strictly by rule of municipalities? Northern Affairs is the Province of Manitoba, that's what I'm trying to get at. How do you do that?

MR. GOURLAY: Mr. Chairman, the Northern Affairs communities are identified under The Northern Affairs Act; they have specific boundaries. They are handled in the same process as we would the RMs or the villages throughout Manitoba. As you note I read out a number in the Selkirk area. There's some in the Thompson area that are being done this year. Those two regions are covering a number of Northern communities.

MR. CHAIRMAN: The hour of 4:30 having arrived I move that Committee rise for Private Members' Hour.

Committee rise.

SUPPLY — ATTORNEY-GENERAL

MR. CHAIRMAN, Abe Kovnats (Radisson): Committee will come to order. I would direct the honourable members' attention to Page 15 of the Main Estimates, Department of Attorney-General, Resolution No. 16, Clause 1. General Administration, (a) Minister's Salary — the Honourable Minister.

HON. GERALD W.J. MERCIER (Osborne): Mr. Chairman, I'm pleased to recommend to this Committee the approval of the Estimates of the Department of the Attorney-General. Let me say, Mr. Chairman, this is the first time that I have brought my Estimates forward in the House, previously I've always been in the committee room outside the House. I look forward to a continuation of the same degree of conviviality and good comradeship that has prevailed outside the House. I look forward also, Mr. Chairman, to participating under your Chairmanship.

Mr. Chairman, in considering the Estimates I would ask members to note that the most substantial cost is the cost of Law Enforcement. In this regard we are continuing to negotiate with the Solicitor-General of Canada for a new RCMP contract. I do not intend to dwell upon the issues in the contract negotiations at this time; you are all well aware of the demands made upon all contract provinces and municipalities by the Federal Government. We find it difficult to understand the radical change in attitude by the Federal Government in the present negotiations, however we are hopeful that these negotiations will be concluded on a basis which is reasonable and fair to the Province of Manitoba and those municipalities which are served by the RCMP. In any event we can anticipate that the amount of this appropriation will be increased. Our position is that the increase should

not reflect anything more than inflation. We do not intend to subsidize federal police services.

In the area of family law, Mr. Chairman, there have been cases in Saskatchewan and in British Columbia which have caused us some concern. The Saskatchewan Court of Appeal decision in Gould versus Gould determined that maintenance ordered in a divorce decree cannot be enforced under The Reciprocal Enforcement of Maintenance Orders Act. These decrees must be enforced under Section 15 of The Divorce Act. Provincially-appointed Family Courts in Alberta, New Brunswick and Saskatchewan have refused to enforce foreign divorce court orders. We have urged that all jurisdictions provide counsel for the purpose of enforcing all maintenance orders whether made pursuant to provincial or federal legislation. The provinces should not distinguish between orders made in the lower courts and the superior courts.

We are also urging that a provincial registry be set up to facilitate the locating of absconding spouses and abducted children as well as to facilitate better interprovincial enforcement. The British Columbia Court of Appeal in Polglase versus Polglase determined that provincially-appointed Family Court judges do not have jurisdiction to deal with child guardianship, custody of and access to children, occupancy of the family residence and exclusive possession of the family residence. These are all matters which we have given jurisdiction to our Provincial Judges Court, Family Division.

This case has already been argued in the Supreme Court. We intervened in the case along with virtually every other province. We are very concerned as to the possibility that the Supreme Court will confirm the British Columbia Court of Appeal judgment and thereby restrict the jurisdiction of our provincially-appointed Family Courts. This is not to suggest that the provincial judges in the Family Court Division will not have anything to do. The court would retain its basic jurisdiction to determine maintenance; further we have found that the most time-consuming task facing our Family Court Judges is in hearing applications under The Child Welfare Act.

In this regard one of the few areas of consensus at the constitutional talks was that provincially-appointed Family Courts should have full jurisdiction to deal with all matters relating to Family Law. We are hopeful that the Federal Government will take appropriate steps to ensure that provincially-appointed Family Courts are given full jurisdiction in all areas of family law including divorce.

We've urged other provinces to follow our lead in enforcing extra provincial custody orders by utilizing Crown Counsel. Further, we have urged other jurisdictions to provide counsel for the purpose of enforcing all foreign maintenance orders whether made pursuant to provincial or federal legislation. We have also urged all other provinces to pass legislation similar to that in Manitoba which would allow for the release of identifying information for the purpose of locating persons who are in default of maintenance orders. An interprovincial registry could be set up to facilitate the locating of absconding spouses and abducted children. This would facilitate better interprovincial enforcement of maintenance orders as well. In the Estimates we are proposing an additional counsel attached to the Civil Litigation

Branch for the purpose of further improving our maintenance enforcement and child welfare programs.

In the area of Criminal Prosecutions, Mr. Chairman, the backlog in the City of Winnipeg Provincial Judges Court is now being reduced to four months. While this does not meet the target of three months which I set a year ago, we have determined not to add any additional staff at the present time. We are confident that when the Provincial Judges Court moves into the new Provincial Judges Court Building there will be certain efficiencies available which will increase court time and thereby reduce the backlog. The primary cause of the backlog is the number of cases which are set to proceed to trial or preliminary inquiry that fall through at the last moment. In this regard we have set up procedures to reduce the number of these cases. Two Crown Attorneys have been assigned to review all cases set for trial or preliminary inquiry. They determine whether the Crown should proceed further and communicate with defence counsel to ensure that the case will proceed. Further special arrangements are made to ensure that all key witnesses are notified of the trial date some weeks prior to the actual date.

We are strengthening our staff in the Juvenile Court. We are concerned about the number of offences committed by juveniles and the involvement of juveniles in more violent crimes. This has led to more applications by the Crown for transfer to the adult court. Members will be aware that in Manitoba 16-year-old and 17-year-old offenders are dealt with as juveniles while across the borders in Saskatchewan and Ontario, 16-year-old and 17-year-old offenders are dealt with as adults.

With respect to the construction of new court buildings, the program of construction of the new Provincial Judges Court Building, immediately north of the present Law Courts Building, is proceeding as outlined last year by the Premier. The new Provincial Court Building will be connected to the existing Law Courts Building and will house all of the Provincial Judges Criminal Courts in the City of Winnipeg. The Law Courts Building will be renovated to provide appropriate security and sufficient additional courtrooms for the Superior Courts.

With respect to Legal Aid, the increase in the appropriation for Legal Aid reflects the fact that Legal Aid fees are being increased for the first time since 1972. The hourly rate paid to counsel will be increased from \$25 to \$35.00. The overall increase in fees paid to private lawyers will be over 30 percent. Legal Aid projects that over 12,000 people will have counsel appointed by Legal Aid to act for them in the current fiscal year; in addition another 28,000 people will be assisted by duty counsel or receive informal advice from Legal Aid counsel.

In the area of Systems Developments, Mr. Chairman, we are proceeding with our study of the PMIS system, the Prosecutors' Management Information System; this system will assist police, the courts, Crown Attorneys and the Department of Corrections. A computerized system should improve the scheduling of court proceedings, permit more timely scheduling of witnesses including police officers, and provide immediate information for the benefit of the courts, counsel and witnesses. Last year the Honourable Member for St. Johns asked a

number of questions about the workings of the criminal justice system; how many charges are stayed; how many charges are reduced; how many accused persons are acquitted? We are hopeful that the PMIS system will give us the answers to these and many other questions. The PMIS system also will reduce repetitive clerical functions relating to the laying of charges, issuing subpoenas and scheduling cases.

Moneys have been appropriated for further development of computerization of the Land Titles system. The sum of \$25,000 has been appropriated for court accounting systems. This is intended to reduce clerical workload relating to collecting fees, fines, costs and holding moneys in trust; accounting controls will be improved. We have included \$200,000 for Systems Development relating to a proposed new procedure for enforcement of highway traffic offences which I've just recently referred to the Law Reform Commission for comment, study and a report.

In the area of the Human Rights Commission, in 1980, Mr. Chairman, more cases went before Boards of Adjudication than ever before. More people contacted the Commission in 1980 than ever before. The most common complaint to the Human Rights Commission relates to employment; the factor of age has been involved in over 20 percent of these cases. There has been a significant increase in complaints relating to mandatory retirement. In this regard, members will be aware that Mr. Marshall Rothstein, Q.C., has been appointed as a Board of Inquiry to make recommendations to government as to appropriate action in dealing with this problem. The Human Rights Commission continues to focus increased attention on making school children more aware of the realities of discrimination. Courses on Human Rights have been included in school curricula; films are shown to younger school children; appearances are made in school by members of the Commission.

In the area of the Land Titles Office for the third consecutive year, Mr. Chairman, we have included the sum of \$50,000 for special surveys. We are introducing a new program this year and have included the sum of \$100,000 for the resurvey of townships. These programs are intended to re-establish the survey fabric in this province. Unfortunately many decades in neglect have resulted in the deterioration and disappearance of many survey monuments. This has resulted in considerable inconvenience and significant cost to citizens in establishing boundary lines to property.

With respect to the much discussed Law Enforcement Review Act, Mr. Chairman, over the past several months we have been consulting with representatives of the various police departments, police commissions and police associations on the recommendations of the Manitoba Police Commission, that new procedures be introduced to deal with complaints against police officers. A draft Law Enforcement Review Act has been circulated and we are presently considering a number of concerns that have been expressed on the most recent draft of the Act. We are awaiting the judgment of the Supreme Court of Canada in an Alberta case, Putnam and Kramer, where the Alberta Court of Appeal had determined that the provinces

do not have jurisdiction to establish citizen complaint procedures vis-a-vis the RCMP. We intervened in the Supreme Court of Canada along with most other provinces.

In any event the Solicitor-General has proposed new procedures to deal with complaints against members of the RCMP. One way or the other I am satisfied that we will have new procedures for dealing with complaints against police officers which will be more understandable by the public. Intent of the new procedures would be to ensure that there is a fair hearing of every legitimate complaint, fair to the person who complains and fair to the police officer complained against.

Further with respect to the Police Commission, Mr. Chairman, I wish to indicate that I have directed the Manitoba Police Commission to appoint an Attorney-General's Advisory Committee on crime prevention and control. The Speech from the Throne in February of 1980 announced the concept of such an advisory committee and while some time has passed since then, I can indicate that the level of interest and enthusiasm in the concept of an advisory committee necessitated consultations by the Police Commission with a variety of groups. As a result of these consultations, the original concept of an advisory committee has been expanded to include a co-ordinating and consulting function.

The Committee will allow the Manitoba Police Commission to enhance and fulfill its current obligations to promote the prevention of crime and I am optimistic that this Committee will be supplemented in local municipalities by other advisory committees. The composition of the Committee will draw on a wide range of interest including those from the judiciary, native organizations, the police, the academic community, defence bar, prosecutions, Chambers of Commerce, labour organizations, correction services, community organizations and other such groups that the Commission deems appropriate. Their Committee will report in conjunction with the Police Commission to me directly on a regular basis.

One final area, Mr. Chairman, with respect to federal-provincial meetings, there are a number of initiatives in the criminal law area which are on the agenda for discussion with the Minister of Justice and the Solicitor-General of Canada at a meeting this June. I anticipate that we will discuss proposed amendments to the Criminal Code. In this regard there have been two omnibus Criminal Code amendment bills which have died on the Order Paper in the past three years. It may very well be that the other area, Mr. Chairman, the jurisdiction of provincially-appointed Family Court Judges which may arise out of a Supreme Court decision in the Polglase case, that will have to be discussed at the same time.

Mr. Chairman, I thank you for the opportunity to make some brief remarks on the introduction of these Estimates.

MR. CHAIRMAN: (b) Executive Management (1) Salaries.

The Honourable Member for Wellington.

MR. BRIAN CORRIN: Thank you, Mr. Chairman, I want to respond on behalf of the Opposition, or at least on behalf of the Official Opposition, to the

Attorney-General's presentation and general synopsis overview of his departmental initiatives and administration. From the outset, Mr. Chairman, I wish to indicate that I was somewhat taken aback by the Attorney-General's complete failure to make any reference whatsoever to what I think should be the principal preoccupation of his department and I would think probably the most important work that his department has been called upon to involve itself in over the past some four years. I'm referring, Mr. Chairman, to the question of an entrenched Charter of Rights as that relates to the enforcement of the law and the whole concept of justice which is overseen and within the management of this Minister's department.

I was surprised, Mr. Chairman, that the Minister overlooked this very important field because I know that it has preoccupied many of his own working hours and the working time of many members of his staff over the past 12 to 18 months. As a matter of fact, this time last year, Mr. Chairman, I'm sure we all remember that the Minister had to take time off from the Estimates Review and from the work of the House in order to travel on a fairly regular basis to meet with various counterparts across the country. And now, Mr. Chairman, I believe today we have reached the auspicious point in time when the whole matter of the right of the Federal Government to enact legislation that will eventually entrench these rights is in question before the Supreme Court of our country.

So, Mr. Chairman, as I said it seems passing strange that on this singularly important day, I presume perhaps even at this very hour the Manitoba case may be being put in the Supreme Court of Canada; that the Minister responsible for the marshalling and preparation and stewardship of that case has seen fit to neglect any reference to it in providing his summation of the affairs and business of his department over the past year.

Having said that, Mr. Chairman, I might add that I, and I believe certainly most of my counterparts, I think I can say that as well my view is shared by members of the Minister's own federal party. I believe that the concept of an entrenched Charter of Rights is one that deserved better attention and better treatment by the Provincial Government of this province. I can say it categorically that I feel even if there were philosophical differences, even if there were substantial philosophical differences that simply made the Charter of Rights wholly unacceptable to the Honourable Attorney-General and his First Minister; even if that were the case I must say that I feel they were less than enthusiastic in joining the discussion, participating in the context of a national discussion in a meaningful communicative way. I feel that it behooved the government of this province to attempt in any way possible to participate in whatever dialogue could be put in place in order to discuss this very important issue.

So having said that I can respect that there are philosophical differences and having said that I respect the right of honourable people to differ on matters of philosophy I also believe, Mr. Chairman, that there is a responsibility on elected representatives to do whatever is in their power to meaningfully negotiate and discuss, in as

constructive a manner as possible, things that are as important to the fabric of this country and this province as are embodied in the Bill of Rights, the Charter of Rights proposed by the Federal Government.

Mr. Chairman, I believe in democracy — and that sounds a bit outlandish. I presume hopefully that anyone having a seat in this House would believe in democracy but I also respect, Mr. Chairman, that our beliefs in democracy differ. Person to person we are as individual in that respect as we are in the colour of our hair and the complexion of our skin.

So, Mr. Chairman, I suppose that I am one that is willing to respect and recognize the right of every individual to be different; and that, Mr. Chairman, I think is the essence of the problem that is posed by the entrenched Bill of Rights. On the one hand, as legislators and participants in a democratic institution, we believe that the right of the people should be expressed in a democratic way. I suppose it's hard to conceive of a better mechanism or system than the one we have, and I'm a strong advocate of this format, this approach to parliamentary democracy.

Having said that though, Mr. Chairman, I also recognize — and perhaps it's as a result of my own background because again we have differing backgrounds — I also recognize that we are not always fully representative of all the people. It would be well and it would serve the people well if we were but, Mr. Chairman, I look around and I see no blacks in this Chamber, I see no people of black racial origin in this Chamber. Mr. Chairman, I look around and, although I may be wrong, I don't think there are any people who have a native background in this Chamber. I look around, Mr. Chairman, and I see two women. Mr. Chairman, two women in a Chamber of 57 members is somewhat less than the representation of women in society as a whole. Mr. Chairman, I look around and I do not believe that I see many people who would qualify for welfare assistance; I do not believe that there are many people in this Chamber, I suppose by virtue of our salaries it's all but a foregone conclusion, but I don't think there are many people who could be described, even if they were here, as being members of a lower socio-economic class and I define that purely, Mr. Chairman, as income, I'm not talking about anything but income.

So, Mr. Chairman, I'm not sure when I look about me that I'm really in a representative forum. It is true that all the people who are here, Mr. Chairman, were democratically elected by a majority of Manitobans but I'm not sure that all the people who are here can truly represent all those people.

And, Mr. Chairman, I'll attempt not to digress but I tell you I travelled in Northern Manitoba, it was the first time I travelled extensively in Northern Manitoba, this past fall and, Mr. Chairman, for myself it was a great eye opener. I confess, I'm willing to openly confess, that in many respects I was totally ignorant of my own people, of the needs of Manitobans in a vital and important part of our province. I can confess, moreover, Mr. Chairman, that although I think I had strong sympathy for the plight of Native people it was never driven home to me with such force as when I travelled in their communities. Mr. Chairman, I can say, having

travelled there for seven or eight days, I can say that I probably only saw the tip of the iceberg. I know now that I know very little about life as it really is for those people.

Mr. Chairman, that is why as a legislator I'm willing to admit that there is room for improvement and there have to be safeguards, checks and balances built in, in my belief built into the system, that will ensure rights of recourse to members of minority groups, whether they be economically disadvantaged or whether they simply be in a manner outside the mainstream of Manitoban population. In order that I not be accused of suggesting that Manitobans are bigots, Mr. Chairman, I'm only going to rely on the information provided by the Canadian Civil Liberties Association. They suggested, not too many months ago, that 80 percent of Winnipeg employment agencies would be willing to weed out non-white applicants for desiring prospective employers. I can talk about the M.A.R.L. review of Native rights in the Human Rights Commission and they are finding that Natives had no confidence, no confidence, Mr. Chairman, in the institutions that have been established in this province, and established by a former government, not this government, Mr. Chairman, to assure and preserve their rights.

So, Mr. Chairman, I say that there is a real problem and I say that it's timely that somebody, and in this case the Federal Government of this country, has taken an initiative to do something about that problem. And frankly, Mr. Chairman, with respect to the position of my party and the party represented by my honourable colleague the Attorney-General on a Federal basis, I approve and I laud their support of this very important matter.

Mr. Chairman, having said that I find reason to consider it, I want to say to those who feel so strongly about judges and the power that might be conferred upon members of the judiciary as a result of this new reform — and I'll call it that, Mr. Chairman — I can say that I'm not concerned about members of the Bench usurping legislative prerogative, I'm not concerned. Rather, Mr. Chairman, I prefer to view it as an extension, a widening of the scope and ambit of general rights accorded to people across this country. It gives them a very real forum, Mr. Chairman, so that a person who has been given the right to legal assistance, as has been done in Manitoba through Legal Aid — which is another way we extended the rights of people, Mr. Chairman — a person who has been given that right can use that right, can meaningfully employ the rights that have been conferred on that individual by having matters adjudicated, matters of fundamental interest and importance, adjudicated in the courts.

Mr. Chairman, there are those who say that judges are prone to be too status conscious in the sense that they tend, as a lot generally, to maintain the status quo in society; and I say, Mr. Chairman to those who would advance that argument, I say that if that is the case then I suppose I will be very disappointed in some respects because I would prefer, Mr. Chairman, when the courts are reviewing matters of basic civil liberties and human rights, fundamental rights and liberties, Mr. Chairman, I would prefer the courts to be vigilant; I would prefer the courts to be as all-encompassing in their

perspective as is humanly and humanely possible. I want a compassionate court.

Mr. Chairman, I'm not one who believes as some do, that because a Conservative Cabinet Minister appoints a Conservative lawyer to become a member of a Court of Appeal or the Supreme Court of Canada, I'm not one that believes that simply because that happens, that person somehow is a reactionary Conservative type. I believe by and large, Mr. Chairman, that most of the people who receive those sorts of appointments respect them. I guess the best example one can use is that of the Honourable Gordon Fairweather, although he's not a member of the Bench, he is a former Provincial Cabinet Minister and Attorney-General I believe, in one of the Maritime Provinces; a former member I believe of the Conservative Opposition in Ottawa — I don't know, I can't remember if he served in government as well — he is now serving as the Chairman of the Federal Human Rights body, appointed by a Liberal government. Mr. Chairman, he is doing an exemplary job and I don't think that anyone in this country would suggest otherwise.

So I say, Mr. Chairman, that by and large I think we can entrust responsibility to the courts. I'm willing to concede that there will be cycles and there will be shifts. I'm willing to concede that I would be one who would prefer certain decisions for instance, made in the United States Supreme Court to others. But, Mr. Chairman, I recognize that the body of constitutional law that has been built upon the Bill of Rights in the United States, is an organically evolving one, one that has been building since before I suppose, Brandeis, and one that is evolving in a rational, logical and comprehensive manner.

Now, Mr. Chairman, it is possible for instance under that Bill of Rights in the United States, to have common folk perhaps represented by a public defender, to approach those courts on matters such as the rights of the handicapped; on patients' rights; the rights of people within the health care system. Mr. Chairman, I say that that's good, because I don't believe in our society with the complexity, with the demands that are made upon government, with the competing demands that people who are otherwise in very small areas of concern, people who would otherwise have small lobbying power — and, Mr. Chairman, we should always be mindful that there are those in society who have immense lobbying power — I don't want to be politic, Mr. Chairman, we can think of occasions when certain rights have been skirted, or perhaps even abused. I think of the rights of the people who live in Flin Flon; the rights of the people who live in McGregor to a clean environment. So, Mr. Chairman, perhaps I would prefer — and indeed I would prefer — that there be some recourse, some right of appeal to another body, an objective body, a body that is not subject to perhaps the whim of the majority — if I might refer to it that way — in order that an objective, rationally-premised case can be put, considered and contemplated in a form that respects precedent and respects humanity.

So, Mr. Chairman, I say because I have practised in the courts, that I believe that our system has evolved that way and I believe that we can entrust those who are responsible for it to conduct their affairs in a manner that is consistent with that precept and principal.

Mr. Chairman, if we're not going to wait for a 100 years, if we're not going to ask people in society to wait for a 100 years for their rights — and that's what's happening, Mr. Chairman — consider the rights of so many people. The First Minister always makes reference to busing. Well, dammit, Mr. Chairman, why doesn't he make reference to people who sat on the back of buses? Why doesn't he make reference to people who had to step off the sidewalk? Why doesn't he make reference to that, Mr. Chairman? Mr. Chairman, I want you to know that I hear of that. When I travelled in the North, I didn't hear of people sitting on the back of buses. But, Mr. Chairman, I heard of discriminatory housing policies; and I heard of things that upset people a great deal. They believe, Mr. Chairman — and I say that there may be some substance to their belief — they believe that they were the victims of discrimination and prejudice, and they believe that their rights were being abused. Mr. Chairman, we have a responsibility to protect those people. We will only be here, for many of us perhaps terms of four or eight or twelve years. There are people who have been waiting, Mr. Chairman, for generations; they have been waiting for a lifetime — literally for a lifetime — for certain basic freedoms, for certain rights to be respected.

Mr. Chairman, I say that I would rather have a constitutionally-entrenched approach than the agonizing debate of a 1,000 provincial remedial statutes because, Mr. Chairman, we all know that the political process is subject to whimsy. Politicians are concerned about polls, Mr. Chairman. The black man in Selma, Alabama didn't give a damn about a poll. He knew what his rights should have been and he didn't care if his white neighbours didn't believe it. It was of no interest to him if his white neighbour didn't feel that his children should be side by side in the local public school. Believe you me, Mr. Chairman, it was of absolutely no interest to that black man.

Mr. Chairman, I say that we here may wish to pontificate and somewhat piously wish to debate the issues of our contemporary society. We may do that, Mr. Chairman, in the best of interests; we may do that meaningfully and with all the best of intentions but, Mr. Chairman, it doesn't always work. Occasionally, Mr. Chairman, it does. Last year for instance, the First Minister saw fit — and wisely so, Mr. Chairman — to withdraw the Attorney-General's provision in The Elections Act about freedom of speech. So we had a case in this House where one Minister by rescinding the decision of another Minister, I suppose was supportive of human rights, namely the right of freedom of speech.

But, Mr. Chairman, you know if the Honourable Member for Inkster hadn't raised that question — and it's to his credit, Mr. Chairman — I suppose in this regard we're fortunate, Mr. Chairman, that he was here. If he hadn't taken note of that small provision and no one else did, Mr. Chairman, and I'm willing to concede that he seemed to be the only person cognizant of it with the exception of the Attorney-General. So, Mr. Chairman, if we hadn't been able to rely on one individual who perhaps did a little bit more work, or perhaps is somewhat more intelligent in terms of his ability to read legislation than other members, perhaps more experienced in the law, we're fortunate to have experienced counsel

in the Chamber. I suppose other Legislative Assemblies may have been less fortunate, they didn't have.

Just as a matter of happenstance, the people of Manitoba were saved from that ridiculously absurd provision but once it was on the books, Mr. Chairman, someone could actually have been prosecuted. I suppose then we would have known, but a person could actually have been successfully prosecuted by the Attorney-General. Really, Mr. Chairman, where would we have been then? I think most of us would have been embarrassed. But would the government have admitted its mistake? If the Premier of this province had stood up in his place and voted for the bill, would he then have admitted that he didn't read the bill? Would he have gone to the people during an election if it became an issue and say, "Oh, I didn't read the bill. I'm sorry, I missed it". Would he have been that candid? I would hope so, Mr. Chairman, but I don't think it's outside the realm of possibility that given the vicissitudes of the circumstance, that he may not have. That's not a reflection on his honour, Mr. Chairman, because I can say that there are many members in that position who would not wish to make such an admission.

Mr. Chairman, I simply feel that the arguments pro and con when taken in balance — and this is what I wish the Attorney-General would have been willing to do with his First Minister, with his federal counterparts, and with the other nine levels of provincial governments across the country — if this would have been done, if the advantages and the disadvantages would have been put in balance, would have been weighed and there would have been discussion, I believe that something meaningful would have come out of it. Perhaps it would have been half a cake; perhaps we would have had a Bill of Rights that was only based on paramounts, one that could have been unilaterally rescinded by government with respect to any particular legislative initiative. It would have been a compromise, Mr. Chairman, and I could have bought it. I would have to stand here and say that it's not perfect but I could respect that people of good intention could compromise on that sort of approach. I could understand that, respect it and work within the guidelines.

MR. CHAIRMAN: The honourable member has five minutes.

MR. CORRIN: Thank you, Mr. Chairman. So, Mr. Chairman, I don't think that I take a hard line; I don't think I suggest that I'm one who wants everything; that I believe there's no room for conciliation and compromise between persons of good will; I'm not suggesting that. Mr. Chairman, I would even be willing to indicate that I could be convinced on the paramount issue. I could be convinced on that issue. On that issue, I'm not firm at all, I could move either way and in discussing this issue with a variety of people who are interested, I think on occasion I have been moved either way.

But, Mr. Chairman, it's not good enough to have the stonewall approach that's taken by this government and the continual abuse that's heaped on those who want to participate in this discussion, as we see demonstrated virtually weekly and monthly by the First Minister and his legislative colleagues.

Mr. Chairman, I can say as well that I want to remind members a Bill of Rights in this country may have served us well with respect to certain historical incidents. I would remind members — I suppose most importantly and perhaps most topically — of the plight of Japanese Canadians at the — (Interjection)— There are some members, Mr. Chairman, who say, "We've heard that one", or "We've heard it before". Well, Mr. Chairman, they may have heard it but you can believe me, Mr. Chairman, that if I were Japanese — and there are no Japanese people in this Chamber — if I were that member would not be so disrespectful as to say that to me. He would never have the courage. He may, Mr. Chairman, but I believe even in his ignorance, he would never have the audacity to make that sort of disrespectful remark. It's the Member, I believe, from McGregor . . . I apologise if it's not the Member for McGregor, Mr. Chairman. I believe that the rights of those people would have been upheld; I believe that their internment during the Second World War and the loss of their valuable land, which should have been their birthright — after all they were the proprietors — that the loss of those rights and the loss of that land would have been forestalled. I didn't see any legislators stand in his or her place during the Second World War, perhaps there was Mr. Douglas, but I didn't see any parliamentary majority move to preserve those rights or reinstate those people to their rights. It wasn't politically fashionable in those days, Mr. Chairman, so it didn't happen.

Mr. Chairman, I suggest that we have a responsibility in this House and first and foremost, it's the responsibility to communicate and dialogue, not only with the people we represent but the people in other provinces, in other parts of the country, who also represent Canadians. I wish to register my strong criticism of the approach that has been taken by the First Minister, the Attorney-General and this government with respect to this very important issue.

MR. MERCIER: Mr. Chairman, I don't want to speak at length on the issue raised by the Member for Wellington but I want to say one thing to him. I think the position of the Province of Manitoba has been clear, has been articulated and enunciated publicly at the September Constitutional Conference of First Ministers on the Charter of Rights. I believe that before this Session of the Legislature is over all members will have another opportunity in debating the resolution which is on the Order Paper to expound and put forward their position on the proposed amendments to the constitution. But the Member for Wellington raised one point, Mr. Chairman, I believe he said he could accept a Bill of Rights that was paramount over federal legislation. Then he went on to criticize the position taken by myself and by the First Minister, Mr. Chairman.

I want to point out, through you, Mr. Chairman, to the Member for Wellington that at the very first week of constitutional discussions last July among the Ministers involved I put it to the Minister of Justice, Mr. Chretien at that time, that in view of his concern and the Prime Minister's concern that the existing Bill of Rights, passed by the Diefenbaker government in parliament, had not proven to be a successful document in that I believe it has only been brought into play on two occasions by the courts through the ultimate decisions of the Supreme Court. I suggested

then, Mr. Chairman, in the first week of those constitutional discussions, to the Minister of Justice that he seriously consider, in order to get around the obvious conflict that existed then in seven or eight provinces opposing an entrenched Charter of Rights, that they give immediate and serious consideration to amending the Bill of Rights in the federal parliament to make it paramount over all existing federal legislation and in that way, Mr. Chairman, they would be able to determine, over the course of events over time, as to its effect, the practical evaluation of criticisms that have been made over an entrenched charter. I believe, Mr. Chairman, that issue could have been resolved in that manner very quickly and very effectively by the Federal Government by making the existing Bill of Rights paramount, by making any amendments they wanted to make to it by allowing it to go into effect, to be heard before the courts, to see what judicial decisions were made on its interpretation and have an opportunity to have a Bill of Rights that would be paramount over legislation but could be amended by the Federal Government and by the Legislatures when the decisions of the courts were, in the Federal Government's opinion, not appropriate interpretations of the legislation.

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

MR. CHERNIACK: Thank you, Mr. Chairman. I don't want to expound at length on any of the items. I would just say that the criticism I would have in relation to the government's dealings with this whole question of the Constitution and the Bill of Rights and anything else involved in these negotiations was the arrogance of this government, of this Minister and of his Premier to proceed without consultation of any kind with the Legislature. They commenced court action before the Legislature was called into Session. They brought in a Throne Speech in December which prevented any opportunity for a resolution to be debated on this question. They have gone ahead with negotiations where they clearly took positions from which they could not retreat and I would say to the same extent the Federal Government also, although they've had more opportunity to debate, took such positions. The intransigence of both governments prevented a proper and intelligent debate at the level where many people could become involved in discussions. They precluded this Legislature from dealing with it. If you look at the Order Paper — Resolutions 2 and 3 are still sitting on the Order Paper, not because they could be ruled out of order because it is not yet known just how it's going to be debated. The resolution which finally was brought in I would think some weeks ago, I don't remember just when the resolution was brought in by the First Minister, but here it sits on the Order Paper. By the time we get to debate it, certainly the Supreme Court will have heard all the discussion, all the briefs — they may even have made a ruling by the time it is debated in this House. So that to me, Mr. Chairman, is an indication of the arrogance of the government in this whole debate. It's typical also of the way the First Minister publicly debated the issue time and again publicly but not in this House, although more recently he did speak about it in the last speech in the Budget Debate.

That's all on that, Mr. Chairman, except to say that the Honourable Attorney-General indicated, I think, yesterday that he has obtained from the Quebec Government a research paper done by a team of lawyers who were hired by the Quebec Government, that on that basis and some review he has certain concerns about Manitoba legislation that might have to be reviewed because of a comparison which apparently he made with that paper. I would like to ask him if he could table copies of the paper so that we could become a little bit more familiar with the problem which he posed.

Also, Mr. Chairman, I would like to comment on his statement today or rather enquire, dealing with the computerized case management system which is called Promise (phonetic). He wrote to me last October and indicated to me that this system is being laid in place. He mentioned it again today, but I don't think that he told us when it will be in place and whether or not it is so already. If it is then I would like a preliminary report on how it's working and what information is available. If it's not in place I would like to know when. Mr. Chairman, I admit that I was looking at notes and I may have omitted — I may not have heard those specific answers in the statement he made today. If he has to repeat them I will either have to read what he said again or ask him to comment on them now and respond to them, but I didn't hear them.

The next item I'd like to bring to the Minister's attention and request that he deal with it is the position that the Manitoba Government is taking in regard to these efforts to bring Kasser to trial. I'm reading from the headline of April 25, 1981 — An indication that the Manitoba government is continuing its battle to bring Alexander Kasser to trial. Mr. Chairman, I wonder just how much longer we're going to be spending the taxpayers' money in an effort to bring Kasser to trial. It seems to me that there comes a limit where one says the matter is ended. I was one who was all in favour of bringing Kasser, Reiser and anybody else involved in this disastrous matter to trial. But to keep on after it and to keep travelling back and forth to Europe is something that I question and I think the Minister ought to give us some accounting of what is being done, what is continuing to be spent. It's ten years I believe, Mr. Chairman, that we're talking about. How much longer does he feel we have to do it? I question it very much, Mr. Chairman, although the government of which I was part commenced the proceedings. I don't know, there should come a time when it can be laid to rest unless there's a proper indication that there is a finality with some hope of success and with some return to the people of Manitoba for that investment in the prosecutions itself.

The next item I trust we will have greater elaboration on is the point that I raised yesterday — the jurisdiction of the Family Court. The Minister said that he was hoping that the Federal Government would agree to recognize the jurisdiction of the Provincial Police Courts and in doing so empower them to deal with these matters. I don't recall that the Minister made reference today to an all-encompassing Family Court which would deal with all matters in the one court. I hope we'll get a report from him in that regard so that we'll know what

progress has been made in this last year dealing with what will be a system which will adapt much better to the present requirements.

I note that the reference to the article which lead me to introduce this subject matter yesterday states that: "If the B.C. ruling is upheld, and most attending the hearing believe it will be, it is feared that every provincial custody order ever made in B.C., Alberta, Manitoba, Ontario, New Brunswick and Nova Scotia will be declared void". And in parenthesis it says: "Other provinces with federally appointed Family Court judges are not effected". I asked the Minister yesterday whether he had prepared a fall back position from which we could deal in the event that this decision in B.C. is confirmed by the Supreme Court. He answered that he did not expect that it would be reversed and he has not taken any steps in that regard as yet. The article says that the Supreme Court's final word "which can come as early as this week". I would again urge on the Minister that he tell us what . . . in the event that the decision of the B.C. Supreme Court is confirmed by the Supreme Court of Canada so that we can act on it quickly. This is something that is a matter of great concern.

Finally, Mr. Chairman, I would like the Minister to deal, and he may well decide to leave it for later on in his Estimates, but to deal with the entire question of the use of wire-taps. I raise that on the much broader scale, Mr. Chairman, because I am very much concerned about the evidence that appears to have come out in the two hearings dealing with the RCMP activities, the Keably Commission and the McDonald Commission in which clearly alleges crimes being committed by the RCMP. It is a matter of concern. I don't know whether there have been that kind of activity by the RCMP in Manitoba, but there's no reason to think that there have not been if indeed there is evidence in other provinces where there has been improper and even illegal activities. I think the Minister has to certify to the people of Manitoba that he has made an investigation, that he has found whatever he has found in relation to activities of RCMP in Manitoba and has made a special effort to protect the interests of Manitobans against abuse by the RCMP. If there were such and I can't state that there were, but I know now that there were elsewhere in Canada to my satisfaction anyway and I think we should have an assurance of his own investigations in Manitoba.

Then more particularly the point that I raised with him just the other day about the use of the wire-taps in Manitoba in the particular case that was reported in the newspapers, that of charges against James Steven Wilson. When I asked the Minister about how approval was given to an application to the court — as I recall he responded that he didn't want to deal with it until the court had made its decision on the case, and when I left the Chamber and read the newspaper a little more carefully I found that the decision wasn't was indeed made on the morning of the time when I referred to it to the Minister and no doubt he is now fully aware of it. The newspaper comment says that Crown counsel said that after the judge made the ruling the Crown presented its other evidence which was ruled not sufficient.

The point made in that case is that only wire-tapping was the extent of investigation by the RCMP

in spite of the fact that under The Privacy Act the requirement is that tap may be granted "where other investigative procedures have been tried and have failed." And Judge Dubiensi apparently decided that only wire-tapping was used — no other investigation was done and he was not satisfied that there was a proper attempt made to obtain evidence in any other way. Therefore he was critical of the use of wire-tap in this case, which means I suppose, critical of whatever member of the Department of the Attorney-General approved of the application being made for not having investigated properly whether or not it was in order then to apply. We don't know any of the facts and I trust that the Attorney-General will deal with that.

But the other point is, the statement that what was thrown out was almost 1,000 hours of legally obtained wire-tap evidence — 1,000 hours, Mr. Chairman. I'd really like to know what that cost to obtain that kind of evidence to be used in a bookmaking charge. I don't for a moment suggest that a person who breaks the law should not be investigated. But here we have the Kasser case going on in Europe; we have this case going on here — no real relationship whatsoever to the seriousness of the charge and yet there is obviously a tremendous amount of money being expended.

I don't know the extent to which one proceeds to spend a great deal of money in law enforcement without any sense of relationship to the nature of the charge, the nature of the crime and to the needs of the prosecution to bring in evidence. In this case apparently almost 1,000 hours of wire-tapping was conducted or used up and in the end it was thrown out, and in the end I don't know what would have been the penalty had this man been found guilty but I am not too sure that the damage or danger to the community from bookmaking justifies tremendous expenditures which as I say obviously took place in this case.

My position on bookmaking is to a large extent what it is on lotteries — I deplore bookmaking, I deplore the betting instinct in people. On the other hand I can't consider this as heinous a crime as many others that take place in society. Therefore I am asking the Minister if he will inform us of the cost of investigation and prosecuting of this particular case and whether or not the procedures within his department are being changed because of Judge Dubiensi's finding and subsequent ruling or whether he feels that the matter was properly handled, in which case he would disagree I suppose with Judge Dubiensi's conclusion. These are some of the matters which I hope the Minister will be prepared to discuss during his Estimates.

MR. MERCIER: I'm sure the member appreciates that he has raised a number of matters that probably more appropriately could come up in other individual sections, but I'll try to deal with them all now, Mr. Chairman, if you . . .

MR. CHAIRMAN: Order please.

The Honourable Member for Inkster on a point of order.

MR. GREEN: I object to the entire procedure that has been followed here for the last 20 minutes. My understanding of the rules is that the Minister gets

up and makes a statement, that there is a response permitted by a party, that the Chairman then can recognize somebody else which he doesn't have to do but it has been done, and that we deal with the specific items on the item list.

As a matter of fact, Mr. Chairman, I heard that procedure being pushed, pushed, pushed, pushed and pushed by particular people who have now dealt with items which are down on the list on the paper and therefore have precluded an opening statement. I want to tell the Chairman and I know that this is being studiously done in order to demonstrate that there is not a third party in the House. I want to advise the Chairman that I've been here for some 15 years; that the New Democratic Party was not an official party in the House; that they had five members. But there was an understanding, Mr. Chairman, that the Opposition spoke and that there were five members who were not part of the official Opposition and they were heard. They were always heard and they were always given the permission to be heard. But some people no longer regard common courtesy as being a feature, Mr. Chairman. They are studiously avoiding and I have never asked the Speaker or yourself to recognize me as the leader of the Progressive Party although my leader, when there was no official party in the House, was always referred to as the Leader of the New Democratic Party — always. You can go back to Hansard and he had no status in this House at all. But there wasn't status, there was courtesy. We're now dealing with rules and regulations. I'm taking them, Mr. Chairman, and I've not complained and I've not said a word till this moment. When we have heard an opening statement I got up wishing to make an opening statement — I was not recognized — I did not raise the point of order. But the next member who got up proceeded to go down the list of the Estimates and pick up every item that he has saved up in order to deal with the Attorney-General and has dealt with them on an opening statement — that I object to, Mr. Chairman. Because then I should have been recognized to make an opening statement on the part of my group of whom there are three in this House and who traditionally have been given a courtesy which apparently the official Opposition will not give. I have no right to demand it. I have no right to demand it and have not said anything until this point. But when I hear a member get up and go down the Estimate list with his various little items on the opening statement provision, Mr. Chairman, I do have a right to object.

MR. CHAIRMAN: Order please. I'm going to make some remarks. I think that the Chairman has the right to respond and then I will allow you a point of order. As a matter of courtesy I've been told that I don't have the courtesy of acknowledging the speaker in turn, that might be so, I doubt whether it is so. I think that when a person gets up to speak and there is some semblance of the item under discussion — I think we're on (1) Salaries which is the Deputy Minister's Salary to be included in that and I recall vividly during the debate in the House, who gives permission for wire-taps which was under discussion. It was the Minister or the Deputy Minister if the Minister wasn't available and that's why I allowed it. (Interjection)— Just a moment — I think I took the prerogative of replying and the

person who next has the point of order is the Honourable Member for St. Johns.

MR. CHERNIACK: Mr. Chairman, on the point of order, it is clear to me that I was not making an opening statement or a response to an opening statement. I had no intention and I had no right to respond to the opening statement. I was dealing with Executive Management which is the item I believe that we're on and I was dealing with manners in which the Attorney-General and his department at the executive level conduct their business. Certainly the question of wire-taps — the Minister said that comes right at the top of the hierarchy within the department. The question of what is happening on Family Law and the recognition for provincial judges — it seems to me all of these matters — the Kasser trial — all of these matters are at the level of the Minister and the Deputy Minister. I believe that I was in order to deal under 1.(b) and that's what I presume to do, to raise the points and I recognize the Minister may want to respond in other regards in his Estimates but I had a right to raise it at the level of his Deputy Minister. I had no intention and I don't believe I had any right to respond to an opening statement, that having been done by the official spokesman for the official Opposition.

MR. CHAIRMAN: The Honourable Member for Inkster.

MR. GREEN: Exactly, that is exactly what I wished to speak to. The Minister introduced his Estimates and honourable member got up and made an opening statement. I wished to get up and make an opening statement. He gave the floor to the Member for St. Johns. I thought that he was going to make an opening statement as well. If that's the case, Mr. Chairman, I should have been recognized and permitted to make an opening statement just as did the Member for Wellington, who does not speak for four members in this House and who have a right to be heard, and who should be given the courtesy of being heard. I wished to get up and if the member was not making an opening statement and saw me getting up trying to make one, then I say he studiously avoided me being able to make one by then going into the next item. I thought he wished to make an opening statement as well on the Minister's statement; he didn't. He now says that he didn't. Then I should have been given the opportunity of doing so. Mr. Chairman, I want the Chairman to know that when there was one Liberal in the House, not three Progressives, one Liberal, the New Democrats permitted that Liberal to rotate with them on Estimates if he wished to speak. But they are studiously avoiding three Progressives, Mr. Chairman, and they have reason to.

MR. CHAIRMAN: To the honourable member before we go any further, I misunderstood his condemnation of his remarks and I accepted the remarks as being directed at me and I understand now and I apologize.

The Honourable Member for Inkster.

MR. GREEN: I wish to make a statement because surely, Mr. Chairman, the Member for Wellington did not speak for me.

MR. CHAIRMAN: The Honourable Member for Fort Rouge on a point of order.

MS. WESTBURY: On the same point of order on which I stood at the same time as the Member for St. Johns, Mr. Chairman, before you responded to the point of order raised by the Member for Inkster. Mr. Chairperson, if there is going to be a decision made to recognize the leader of the Progressive Party and I honestly do not care by what name you call him, whether you call him the Member for Inkster or the leader of the Progressive party, then I suggest, sir, that the same principle has to be applied to the party which I represent alone in this House on the basis that neither party I understand is a recognized political party within the recognition of this House. There is also a question of a registered political party under The Election Expenses Act which my party now is I understand and I don't know if the Progressive Party complies with the requirements of that Act or not. I have not investigated it because it would not be my wish to attack them on that basis or any other basis.

Mr. Chairperson, there is the question of whether we were in fact still on an opening statement or . . . I heard you call 1.(b), Mr. Chairperson, but that was before the Member for Wellington spoke. I did not hear you call 1.(b) later and I would like you to clarify if you wouldn't mind just which section we're on and whether or not the Member for Inkster and I are entitled to make opening statements.

MR. CHAIRMAN: I will answer to the Honourable Member for Fort Rouge. The item under discussion is (b) Executive Management (1) Salaries which does include the Deputy Minister's Salary. I will acknowledge members as I see them rising and it is my prerogative to acknowledge members as I see them rising. I have allowed some latitude as far as opening statements under this item and I will allow that same latitude to the next member who wishes to speak. Now, if you're speaking under the point of order, the Honourable Member for Inkster.

MR. GREEN: I have not suggested that I be recognized in any official capacity. I've suggested that that courtesy was extended to the Leader of the New Democratic Party when they not an official party in the House. It was a courtesy that was extended to the Leader of the Social Credit Party when he was a single member in the House. It is now not extended, and so be it, I'm not asking that it be extended. What I did ask to be extended is that when the Member for Wellington gets up and says he is speaking for the official Opposition then you, Mr. Chairman, will know that he is not speaking for four members in the House and that one of those members should be able to get up and say something, and you know that I do not speak for the Member for Fort Rouge and I think she should be able to get up and say something.

The way we got to (1)(b) I believe that the Member for Wellington was speaking on the opening statement. I got up to follow him with a statement for our group and I believe that the Member for Fort Rouge should be given the same courtesy and I don't wish to speak on (1)(b), I wanted to respond to the Minister, who had got up and made a statement on the introduction of the Estimates, that's what I wished to do.

Now, it's true that you can go to (1)(b) Administration, come to the Director's Salary and it is also true, Mr. Speaker, that you can deal with every item under the Estimates on that Salary and that the Member for St. Johns is right and I have always said this to be the case. It's the Member for St. Johns who has continually said, you shouldn't do it, you should wait till you come to the line in the Estimates. Well, Mr. Chairman, he has said it so often and if he doesn't remember it, that's not my problem, that's his problem. He said that we should wait till we get to the line, but I don't object to that and when we get to the Minister's or the Deputy-Minister's Salary, I have said that I will not wait if I have some item that comes under that and I choose to do so and the Member for St. Johns has the right to do so as well.

But I believe, Mr. Chairman, that the Chair could have extended me the courtesy of following the Member for Wellington on an opening statement and could have done the same for the Member for Fort Rouge and it wouldn't have hurt. You know, Mr. Chairman, that he is not representing four members in the House.

MR. CHAIRMAN: The Honourable Member for St. Johns on a point of order.

MR. CHERNIACK: Yes, Mr. Chairman, I think it's a rather useless introduction of history in the sense that only recently, and long after the time referred to by the Member for Inkster, did we drop the salary item to the bottom of the list. Prior to that we dealt with the Salary of the Minister and everybody could talk about anything for all that length of time and to refer to official parties or unofficial parties is academic. When one discusses the historical courtesy that the Member for Inkster refers to and I have no problem with that; if he has a problem that's his problem.

Mr. Chairman, I thought this matter was long ago clarified that there is a ministerial statement, there is a response from the Official Opposition and then we go into the special items, and I did, I dealt as I said clearly under the Deputy-Ministers and I think that should continue that way.

MR. CHAIRMAN: The Honourable Member for Winnipeg Centre.

MR. J.R. (BUD) BOYCE: To the point of order, Mr. Chairman, I disagree with the Member for St. Johns that it is a useless exercise. The argument of who should be recognized and who should not is spelled out in the Rules and I remember, as pointed out by the Member for Inkster, when there was a lone Social Credit member in the House we extended the courtesies to them, that we followed the rotation as far as how people are recognized even on motions of non-confidence there were courtesies extended, but I don't believe that it is a waste of time. In fact, I take it rather as a compliment that we are such a threat to the New Democratic Party that they have to devise these kind of tactics, Mr. Chairman.

MR. CHAIRMAN: Item under discussion is (b)(1) Salaries — pass — the Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, I wish to make the opening statement that I would have made had I

been given the courtesy of doing so following the Member for Wellington, who spoke for the Official Opposition and said things which he knows that there are . . .

MR. CHAIRMAN: Order please, the hour is 4:30. I'm interrupting the proceedings for Private Member's Hour and will return into Committee at 8:00 this evening.

PRIVATE MEMBERS' HOUR

MR. SPEAKER: Order please. We are now under Private Member's Hour. On Tuesdays, the first order of business is Private Bills.

ADJOURNED DEBATES ON SECOND READING — PRIVATE BILL

MR. SPEAKER: The first Bill on Private Bills is Bill No. 33, An Act to amend An Act and consolidate An Act to incorporate Manitoba Pool Elevators, standing in the name of the Honourable Member for Logan. (Stands)

SECOND READING PRIVATE BILLS BILL NO. 16 — THE MONTREAL TRUST TRUST COMPANY OF CANADA ACT

MR. WARREN STEEN (Crescentwood) presented Bill No. 16, The Montreal Trust Company of Canada Act for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Member for Crescentwood.

MR. STEEN: Mr. Speaker, in moving this Bill I would like to say a few words in respect to it and a little bit of the history of the Montreal Trust Company and relate it to a Bill that was passed here in the Legislature back on July 20th, 1978, which at that time was the Royal Trust Company's Bill and to try and draw a parallel between these two Bills.

The Montreal Trust Company, Mr. Speaker, was incorporated in the Province of Quebec in 1889 and now carries on business in all provinces of Canada. It has been decided by them to rationalize the business of the Montreal Trust Company by centralizing the business, which emanates outside of the Province of Quebec and which is governed by the rules of common law in a federally incorporated trust company, the Montreal Trust Company of Canada, which is a wholly owned subsidiary of the Montreal Trust Company.

Business of the Montreal Trust Company which emanates from the Province of Quebec and which thus governed by the civil law applied in that particular province will remain with the Quebec incorporated trust company. In pursuance of this purpose the Montreal Trust Company and the Montreal Trust Company of Canada have had enacted a private bill in the Legislature of the Province of Ontario, this bill being Bill PR 7 which was granted Royal Assent on June 17th, 1980. It is the intention of the Montreal Trust to have private bills enacted in all provinces of Canada other than

that of the Province of Quebec. Ontario is the only province so far, Mr. Speaker, that has had a private bill enacted for the Montreal Trust Company and Manitoba being the second province that they have petitioned for such a bill.

This Bill, Mr. Speaker, Bill 16 is, as I said in my opening remarks, is very closely related to the Ontario Bill that was passed by the Ontario Legislature and is very closely drafted and drawn up in respect to the Royal Trust Company and the Royal Trust Corporation of Canada, a Bill which received Royal Assent here in this Legislature July 20th, 1978.

The Royal Trust legislation dealt with the identical situation, where the Trust Company which is also incorporated in the Province of Quebec, also incorporated a federally incorporated trust company at that time known as the Royal Trust Corporation of Canada for the purpose of taking over and carrying on certain of its businesses in the Province of Manitoba. There are no substantive changes between the Royal Trust Company Act, Chapter 57 of the 1978 Manitoba Statutes and Bill 16, the Bill that I am sponsoring in this particular session of the Manitoba Legislature. Rather the drafting of this particular Bill, Bill 16, Mr. Speaker, has been tightened and in my opinion improved upon by Legislative Counsel. In order to fully protect the rights of all persons, who have had dealings with the Montreal Trust people, we have a section in this Bill, Section 51, which stipulates that "notwithstanding any transfer of matters from the the existing Montreal Trust Company to the new federally incorporated Montreal Trust Company of Canada pursuant to the Bill any persons having a claim against the Montreal Trust Company may continue to assert and enforce it against the Montreal Trust Company.

Furthermore Section 5(2) provides that any judgment obtained against the Montreal Trust Company of Canada in a matter transferred to it by the Bill may be enforced against the federally incorporated company or the Quebec incorporated company and, Mr. Speaker, at the time that this bill goes to committee the legal counsel for the Montreal Trust Company, which is Mr. Harold Buchwald of the Buchwald, Asper, Henteleff Law Firm is prepared to appear before committee and answer any questions or any concerns that members of the Legislature or members of that particular committee might have at that time.

As I said, Mr. Speaker, this bill is very very similar to one which was passed three years ago in this Legislature; one for the Royal Trust Company and therefore, Mr. Speaker, I would recommend that this bill be passed on to committee at which time, it is a short bill, but at which time it can be studied in greater depth.

MR. SPEAKER: The Honourable Member for Logan.

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

MOTION presented and carried.

ADJOURNED DEBATES ON SECOND READING — PUBLIC BILLS

MR. SPEAKER: Adjourned Debates on Public Bills.

Bill No. 5, An Act to amend The Gasoline Tax Act, The Motive Fuel Tax Act, The Revenue Act, 1964, The Retail Sales Tax Act, and The Tobacco Tax Act, standing in the name of the Honourable Member for Minnedosa. (Stands)

Bill No. 14. An Act to amend The Medical Act, standing in the name of the Honourable Member for Rhineland. (Stands)

Bill No. 17, The Medical Act; standing in the name of the Honourable Member for Logan. (Stands)

BILL NO. 23 — AN ACT TO AMEND THE CONDOMINIUM ACT

MR. SPEAKER: The Honourable Member for Logan.

MR. JENKINS: Mr. Speaker, we have examined this Bill and we are prepared to let this Bill go to committee.

QUESTION put, MOTION defeated.

MR. BRIAN CORRIN (Wellington): Yeas and Nays, Mr. Speaker.

MR. SPEAKER: Has the honourable member support? Call in the members.

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

YEAS

Messrs. Adam, Bostrom, Boyce, Cherniack, Corrin, Cowan, Doern, Evans, Fox, Jenkins, Malinowski, Miller, Parasiuk, Uruski, Walding.

NAYS

Messrs. Anderson, Banman, Blake, Brown, Cosens, Domino, Driedger, Einarson, Ennis, Ferguson, Filmon, Galbraith, Gourlay, Hyde, Johnston, Jorgenson, Kohnats, McGill, McGregor, McKenzie, Mercier, Minaker, Sherman, Steen.

MR. CLERK, Jack Reeves: Yeas 15, Nays 24.

MR. SPEAKER: I declare the motion lost.

Bill No. 24, An Act to amend The Condominium Act (2), standing in the name of the Honourable Member for Logan. (Stands)

Bill No. 28, An Act to amend The Employment Services Act, standing in the name of the Honourable Member for Gladstone. (Stands)

Bill No. 30, An Act respecting the Sperling Joint Community Centre District, standing in the name of the Honourable Member for Logan. (Stands)

Bill No. 37, An Act to authorize the Rural Municipality of Montcalm to Sell and Convey a Portion of a Public Road within the Municipality, standing in the name of the Honourable Member for Logan. (Stands)

Bill No. 40, An Act to amend The Chartered Accountants Act, standing in the name of the Honourable Member for Logan. (Stands)

SECOND READING — PUBLIC BILLS

BILL NO. 18 — THE PHARMACEUTICAL ACT

MR. KOVNATS presented Bill No. 18, The Pharmaceutical Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Member for Radisson.

MR. KOVNATS: Thank you, Mr. Speaker. This is the second time that I've presented this bill. If you could recall what I said the last time, then I probably don't have to say too much but seeing that it was a year ago, I better explain.

The Pharmaceutical Association has pointed out that the present Act has remained largely unchanged and unamended for the last 20 years. This particular Pharmaceutical Act does differ somewhat from the other more uniformed format followed by the other health disciplines. We can appreciate that pharmacy not only has the professional component but must provide penalties and fines for offences regarding the business end of the pharmacy business.

The Pharmaceutical Association is proposing that lay persons beyond the council or governing body and also another committee such as the Disciplinary Committee. It also provides for the approval of by-laws by the Lieutenant-Governor-in-Council when such by-laws define an offence and imposes a penalty for that offence. The decisions of council on disciplinary matters which give rise to penalties of any kind are now subject to appeal, first from the Disciplinary Committee of Council and second, from the Council to a judge of the Court of Queen's Bench. The Association has had considerable concern over the professional qualifications of its members and their continuing competence. It is now a condition pursuant to annual licensing that a member demonstrate that he has completed a certain amount of additional and professional advancement and training in the preceding year. When a member of the Association has retired from active practice, these requirements are not imposed. Therefore, in the event of re-licensing, the Association must satisfy itself that the applicant has maintained himself in a current state of knowledge respecting his profession. Council or the registrar may require examination if they are not satisfied as to the professional competence of the applicant.

In a consumer-oriented society, the number of complaints dealt with by the Association and the number of matters coming before it for disciplinary breach has substantially increased as the penalties at the present time as contained in the Act are inadequate in relation to the economic value of the dollar. It has recommended that penalties be increased to a realistic amount. Where a member of the Association through his misdemeanor necessitates the holding of a disciplinary hearing, the Council is of the view that some part, at least of the cost of the hearing, should be recoverable against the member if he is in fact fined, censored, suspended or expelled.

There is no change in the present section governing the dispensing of drugs except a minor amendment in wording to clarify the section which permits a prescriber to waive a no substitution instruction. The Act as mentioned is really an updating and strengthening of the present provision of the Act and is not too different from the previous Act. I recommend it to third reading.

MR. SPEAKER: The Honourable Member for Logan.

MR. JENKINS: Mr. Speaker, I beg to move, seconded by the Honourable Member for Wellington that debate be adjourned.

MOTION presented and carried.

BILL NO. 20 — THE REGISTERED DIETITIANS ACT

MR. LLOYD G. HYDE (Portage la Prairie) presented Bill No. 20, The Registered Dietitians Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Member for Portage.

MR. HYDE: Mr. Speaker, in moving this bill and this Act replaces the Act to Incorporate the Dietitians Association of Manitoba passed in 1957. The Association has requested that the definition of a dietitian be amended to conform with current practice. The Board has followed the general guidelines aimed at developing more uniform Acts with respect to the format, registration, licensing and the standards set in discipline procedures, etc., as were passed at the last Session of this Legislature for the nursing professions. This bill was passed as you can recall during the last Session one year ago. The licensing and disciplinary procedures are separated from the economic aims of the Association.

The by-laws are the responsibility of the Board and the regulations governing licensing standards. Education is to be approved by the Lieutenant-Governor-in-Council. There is provision for lay representation on the Board of Directors Complaints Committee and the Discipline Committee. The dietitians request that the provision for an advisory council be maintained in their Act. This advisory council will in their opinion assist them in monitoring the activities of their membership insofar as educational standards are concerned.

I assure members of the Committee that members of the Association will be present to answer any questions that may arise during the clause-by-clause consideration of this bill. Mr. Speaker, I recommend that this bill be placed before the Committee for further study if it's necessary.

MR. SPEAKER: The Honourable Member for Logan.

MR. JENKINS: I beg to move, seconded by the Honourable Member for Ste. Rose, that debate be adjourned.

MOTION presented and carried.

BILL NO. 21 — THE PHYSIOTHERAPISTS ACT

MR. STEEN presented Bill No. 21, The Physiotherapists Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Member for Crescentwood.

MR. STEEN: Mr. Speaker, back in 1957 this Legislature passed an Act respecting the practice of physiotherapy at that time and what we are trying to do now with this new bill, Bill No. 21, is to update that Act of that time and the physiotherapists have asked us if we could come forward with a new bill and an updated bill which will be very similar to the bills that were passed in this Legislature last year respecting the nurses, if you will recall, Mr. Speaker, the three nursing Acts that were passed last year. So the Board of the Physiotherapists are prepared with this bill to have a uniform Act that will with respect to the format follow the registration, the licensing and the standards that were set in the nursing bills and the various discipline procedures that were enacted in those nursing professional bills that were passed here a year ago.

This bill is not too much different than The Dietitians or The Pharmaceutical Act. It's a bill that is in place or hopefully will be in place that will protect you and I, Sir, as you with your sore back and me with my bad ankle are accepting and taking treatment recently from physiotherapists, so that you and I, Sir, will have the knowledge and the protection that the persons that are treating us are qualified people and know their business. Therefore the second aspect of the bill is so that the Association themselves can police and look after their own membership as to ethics and practices as well as educational standards. So the licence and disciplinary procedures are within the bill and the College of Physicians and Surgeons have approved the definitions that are listed in the bill and physiotherapists will continue to have to consult with doctors in order to carry on continuing treatments to any person such as I cited, yourself or myself, Sir, and that any changes in regulations must receive the approval of an Order-in-Council.

So I think that the general public in Manitoba has all the protections built within the bill and I would, Sir, through you, recommend to the members of the Legislature that this bill be proceeded on to Private Members' Committee so that representation from the public and from the physiotherapists themselves can be made at such time to members of that Committee and all members of the Legislature. I recommend the bill, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Logan.

MR. JENKINS: Mr. Speaker, I beg to move, seconded by the Honourable Member for Kildonan, that debate be adjourned.

MOTION presented and carried.

BILL NO. 43 — THE PUBLIC UTILITIES BOARD ACT

MR. GREEN presented Bill 43, An Act to amend The Public Utilities Board Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Mr. Speaker, it's appropriate and completely fortuitous that this Bill is before the

House today because today, Mr. Speaker, the Greater Winnipeg Gas Company announced that they will do voluntarily what the bill says shall be their responsibility and which it is my contention has always been their responsibility, and which they now say, Mr. Speaker, interestingly enough that they always intended to do. So they subjected the Minister of Consumer Affairs and the Minister of Labour to hours of debate in this House on a question which they say, Mr. Speaker, they were always prepared to pay these charges, they just wouldn't do so because they would be accused of strikebreaking.

Now, Mr. Speaker, in the question period, I asked the question whether, given the fact that the Greater Winnipeg Gas Company has played February, March and April Fool's Day with all of its employees, and with all of its customers for the period of the industrial dispute, would the Minister now say that there should be an industrial enquiry to see whether in fact the dispute with respect to that particular essential service was in any way prolonged by the callous, Mr. Speaker, and by their admission, deceptive action of the Greater Winnipeg Gas Company. Because they now say, Mr. Speaker, "Oh, it was only a joke," when people phoned up the Winnipeg Gas Company and said, "I need some service", and the Gas Company said, "Phone a private contractor," and you said, "Who pays for it?" and the Gas Company say, "You do". Now they're saying, "Fooled you." Is the member saying that didn't happen? —(Interjection)— Mr. Speaker, I telephoned myself and that's what they said. Mr. Speaker, I telephoned myself and that's what they said. Now we have the Minister suggesting that what I say is not true? What is it his suggestion that what I'm saying is not true? —(Interjection)— Mr. Speaker, the Minister is saying that they didn't say, "We fooled you, it was a joke." Of course they didn't say that.

What they said was that, "We intended to do all along, provide this service, and when we were telling you that you're going to have to pay for it yourself, we were lying, we fooled you." Now they didn't use the words, "We fooled you," but that's what they have said, and I don't know why the Minister wants to defend them. I don't know why the Minister is up tight about this. Did they tell the Minister that they were going to pay those bills all along? Is it he who has deceived the people of the Province of Manitoba, because he seems so sensitive about it, one would think that he was involved in it? I'm not suggesting that he was, but he seems very upset about it. That's what they've now said, Mr. Speaker. They've now said, "Those services that we provided to the people of Manitoba as part of our normal service, as part of their bill, which we told them they would have to pay for," and that's what they did tell them.

Well, he might be in on the joke, because he thinks it's so funny. Perhaps I am too charitable to the Minister. Perhaps he did know that this was going to be a deception. It's not a deception, Mr. Speaker. The Greater Winnipeg Gas Company has been caught, Mr. Speaker, with its pants down. It knows that the actions that it has taken are indefensible, and it knows therefore, that it had better make amends, and had better honour those obligations that it had. This bill, Mr. Speaker, which

was given first reading to some months ago, and is now being given second reading, doesn't say anything that every member of the House did not believe to exist.

If necessary, Mr. Speaker, and the bill goes to Committee, in order that the citizens of Winnipeg don't have to be told that they are being subjected to the generosity of the Greater Winnipeg Gas Company, but that what they're getting, they've paid for and are entitled to. This bill could be made retroactive to deal with that question if there's any possibility about it. That I would propose to do, Mr. Speaker, if the bill goes to Committee.

What does the bill say, Mr. Speaker? It merely says that where there is a charge which has been authorized by the Public Utility Board, to be imposed for the provision of a service, and that service is one which is normally supplied and was taken into account of when the charges were laid, then, Mr. Speaker, the Utility Board shall not cease or discontinue that service. Now is that unreasonable? Could anybody say that is unreasonable? I say that it is so reasonable that it is the law at the present time. But the Minister said that it wasn't the law. The Minister says that the Greater Winnipeg Gas Company is now donating this to their customers. I say, Mr. Speaker, that the people of the City of Winnipeg don't need a donation from the Greater Winnipeg Gas Company, that they need a law and a Minister who is willing to see to it that the law is enforced.

The provision that is contained in Bill No. 43 is just such a law, Mr. Speaker, and it's significantly I suggest, introduced on this day, when the Greater Winnipeg Gas Company says, Mr. Speaker, and the Minister says — and he turns it into that I am a liar. Well, now I've had the honour, Mr. Speaker, because I consider it a singular honour; there could be no greater compliment to your integrity than to be called a liar by the Minister of Energy. Anybody who gets that type of compliment could raise that above almost any other compliments that he can get. (Interjection)— Now the Minister of Consumer Affairs is trying to vie with him for making that kind of compliment. I didn't expect it of him. But nevertheless, if that's the game he wants to play, he won't find me yelling for retractions, because when that kind of statement is made, Mr. Speaker, from that type of person, then it becomes a real compliment. I regret that it happens to come from that source, because I've tried to deal with it in an honourable way. Sure, the Winnipeg Gas Company didn't use the words, we fooled you, but that's what they're saying, Mr. Speaker, they're saying, "We fooled you. When we told you that you have to hire a contractor, and we told you that you were going to have to pay the cost of it, and when we told the Minister and the Public Utility Board that we have the perfect right to do this, and we are not obliged to pay for that service," and then the Gas Company said, "We meant this all along." Is it wrong to say that what they're saying is that we fooled you? Is that a lie. "We meant this all along, but we told you something else."? Mr. Speaker, what they're saying is, "We fooled you."

I don't think the citizens of Winnipeg have to be treated that way by their public utility who they franchise and therefore, Mr. Speaker, the Minister

said, and I want him to remember his words. I said, "You are the Minister. You could bring in a bill to change this matter." His answer to me was, "The Legislature can do this. It's not I who do it. It's not he, the Minister, who has the power. The Legislature has the power." He said any member could do it. Well, I'm a member of the Legislature and he says any member could do it that has equal power. Well, here's a chance to prove that I have equal power to him because I've now brought in the bill which would rectify the problem, which does not demand anything more of the Greater Winnipeg Gas Company than that they continue to supply that service which they were supplying when they got their tolls, rates and charges approved of by the Public Utility Board.

Mr. Speaker, we've been through a rather sad industrial dispute over this question. As often happens with these disputes, the employees can never catch up with the loss of wages they have suffered and the hours they spent on the picket line in the cold weather, and I respectfully suggest that the government is partially responsible for that. Had the Gas Company had to pay these charges when the people were on strike, and knew they had to pay them, and be required to fulfill their responsibility, I don't believe that strike would have lasted that long. I believe the parties would have engaged in much more realistic collective bargaining and reached an agreement much earlier. However, that's really speculative. Nobody can really say that would happen.

But what should happen is that we should learn from this particular industrial dispute, Mr. Speaker, and I think that there is every reason to enquire into the facts. I think that if the Company says, as they now say, that they at all times intended to do it, but they didn't do it because they would have been accused of strike-breaking, Mr. Speaker, that's almost a bigger joke than the other joke they tell. Can anybody accuse a citizen of Winnipeg who is freezing, because his gas won't work, accuse him of strike-breaking because he wants to get a serviceman to repair his gas unit so that the heat will go on, and could anybody fault the Gas Company, the employees indeed themselves, if they say, "We'll send somebody down and we'll pay it." Indeed the employees said that on the first day they were on strike, that the people who are being charged for services that the company normally rendered, should see to it that the company pays them.

The union people in this respect, Mr. Speaker, are not quite as obtuse as some people in a political party who would say that when the gas doesn't work, and the employees are on strike, you cannot hire anybody to see to it that your gas works. I mean, they're not quite that silly. Politicians can say that, but the employees know a little better than that. They would never say that. I notice that even the politicians have now backed away from that. They fought it through three conventions, and through endless caucus meetings, and said that anybody who doesn't go along with it has to go, but when the boys have gone, they have backed off the policy. What they're saying is, "Yes, the Member for Inkster was right all along, but he's gone and that's all we're concerned with." Well, that's okay, Mr. Speaker. Each of us has to play whatever political role he feels is right.

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But the fact is, Mr. Speaker, that there can be no suggestion of strike-breaking. The fact is that the Minister, if he thinks that this law did not apply, should apply it, and should especially apply it because what we are dealing with is an essential public service, and that the people who get the exclusive authority to deliver such an essential public service have to be . . .

MR. SPEAKER: Order please. Order please. The hour is 5:30. When this subject next comes up, the honourable member will have seven minutes remaining.

The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, I move, seconded by the Honourable Minister of Natural Resources that this House do now adjourn and resume in Committee of Supply at 8:00 o'clock.

MOTION presented and carried and the House adjourned and stands adjourned until 2:00 o'clock Wednesday.