

LEGISLATIVE ASSEMBLY OF MANITOBA
Wednesday, 29 April, 1981

Time — 2:00 p.m.

MR. CLERK, Jack Reeves: It is my duty to inform the House of the unavoidable absence of Mr. Speaker and ask the Deputy Speaker to take the Chair.

OPENING PRAYER by Mr. Deputy Speaker.

MR. DEPUTY SPEAKER, Mr. Abe Kovnats (Radisson): Presenting Petitions . . . Reading and Receiving Petitions . . .

**PRESENTING REPORTS BY
STANDING AND SPECIAL COMMITTEES**

MR. DEPUTY SPEAKER: The Honourable Member for Virden.

MR. MORRIS McGREGOR: 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 Dauphin, that the Report of the Committee be received.

MOTION presented and carried.

**MINISTERIAL STATEMENTS
AND TABLING OF REPORTS**

MR. DEPUTY SPEAKER: The Honourable Minister of Education.

HON. KEITH A. COSENS (Gimli): Mr. Deputy Speaker, I wish to table the Annual Report of The Public Schools Finance Board for the year ending December 31, 1980.

MR. DEPUTY SPEAKER: Notices of Motion . . .

INTRODUCTION OF BILLS

MR. ROBERT ANDERSON (Springfield) introduced Bill No. 25, The Registered Respiratory Technologists Act.

MR. J.R. (Bud) BOYCE (Winnipeg Centre) on behalf of the Member for Inkster introduced Bill No. 54, An Act to repeal The Elections Finances Act.

ORAL QUESTIONS

MR. DEPUTY SPEAKER: The Honourable Leader of the Opposition.

MR. HOWARD PAWLEY (Selkirk): Mr. Deputy Speaker, my question is to the Minister of Economic Development. Can the Minister confirm that the company of Walter Woods is phasing out its office and warehouse in the City of Winnipeg involving some 70 employees, transferring its operations to the Province of Alberta?

MR. DEPUTY SPEAKER: The Honourable Minister of Economic Development.

HON. J. FRANK JOHNSTON (Sturgeon Creek): No I can't, Mr. Deputy Speaker, I will check into the matter.

MR. PAWLEY: Mr. Deputy Speaker, then I ask the Acting Minister of Labour whether the Acting Minister of Labour can advise whether or not appropriate notices have been received in the Department of Labour pertaining to the intended closure of Walter Woods in respect to employment layoff.

MR. DEPUTY SPEAKER: The Honourable Minister of Culture and Historical Events.

HON. NORMA L. PRICE (Assiniboia): Mr. Deputy Speaker, in the absence of the Minister of Labour, I'll take the question as notice and get back to you.

MR. PAWLEY: With permission of the members, back to the Minister of Economic Development. In checking out this report which the Minister indicates he is not aware of, can the Minister pursue various means and steps by which the 70 employees I understand will have their jobs phased out, that indeed these circumstances can be reversed rather than the closure out of an important operation such as Walter Woods from the Province of Manitoba in main form?

MR. JOHNSTON: Mr. Speaker, I will check it out but if the Leader of the Opposition has a report available I'm telling him that it's his job to get it to me so I can do something about it. Instead of standing up trying to pour the doom and gloom as he does every day, why doesn't he have the responsibility to give me the report?

MR. PAWLEY: Mr. Deputy Speaker, I'm somewhat interested in the sensitivity of the Minister of Economic Development. If indeed information such as this is reported to the members of the Opposition I would have thought that the Minister of Economic Development with his staff and with his operations at his disposal would be amongst the first in the Province of Manitoba to receive information of this nature and not the last which appears may very well be on the part of the Minister of Economic Development, Mr. Deputy Speaker.

Further to the Minister of Economic Development, I wonder if he can provide us any further information then being responsible for the stewardship of Economic Development in the Province of Manitoba and the indication last year that Kane Limited would be closing this year, can the Minister assure us that indeed some steps have been undertaken in regard to this by his department to ascertain whether or not there are steps that can be undertaken by Kane in co-operation with his department to prevent this closure which will affect, if it proceeds, some 40 employees in the Province of Manitoba by this summer?

MR. JOHNSTON: We have been in touch with Kane Equipment. We do have information within the department regarding that company, Mr. Speaker. I don't intend to put the company's records on public view, Mr. Speaker.

MR. PAWLEY: Mr. Deputy Speaker, we're not asking for the Minister to put anything on public view; we would hope that the Minister would be doing something within his department to earn that which he is receiving as a Minister of Economic Development. Can the Minister advise then that indeed his department is working with the company to avoid this layoff which was intended to take place this year on the part of Kane?

MR. JOHNSTON: Mr. Speaker, as I've said, we have been touch and worked with Kane Equipment but I am not able to report whether the company will be staying open or not. It is hopeful that they will but I rather think the Leader of the Opposition is hopeful that they won't.

INTRODUCTION OF GUESTS

MR. DEPUTY SPEAKER: If I could just ask the indulgence of the honourable members just for a moment, I would like to point out in the gallery where we have 40 students; 20 from Quebec and 20 from the Precious Blood School in Winnipeg under the direction of Mr. Dureault and Mr. Prateau from Quebec. I believe it's an exchange visit to the Precious Blood School in St. Boniface. This school is located in the constituency of the Honourable Member for St. Boniface, Mr. Desjardins.

We welcome you here this afternoon.

The Honourable Member for St. Boniface.

MONSIEUR R. LAURENT L. DESJARDINS: Monsieur le Président, votre intérêt dans la belle langue française et aussi le caractère bilingue de cette Chambre, il me semble que vous devriez profiter de cette occasion lorsque vous occupez cette chaise pour au moins parler de l'école du Précieux-Sang et non du Precious Blood. J'espère que vous pourrez faire cette correction et nous donner quelques mots en français comme si vous étiez intéressé.

MR. DEPUTY SPEAKER: The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Speaker, on a matter of privilege. The Minister of Economic Development just a few moments ago suggested that the Leader of the Opposition was hoping that Kane Equipment would close its operations. Mr. Speaker, this is an attempt by the Minister of Economic Development not to insult solely, but an attempt to impute motives behind the questions being posed by myself as Leader of the Opposition. If that indeed was the case, which is totally false, the opposition would not be persistently day after day, Mr. Deputy Speaker, attempting to obtain from the Minister of Economic Development some effort, some gumption on his part to prevent the continuing foreclosures and transfers of operations from the Province of Manitoba, if indeed that was the case, Mr. Deputy Speaker, the Leader of the Opposition and all members on this side would be remaining mute in their place.

So, Mr. Speaker, on a matter of privilege which I feel is quite warranted in view of the attempt, the careful designed attempt on the part of the Minister of Economic Development that is finding himself in an increasingly indefensible position, to attempt to impute motives to members on this side that are asking questions attempting to obtain from the Minister of Economic Development some constructive effort on his part as steward responsible for Economic Development in this province in order to prevent what is occurring in Manitoba pertaining to economic development of a negative nature.

MR. JOHNSTON: Mr. Speaker, on the same point. The honourable member stood up today, presented me with something that had never been presented to me before — I don't know whether it's ever been in the paper — but before he comes forward and has some discussion about the company or asks us to do any investigation at all he puts it in the public arena which puts probably the company in a bad position at this particular time and he doesn't seem to care when he does that.

Now the Leader of the Opposition keeps talking about what this side of the House is doing as far as economic development is concerned and I've never heard anything more constructive from him except an interest program that is in the Province of Saskatchewan which would not work in this province. Let them stand up and tell us what their policy is other than ownership.

MR. PAWLEY: Mr. Speaker, further to the comments by the Minister of Economic Development. But first in regard to matters of public record . . .

MR. DEPUTY SPEAKER: Order please. The Honourable Government House Leader on a point of order.

HON. GERALD W.J. MERCIER (Osborne): On a point of order, Mr. Speaker. The Honourable Leader of the Opposition indicated he had a matter of privilege to speak to. He spoke to it; he did not conclude with a motion. I therefore suggest that you rule that there is no point of privilege and we return to the question period.

MR. PAWLEY: I'm rising on a new matter of privilege because the Minister of Economic Development indicated that I was rising in respect . . .

MR. DEPUTY SPEAKER: Order please. The Honourable Government House Leader.

MR. MERCIER: On a point of order, Mr. Speaker. The Honourable Leader of the Opposition indicates that he now has another matter of privilege. I think it is properly in order to rule upon the first matter of privilege.

MR. DEPUTY SPEAKER: To the honourable members, I would hope that because it's not that often that I'm sitting in the Chair that the honourable members are not taking advantage of the Deputy Speaker.

I would acknowledge the Honourable House Leader of the Opposition.

MR. PETER FOX (Kildonan): Thank you, Mr. Speaker. Just to assist you let me indicate that a matter of privilege arose over the fact that a Minister imputed motives to a member of this House is unparliamentary and the question was raised as a matter of privilege by my leader. I think that should be ruled upon.

In respect to further procedures, if every time the Minister gets up, whether he's on a point of order or replying to the matter of privilege, if he also at that time creates another matter of privilege then that too has to be dealt with. But I think we should deal with one at a time and the first one is the matter of privilege in respect to imputive motives to a member of this Assembly which is unparliamentary and I think the Honourable Minister should withdraw.

MR. DEPUTY SPEAKER: Maybe we should start again. The Honourable House Leader of the Opposition.

MR. FOX: Mr. Speaker, that's why I gave you a chronological order of what occurred and what I would hope we would proceed with; that's why I've always maintained that a point of order takes precedence over a matter of privilege because we must have correct procedures before we know what we're doing.

MR. DEPUTY SPEAKER: I'm inclined to agree. On the first point of privilege I'm going to require some assistance in making a decision on it.

To the honourable members, on a point of privilege it should be brought to an end with a substantive motion. As there was no substantive motion I would have to rule it out of order.

The Honourable Member for St. Boniface

MR. DESJARDINS: Mr. Speaker, I wish to speak on a point of order. The Minister apparently is not in a very good mood; I understand he didn't have a very good night's sleep last night but that's not my concern right now. I still don't think that he should insult me. Mr. Speaker, the Minister made a clear statement that we on this side were pleased to see people closing up.

A MEMBER: That's right.

MR. DESJARDINS: Here we heard again "that's right". We heard it from that side and if you want to start over I think the Minister, now that he's reflected on that, should realize we can't go on in this House like that and should withdraw that statement. Furthermore, we are told repeatedly that the question period is to try to get information. My leader asked to try to have a certain thing confirmed; the Minister took exception to that and felt that if he had any information he should bring it to him. That is not something, Mr. Speaker, that we should be chastised for.

They have the staff, the Minister has certain responsibilities and it is certainly a political question, a political subject and this is something that is completely in order for any members of the House to ask if this is right or not. You don't wait till it's too late. Now the Minister didn't have to answer it, doesn't have to answer it. He said quite rightly that he wants to check it but he wasn't so right. Well,

then when he offered his observation that we on this side would want only that then I as a member sitting on this side resent that very much because I don't like to see that at all and I don't suggest any members of this House would like to see that.

MR. DEPUTY SPEAKER: To the honourable member on his point of order, a difference of opinion does not constitute a point of order.

MR. DESJARDINS: Mr. Speaker, it's not a difference of opinion. I've asked you to rule, to ask the Minister, I thought that he would get on it himself, to ask him to withdraw that statement he's made; that is not a difference of opinion and I respectfully suggest that you have no alternative right now but to ask the Minister to withdraw that statement that you know and everybody knows . . .

MR. DEPUTY SPEAKER: Order please, order please. On a point of order, there is only one way to counteract a ruling made by the Chair. I ruled it as a difference of opinion and ruled the point of order out of order and if you disagree with what the ruling has been, you've got to come up with a motion in disagreement as far as the ruling of the Chair.

The Honourable Member for St. Boniface.

MR. DESJARDINS: Mr. Speaker, are you saying that it is correct now, that we can make accusation from across the floor to impute motives on members of this House; and if that is your decision then I'm very sorry to appeal your ruling.

MR. DEPUTY SPEAKER: Order please. I did not make that decision. I ruled on the point of order and the point of order was that it was out of order. I did not make any ruling other than that. Don't put words in my mouth.

The Honourable Member for St. Boniface.

MR. DESJARDINS: How can I ask you then if I have no point of order, how can I ask you and ask the Minister to withdraw that statement which is not in order? If you tell me a way around that I'll do it.

MR. DEPUTY SPEAKER: The Honourable Minister on a point of order.

MR. JOHNSTON: On the point of order, I'm well aware of the rules of this House and if my remarks were interpreted as imputive motives I withdraw them.

MR. DEPUTY SPEAKER: The Honourable Member for St. Boniface.

MR. DESJARDINS: . . . the Minister but I can't help but ask you how you recognize him on the same point of order when you told me I had no point of order. But the correction has been made, I'm pleased and I'll desist.

MR. DEPUTY SPEAKER: The Honourable Member for Minnedosa.

MR. DAVID BLAKE: Thank you, Mr. Deputy Speaker. My question is directed to the Minister that answers to the House for the Manitoba Telephone

System. I wonder if he can inform the House, I understand there is a new multimillion dollar telephone building being constructed at Selkirk, construction about to begin very shortly, I wonder if he can inform the House what that means to that community in the way of employment and could he inform the House if he has received a letter of congratulations from the Leader of the Opposition for bringing that establishment to his town?

MR. DEPUTY SPEAKER: The Honourable Minister responsible for Manitoba Telephones.

MR. DON ORCHARD (Pembina): Thank you, Mr. Deputy Speaker. Yes, Mr. Deputy Speaker, I can confirm that we are very shortly to undertake construction, not us as government but private contractor, undertake construction of an office building in the Selkirk community. It is part of this government's ongoing decentralization program in the Manitoba Telephone System started by my predecessor, the now Minister for Natural Resources.

I understand that the building is to be valued at approximately \$1.5 million and involves in the decentralization the move of some 27 staff positions out to Selkirk and we believe that this will have a fairly significant impact upon the community in terms of employment possibilities within the community and is part of, as I indicated earlier, our ongoing process of decentralization of Manitoba Telephone Systems.

I will answer the second question posed by the Member for Minnedosa. No, I am not aware of a letter of congratulations from the Leader of the Opposition. I'm not certain he knows that is going on in his constituency.

MR. DEPUTY SPEAKER: The Honourable Leader of the Opposition.

MR. PAWLEY: Mr. Deputy Speaker, further to the question by the Member for Minnedosa to the Minister responsible for the Telephone System, can the Minister responsible for the Telephone System acknowledge that indeed last fall, while expressing regret over the fact that the government has seen fit to centralize a number of activities that formerly existed in the Town of Selkirk, that indeed the Manitoba Telephone System deserved to be commended for decentralizing operations in three centres in Manitoba — not just Selkirk — but I believe as well if the Minister wanted to further expand on his answer, two other centres as well. Would the Minister acknowledge that there was commending of the efforts by the Telephone System last fall in this regard?

MR. ORCHARD: Well, Mr. Deputy Speaker, not that I quite followed the Honourable Leader of the Opposition's question, but it is standing policy of this government to undertake decentralization of the Manitoba Telephone services operations where practical, possible, and economical. It is in that direction of decentralization that the community of Selkirk has been favoured with one of the major moves in the decentralization process and I think members of the community of Selkirk, the mayor, the members of city council and the business community in Selkirk are pleased that this government is undertaking that kind of a decentralization move.

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

MR. D. JAMES WALDING: Mr. Speaker, my question is to the Minister reporting for the Manitoba Telephone System. I would like to ask the Minister if he could advise the House as to the policy of the System as regards the public availability of system board minutes.

MR. ORCHARD: If I understand the question, what is the disposition of system board minutes? The policy? I would have to take that question under notice, Mr. Speaker, and provide the member.

MR. WALDING: Just a supplementary question, Mr. Speaker. I would like to ask the same Minister, what is the government's policy on the public availability of system board minutes?

MR. ORCHARD: Mr. Speaker, I indicated that I would provide the member with those answers.

MR. WALDING: Thank you, Mr. Speaker, a supplementary question. At the same time the Minister is attempting to identify the government's policy in this matter, would he also make himself aware of The Corporations Act, which requires that all corporations' minutes and records should be available to the public and that this Corporations Act was passed in 1976. I also bring that to the attention of the Honourable Minister without Portfolio.

MR. DEPUTY SPEAKER: Orders of the Day. The Honourable Member for Fort Rouge.

MS. JUNE WESTBURY: Thank you, Mr. Speaker, my question is addressed to the Honourable Minister of Fitness and Amateur Sport. I wonder when we can expect an announcement relative to the proposed field house that was promised in the 1977 election campaign.

MR. DEPUTY SPEAKER: The Honourable Minister of Fitness and Amateur Sport.

HON. ROBERT (Bob) BANMAN (La Verendrye): Well, Mr. Speaker, without taking the last part of the statement as being a fact, I would like to say that we have had this last month, meetings with the mayor and some of the councillors in the City of Winnipeg. We have also had discussions with the Manitoba Sports Federation and several other organizations trying to find out exactly the needs and requirements of those different organizations. I am hopeful that in the very near future we will be able to sit down with the City of Winnipeg again and present certain definite plans with regard to the involvement of the Provincial Government in one form or another, in the establishment of a field house facility in Metropolitan Winnipeg.

MS. WESTBURY: Well, Mr. Speaker, I accept the fact that this Minister is dedicated to a field house — I'm not sure about the rest of his Cabinet — but I'm not questioning his commitment there. Is it not so, Mr. Speaker, that all of the sporting organizations, the MTFA and the Manitoba Sports Federation and so on, made their presentations to

the task force, who I think presented their report in October, 1980. Why are they starting new discussions with the sporting organizations when they've already been heard from through the task force?

MR. BANMAN: Well, Mr. Deputy Speaker, the terms of reference given to the task force, there were three different areas there they were to explore; one was a joint-use facility between the University of Winnipeg and the public at large, namely, the City of Winnipeg through their Parks and Recreation Department. It was supposed to be established in the downtown core area and it was supposed to meet some other requirements. It has now become obvious that the joint-use concept is one which is not acceptable by a number of the groups and, as a result, we have to undertake some other negotiations.

The member will appreciate that the Province of Manitoba does not build any facilities and does not operate any recreational facilities in the Province of Manitoba and, therefore, the operations and the construction of a facility like that would necessitate the concurrence and the cooperation, as well as the input, from a municipal level, i.e. the City of Winnipeg and that's one of the areas we're working with right now.

MR. DEPUTY SPEAKER: The Honourable Member for Fort Rouge with a final supplementary.

MS. WESTBURY: Mr. Deputy Speaker, would the Minister advise us whether the East Yards site is being considered for the field house, please?

MR. BANMAN: Mr. Deputy Speaker, that was one of the sites that was identified by the Task Force Report. It is a fairly good site, I would suggest it is one of the sites, as I mentioned, that is in consideration but the final determinations with regard to that have not been determined at this time.

MR. WALDING: On a point of order, Mr. Deputy Speaker. In referring to The Corporations Act in a question just now I might have referred to the public having access to minutes. What I had meant to say was that the Act refers to shareholders of the corporation.

MR. DEPUTY SPEAKER: The Honourable Member for Brandon Est.

MR. LEONARD S. EVANS: Thank you, Mr. Deputy Speaker. I'd like to ask a question of the Minister of Finance, and ask the Minister whether he can confirm that the rate of economic growth in the province last year, that is 1980, has been now calculated to be minus 2.3 percent by the latest estimates provided by the Conference Board in Canada; and that his statement in the last Budget Address on Page 9 of the Manitoba Economic Review Section, wherein he says: "Preliminary indications are that real growth actually declined by about three-quarters of one percentage point, including the effects of drought-related losses", that this preliminary indication that he referred to understates the actual economic decline that occurred last year in the province?

MR. DEPUTY SPEAKER: The Honourable Minister of Finance.

HON. BRIAN RANSOM (Souris-Killarney): Mr. Deputy Speaker, the difference is due to one figure cited by the member as the Conference Board information and the other is information provided by the department. The figure of minus three-quarters percent is one that the department has calculated some months ago and continues to believe is reasonably accurate. The Conference Board information, as he knows, has just recently been updated.

MR. EVANS: I believe the Minister will acknowledge that the Conference Board information is made available to the government of Manitoba; as Minister of Industry and Commerce I recall us becoming a member of this organization to get data. So I ask the Minister, Mr. Deputy Speaker, whether he can verify that since 1977, again using the Conference Board of Canada estimates, that the level of economic growth has declined since 1977 in total, 1977 to 1980, and that we unfortunately are the only province in Canada to have declined since 1977?

MR. RANSOM: Mr. Deputy Speaker, some of the information that was outlined in the Budget Address, of course, showed the background to the situation that prevails today in Manitoba and has prevailed for some years; how growth levels were high during the late 1960s and early 1970s when they were running 5 and 6 percent and they have declined to the point where, during the last year of the NDP administration, they had gone from those high levels of 5 and 6 percent down to where it was about 0.8 percent, I believe, Mr. Deputy Speaker. Since that time growth has continued to be more or less in that range, very little, if any, real growth during that period of time.

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

MR. EVANS: Thank you, Mr. Deputy Speaker. Will the Honourable Minister confirm that the rate of growth that has shown a decline since 1977, since this government has been in office, has not only been in agriculture which the Minister referred to in his Budget Address, but has also occurred in the mining industry — I'm talking about real output — also in the construction industry, the wholesale and retail trade and also in the public administration sector?

MR. RANSOM: Well of course, Mr. Deputy Speaker, in the area of public administration we acknowledge that, having been able to bring the growth of the Civil Service under control during our period of administration, and seeing reductions that probably still stand in the range of 1,300 to 1,500 people during that period of time, as opposed to an increase of several thousand during the administration of the previous government.

With respect to the mining situation, Mr. Deputy Speaker, it's perhaps not well known that the mining industry in this province had suffered a severe setback; the culmination of the setback and of the policies of the previous administration had resulted in an announcement some few hours before we assumed responsibility for government in 1977, when International Nickel announced that they were going

to have to cut back their work force at Thompson by several hundred people.

What we have seen since that time, Mr. Deputy Speaker, is a slow recovery of the industry, both nationally and internationally. Mr. Deputy Speaker, we never made a point of trying to blame the previous administration for that. But when the member now stands and says that mineral production in this province is down as a result of this government, then I cannot let that information go not being placed on the record, Mr. Deputy Speaker. We now have the highest rate of exploration in this province that we have ever seen and anyone who knows anything about mining knows that the future of that industry depends upon exploration.

MR. DEPUTY SPEAKER: The Honourable Member for Rupertsland.

MR. HARVEY BOSTROM: Thank you, Mr. Deputy Speaker. My question is to the Minister responsible for Parks in Manitoba. I would ask the Minister if he could indicate if he wrote in a letter to the Whiteshell District Association in February that there was to be no new rent structure proposal being advanced by the government as part of the master planning process for the Whiteshell Park and I would ask him if the Minister could indicate how he could have said that when, in fact, the department is now proposing a master plan featuring a new fee structure which is reported to include fee increases of up to 300 percent?

MR. DEPUTY SPEAKER: The Honourable Minister of Natural Resources.

HON. HARRY J. ENNS (Lakeside): Mr. Deputy Speaker, yes I can confirm that a letter was sent, I believe somebody who represents himself as Secretary or President of the Cottage Owners Association of the Whiteshell that clearly indicated to those people owning cottages, operating cottages in the Whiteshell Park that the government is contemplating no rise at all in any of the rental rates or charges for the coming year.

Furthermore, I indicated to him that the recommendations, the Planning Department's activities, in drawing up and working towards the master plan for future development in the Whiteshell would contain considerations of possible future recommendations that would come to government for consideration as to an appropriate rental fee that would realistically recover some of the service charges that no fair minded person objects to being charged and paying for. But, Mr. Speaker, at that same meeting that the honourable member refers to or the reporting of that same meeting, it was made abundantly clear that these were — and as the plan itself says — a draft summary of recommendations that will now once again go through the laborious process of public perusal, public meetings and then eventually end up as recommendations to the Minister.

MR. DEPUTY SPEAKER: The Honourable Member for Rupertsland.

MR. BOSTROM: Mr. Speaker, I would ask the Minister where the proposals are coming from. If he

is expressing an interest in hearing from the public on these proposals then I would ask him how his government can be proposing an assignment fee on the transfer of lots which some people have labelled as an inheritance tax or inheritance fee? I would ask the government, and this Minister in particular, why the government is proposing this kind of a tax when they saw fit to remove this tax from the incomes and inheritances of the wealthy in Manitoba and they are now proposing to put it on cottage owners, many of whom are modest income earners in the Province of Manitoba?

MR. ENNS: Mr. Speaker, let me make it very clear to the honourable member and more importantly through you, Sir, to all members, citizens of Manitoba very directly interested in this matter, namely, cottage owners, the Government of Manitoba is proposing no such thing; the Government of Manitoba is proposing no changes in the fee structure. What has been suggested at a public forum — public meeting — plans, drafts, draft proposals of a future structure to recover some of the costs in operating our provincial parks.

Mr. Speaker, the suggestion is and where the suggestion comes from is, Parks personnel believe that it would be a reasonable suggestion to make that the primary users of the parks pay for some of the services. We expend some \$10 million of taxpayers' money in the operation of our parks. The current fee structure recovers very little of that in terms of, if you wanted to adopt "the user-pay principle".

But, Mr. Speaker, I'm not at all at any loss to answer any of these questions in the House. I expect that the debate and the discussions will take place during the next month. We have set up numerous places for public hearings. We are doing, Mr. Speaker, precisely what we were asked to do by many of the same interested users of the park, namely, to engage in the broadest possible public exercise in discussion as to how best we plan the future development of that park. That was a process that was started by my predecessor, the now Minister of Finance, one that I am completing and I would hope that perhaps by mid-July I will have, for the first time, some recommendations for me to consider as Minister, to place before my government.

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

MR. BOSTROM: I was hoping, Mr. Speaker, that this Minister wouldn't repeat the bumbles of his predecessor with respect to Park Planning. I would ask the Minister if he could indicate when he will directing his staff to give more than lip service to the public hearing process in developing the master park plans because it was evident in the meeting last night that the Whiteshell District Association claims that the Parks Branch ignored their brief when considering the recommendations put forward in their proposed park plan. I would ask the Minister in view of this fact, how can he be saying that there is anything more than lip service being given to the public process and the public input into the proposed park planning.

MR. ENNS: Mr. Speaker, I suppose an answer to that question is difficult to arrive at that would satisfy

the honourable member. I have to have some confidence in the proposals that will finally filter up through to the Minister on this occasion, will represent and clearly indicate that this government has listened to that public input, that public response, that public assistance to the planning in the Whiteshell.

Now, Mr. Speaker, I'm not for one moment suggesting that with the diversity of interests that citizens of Manitoba have with respect to their parks, that it will be a unanimously agreed decision. We have people, naturalists, who believe that there should be very limited development in a park. We have private commercial operators who view the use of that park solely from their perspective and any expansion that may in one way or another affect their business is viewed, and understandably so, as being not in their interests.

On the other hand we have other people who have enjoyed for many years peace, solitude and the wonders of nature in that park with little desire on their part to see any further expansion of that park. But on the other hand, Mr. Speaker, I have to respond to the many people . . .

MR. DEPUTY SPEAKER: Order please. Order please. Could I ask the honourable members to please — order please. The time for question period has elapsed.

ORDERS OF THE DAY

MR. DEPUTY SPEAKER: The Honourable Government House Leader.

MR. MERCIER: Mr. Deputy Speaker, would you please call Second Reading of Bill No. 52 and then Adjourned Debates on Second Reading from Bill 10 through to Bill 46?

SECOND READING — PUBLIC BILLS

BILL NO. 52 — THE INSURANCE ACT

HON. GARY FILMON (River Heights) presented Bill No. 52, An Act to amend The Insurance Act, for second reading.

MOTION presented.

MR. DEPUTY SPEAKER: The Honourable Minister.

MR. FILMON: Mr. Speaker, the amendments to The Insurance Act are minor in nature but important in order to recognize changes which are taking place and have taken place in the insurance industry in Manitoba. They are designed to benefit both those who purchase and those who provide certain types of insurance.

The definitions of insurance and life insurance, for instance, are amended to include annuities to be paid by the insurer for a fixed period or for a term ending on death. The Insurance Act currently provides that insurance money which becomes payable to a beneficiary on the happening of an event is not part of the estate of the insured. In recent court cases however annuities paid by life insurance companies have been ruled not to be insurance and are thus subject to claims of creditors

of the insured. The amendment to the definitions of insurance and life insurance will provide that an annuity of a life insurance company be treated as insurance, thereby preserving the rights of the beneficiary.

The amendments to the definition of the insurance and life insurance have been recommended by the Association of Superintendents of Insurance of the provinces of Canada and the Canadian Life Insurance Association.

The bill also provides for a new type of insurance called Legal Expense Insurance. Insurance of this kind is now being marketed in Canada and is designed to provide insurance against costs incurred for specific legal services. The amendment will provide that this kind of insurance can be sold in the Province of Manitoba and that the Superintendent of Insurance may licence for this type of insurance.

Provision is also made in the bill, Mr. Speaker, for insurance agents to carry Errors and Omissions Insurance. Such insurance will protect agents and their clients from losses due to inadvertent error or omission for which an alternative resolution mechanism could involve time-consuming and costly litigation.

Finally, Mr. Speaker, the bill further amends that part of the Act respecting motor vehicle liability policies. The amendments made in the bill remove the ability of an insurer to provide that it will not be liable for bodily injury to, or death of, any passengers in the car of the insured. The amendments to the Motor Vehicle Liability Section will bring The Insurance Act into uniformity with current MPIC provisions and with the Acts of other provinces.

I commend this bill, Mr. Speaker, to members for consideration and enactment.

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

MR. SAUL CHERNIACK: Mr. Speaker, I wanted to ask questions of the Honourable Minister if I may dealing with that statement he made that annuities are being brought in under the definition of life insurance in order, as I understood him to say, in order to remove them from being made available for payment of debts. I wanted to know precisely whether he means that a person may insure himself, in exchange for an annuity for himself, and that annuity will not be available to pay the debts of the person who has taken out the insurance.

MR. FILMON: Mr. Speaker, my understanding is it's with respect to tax commitments that change is being made so that annuities, like other life insurance, are not taxable in the hands of the estate but I will clarify that and bring back the information prior to closing debate on second reading.

MR. CHERNIACK: Again, Mr. Speaker, a further question. More precisely, is it conceivable, from the way the Minister described this, that a person who's on the verge of bankruptcy might be able to buy insurance on his life payable to a beneficiary and that way remove that asset — the only available asset which would be the premiums — from his creditors being able to obtain payment for their amounts due by him. If that is conceivable then I'd

like to know so that we can discuss a little more specifically and I would appreciate the Honourable Minister making those answers available during this debate.

MR. FILMON: Similarly I'll bring back the information on that, Mr. Speaker.

MR. DEPUTY SPEAKER: The Honourable Member for Logan.

MR. WILLIAM JENKINS: Mr. Speaker, I'd like to move, seconded by the Honourable Member for St. Vital that debate be adjourned.

MOTION presented and carried.

ADJOURNED DEBATES ON SECOND READING

BILL 10 — THE BUILDERS' LIENS ACT

MR. DEPUTY SPEAKER: Bill No. 10, standing in the name of the Honourable Member for Logan.

MR. JENKINS: Yes, thank you, Mr. Speaker, I adjourned this bill on behalf of the Honourable Member for Lac du Bonnet.

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

MR. SAMUEL USKIW: Mr. Speaker, I don't want to take a great deal of time. This is the kind of legislation that I think both sides are going to concur in, by and large, but I think it's also the kind of legislation that is better debated clause by clause in committee. I just want to make one point, Mr. Speaker; that is it seems to me that one omission still does exist in the new legislation and perhaps it's the intent of the Minister not to provide for it. I would be interested in hearing comments from him on the point; that is, Mr. Speaker, that it seems logical that where a lien is placed on a piece of property owned by an individual, or owned by anyone, the owner of property ought to be advised that a lien is being placed on his property. I think it's somewhat unfair that, up to now at least, liens have been placed on people's property and people have not been aware of them until they reach the point of wanting to sell their property and then they found out that due to some default on a trade account of some sort, over a period of time, they have been subjected to this lien on their assets without having had an opportunity to be aware of it or even trying to deal with it in whatever form is possible. Whether there is any way of dealing with it or not I don't know, Mr. Speaker.

The other point is that when the lien is removed, after one is aware that a lien is placed on one's property, it seems to me that it should also be incumbent on the person placing the lien to also advise that the lien has been removed when it is removed so that a person doesn't have to continuously search his own land title or property title to find out just when the liens have been removed or when they are placed. If the Minister would like to comment on that or take it as notice and comment in committee that would be

satisfactory, Mr. Speaker. We're prepared to let the bill go.

MR. DEPUTY SPEAKER: The Honourable Government House Leader.

MR. MERCIER: Closing debate?

MR. DEPUTY SPEAKER: Just a moment. We'll be closing debate.

MR. MERCIER: Mr. Speaker, firstly let me thank the member for his comments. I agree with him that hopefully this will be a bill that all members of the House will eventually support. I agree with his comment that probably the best way of dealing with this bill is in committee in a clause by clause discussion where discussion can take place on a more informal basis, Mr. Speaker. I think in referring this to committee it may be more appropriate to refer it to a smaller committee than Law Amendments Committee and perhaps the committee on Statutory Orders and Regulations would be an appropriate committee to consider this bill rather than Law Amendments Committee. Mr. Speaker, we will certainly be prepared to respond to the two basic concerns that the member has mentioned today at the committee stage and hopefully that will be able to take place very shortly.

QUESTION put, MOTION carried.

BILL NO. 11 — AN ACT TO AMEND THE MUNICIPAL ASSESSMENT ACT

MR. DEPUTY SPEAKER: Bill No. 11, standing in the name of the Honourable Member for Logan.

MR. JENKINS: Thank you, Mr. Speaker. We have looked at this bill and we are prepared to have the bill go to committee. The amendments, I understand, are basically what are contained in The City of Winnipeg Act. If we have any further questions, Mr. Speaker, we will deal with them at the committee stage. As far as we're concerned the bill can proceed from the House to the committee stage.

MR. DEPUTY SPEAKER: The Honourable Minister of Municipal Affairs will be closing debate.

HON. DOUG GOURLAY (Swan River): Thank you, Mr. Speaker, I don't have anything further to add. I appreciate the comments from the members opposite that this will now go to committee.

QUESTION put, MOTION carried.

MR. DEPUTY SPEAKER: Bill No. 12, standing in the name of the Honourable Member for Inkster. (Stand)

BILL NO. 29 — AN ACT TO AMEND THE HIGHWAY TRAFFIC ACT (2)

MR. DEPUTY SPEAKER: Bill No. 29, standing in the name of the Honourable Member for Rossmere. The Honourable Member for Rossmere.

MR. VIC SCHROEDER: Thank you, Mr. Deputy Speaker, we are prepared to allow this one to go to

committee as well. There is just one area that we do have some concerns about. I believe the concerns have been expressed by the Member for Ste. Rose and also touched upon by the Member for Fort Rouge and that has to do with the classification of certain types of wheelchairs as mopeds and the difficulties that might go along with that in terms of Autopac costs, for instance, for insured vehicles, for a vehicle that can only travel possibly between three and seven miles an hour which we don't see as making very much sense. Although we recognize that anyone getting out on the streets by themselves in one of these machines should be very careful and should know what the rules and regulations of traffic are about and be aware, it seems that there is really not that much of a necessity to require licensing — when I think of my seven-year-old daughter riding around on the streets in front of our place on a bicycle that goes much faster and doesn't require any kind of insurance or licensing. So that whole area is one that does cause us some concern and we understand that people from the League for the Physically Handicapped will be addressing the committee and I'm sure experts from the Department of Highways will be explaining the rationale for the specific proposals being made. We will probably have more to say on that later on.

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

The Honourable Minister of Highways.

MR. ORCHARD: Thank you, Mr. Deputy Speaker. I have to apologize to members opposite because I did on two occasions — I wasn't in the House when they made their remarks but I did read them — and we have got both some confusion and in a couple of meetings with the Manitoba League for the Physically Handicapped I think, a resolution of some of their concerns.

First of all I'd like to point out that the amendment which is being referred to is including in the classification of a moped, a three-wheeled self-propelled vehicle, not the electric-powered wheelchairs that you see. (Interjection)— The Member for Kildonan is saying, what's the difference? If he would be patient and listen I might attempt to explain that for him.

What we were faced with last year — and it was the Member for Transcona that brought it to my attention and it was in the paper on several occasions — was a vehicle which had the capability of achieving some 14-15 miles per hour. It was not an electric-powered wheelchair; it was a motorized tricycle.

Now, this current version is electric-powered and has an attainable speed of some 15 miles per hour. Now the Member for Ste. Rose shakes his head but that is just the cold hard facts of it because my Registrar of Motor Vehicles inspected one of them and that is the case with the type of vehicle that I'm referring to — I'm not going to use a commercial name because it's a position of no one in this House to advertise for a particular manufacturer or supplier — but that is the generation of three-wheeled self-propelled vehicles that are available now. We know that there are a number of gasoline-powered ones which have, number one, a greater range; and number two, a higher attainable speed, upwards of 30 miles per hour.

So in bringing in that amendment we were addressing not only the specific instance that was raised last year of an electric-powered one — as it so happened, used by a physically disabled young gentleman — but in making an accommodation for those vehicles we are not making that accommodation only for people with physical disabilities. I think it is fair to say that in the day and age of constantly escalating energy costs that a lot of these vehicles may well become in common usage in the province for summertime and maybe even as covered vehicles in the wintertime for short trips, rather than using the family car, so that any amendment that we make has to take those circumstances into consideration. That's why it was a three-wheeled motorized vehicle that was included as a moped; that did not include a motorized wheelchair; it had no effect upon a motorized wheelchair and that's where the members in the Opposition got somewhat distracted. So the intention was to give you a vehicle to provide a licensing framework for a vehicle which had speed capabilities in excess of 10 miles per hour, not the three and four miles per hour that members opposite were indicating. There is no reference to them and no framework in which they are involved in, in any licensing requirements in current legislation, nor did the proposed amendment bring them under the law and the requirement of licensing. Motorized wheelchairs would remain just in exactly the same status that they are today.

But in two meetings with the Manitoba League for the Physically Handicapped, they have made a proposal which I think deserves attention and that proposal being, because there are more vehicles than what we had been made aware of in the Motor Vehicle Branch that are self propelled; that have varying rates of attainable speed; that at the suggestion and discussion with the Manitoba League for the Physically Handicapped we believe the proper course to proceed with on this amendment is: number one, to withdraw the amendment bringing a three-wheeled self-propelled vehicle under the licensing requirements of a moped and to strike a committee which will take a look at the numerous types of vehicles which are available, not only for the physically handicapped but indeed to the general public, an attempt to establish proper licensing criteria and operational procedures for these vehicles and, Mr. Speaker, that in all probability will be the course that we proceed with.

But I just want to once again re-emphasize, the confusion that was brought out by the Members of the Opposition was not correct because the amendment was for only three-wheeled self-propelled vehicles, not motorized wheelchairs, and the amendment had no particular application to those vehicles. It was only designed to bring into a licensing status, vehicles attainable of speeds in excess of 10 miles per hour which are becoming more and more available to all members of the travelling public in Manitoba. So I look forward to having this bill proceed to committee, Mr. Deputy Speaker, and look forward to comments from members opposite.

MR. DEPUTY SPEAKER: The Honourable Member for Ste. Rose on a point of order.

MR. A.R. (Pete) ADAM: Yes, the Minister wants to leave on the record that the Opposition had left

some confusion in regard to the bill referred to at the present time. Mr. Deputy Speaker, the Minister when he introduced his bill, specifically mentioned the word that bill would take care of the Happy Wanderer machine vehicle and that is the name under which these motorized wheelchairs are sold, Happy Wanderer. So for the Minister to come up and say now that it is the Opposition that is trying to confuse the issue, is incorrect. It is the Minister that has confused the issue when he made his presentation. Specifically, he should put the mileage in his bill, then the speed of the machine would be licensed. But let him not try and confuse the issue now and get himself off the hook because he is the one that dug his own mess.

MR. DEPUTY SPEAKER: The Honourable Minister of the same point of order.

MR. ORCHARD: Mr. Speaker, first off, I don't believe there was a point of order but I want to address the Member for Ste. Rose. If he were to care to find out what a Happy Wanderer is, it is a three-wheeled electric tricycle.

MR. DEPUTY SPEAKER: Order please. This is not the time for debate. Debate is over. If it's on a point of order, I will allow the Honourable Minister to continue on a point of order.

MR. ORCHARD: Mr. Deputy Speaker, I will then proceed on a point of order and allow you to rule whether in fact there was a point of order in the first place.

The Member for Ste. Rose made reference to my reference to the Happy Wanderer. The Happy Wanderer as sold, is an electric-powered three-wheeled tricycle; it is not a motorized wheelchair, Mr. Speaker. The Member for Ste. Rose will be able to confirm if he has indeed seen one of these vehicles or the advertising literature on them, that they have three wheels, not four wheels, Mr. Speaker. Motorized wheelchairs that have speeds attainable of three miles per hour have four wheels and do not fall under that amendment. That is where the confusion came in because the Member for Ste. Rose made specific reference to wheelchairs, which was not intended to be part of the legislative amendment. I only attempted to point that out today to prevent further confusion, which seems inevitable with the Member for Ste. Rose.

MR. DEPUTY SPEAKER: To the honourable members, differences of opinion do not constitute points of order.

QUESTION put, MOTION carried.

MR. SPEAKER: Bill No. 34, standing in the name of the Honourable Member for St. Vital. (Stand)

Bill No. 35, standing in the name of the Honourable Member for Logan. (Stand)

BILL NO. 36 — AN ACT TO AMEND THE SECURITIES ACT

MR. DEPUTY SPEAKER: The Honourable Member for Logan.

MR. JENKINS: Yes, thank you. Mr. Speaker, we are prepared at this time to see the bill go to committee.

If we have any further questions, we will raise them at the committee stage. We are prepared now to have the bill received at committee stage.

MR. DEPUTY SPEAKER: The Honourable Minister of Consumer and Corporate Affairs and Environment will be closing debate.

MR. FILMON: Thank you, Mr. Deputy Speaker. I thank the members opposite for their consideration of the bill and agree that when it comes to committee we will have staff available and I would be pleased to answer any questions that might arise in their minds with respect to this bill.

QUESTION put, MOTION carried.

MR. SPEAKER: Bill No. 38 standing in the name of the Honourable Member for Logan. (Stand)

BILL NO. 41 — THE STATUTE LAW AMENDMENT ACT

MR. DEPUTY SPEAKER: The Honourable Member for Logan.

MR. JENKINS: Yes, thank you, Mr. Speaker. We are prepared to have this bill go to committee. I wish to make a few comments on the bill before it does proceed. Bills of this nature, Mr. Speaker, are always difficult especially for Oppositions to deal with because you have to watch to make sure the Minister, or various Ministers, are not trying to pull a fast one on you, because they deal with practically the whole gamut of the Legislative Assembly acts and statutes that we have before us. My colleague the Member for Kildonan and I went through the bill clause by clause and we went through practically all the statutes that are available.

One thing I want to point out, Mr. Speaker, many of the amendments that are in this statute law amendment are corrections of bills that were in a hurry and too much speedup last year when they were being passed. I want to draw to the Minister's attention there are two sections in his present bill that he's going to wind up, if he doesn't take note of them — and I'm dealing with Section 23 of the bill and I know we're not supposed to deal with them in specifics — but there is a wrong reference in the bill that you're making a correction to. You're showing 23(5), and it should be subsection 13(5).

There is also on Section 30 where your bill says it amends 11(2) but actually it should be 10(2) as you have in your explanatory notes. So I just point those two out to the Minister that there are a couple of errors in your bill as it is standing now. Section 30 which amends subsection 10(2); it should be subsection 11(2). I just draw these to the Minister's attention. —(Interjection)— This is the Social Allowances Act. Right. If the Minister checks his bill and the present statute, you'll find out that what you're wanting to amend and correct is 11(2), not 10(2).

The amendments to The Elections Act, we have checked those all out. We find nothing extraordinary except the one where there was some correction in the boundary which seems, on checking with the Chief Electoral Officer, seems to be all right. The others seem to be just street names or boundary

points that have been incorrectly named streets instead of avenues and vice versa. We have no great

In Section 35 when the Minister is closing debate — it's unfortunate the Minister of Health is not here and perhaps we can deal with that in committee when we get to that stage if the Minister of Health will be there — but we would like to know why the changes from the present Manitoba Mental Health Act, —(Interjection)— yes, why the changes from the specific Act as it is now. That is another one that we would like.

Other than that, Mr. Speaker, the bill is just as I said, it's a catch-all trying to make small amendments to bills rather than bringing in special acts for them. I thank the Minister for the explanatory notes that were received but that still doesn't let us off the hook, we still have to do a lot of checking to make sure.

As I've pointed out we found a couple of errors. I'm not trying to be facetious or smart about it, I just want to make sure that we correct them before the bill is enacted or somebody will be back here next year or next session, trying to make those changes again.

We are prepared to have the bill go on to committee stage. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: The Honourable Attorney-General will be closing debate.

MR. MERCIER: Mr. Speaker, I would like to thank the Member for Logan for his comments on the bill. If indeed his comments are accurate with respect to Section 23 and Section 30, Mr. Speaker, there could very well be some prospects of employment available in the Legislative Counsel's office upon his retirement from politics — whether that be voluntary or involuntary.

Mr. Speaker, I also will undertake to obtain from the Minister of Health — certainly if he can't be available when the bill goes to committee — a further explanation or reasons for the change proposed in Section 35.

Mr. Speaker, I thank him for his comments and the work that he and the Member for Kildonan have done on the bill.

QUESTION put, MOTION carried.

MR. DEPUTY SPEAKER: Bill No. 42, standing in the name of the Honourable Member for Logan (stand).

BILL NO. 46 — AN ACT TO AMEND THE CORPORATIONS ACT

MR. DEPUTY SPEAKER: The Honourable Member for Logan.

MR. JENKINS: Mr. Speaker, we have examined this bill. We are prepared to have the bill proceed to committee stage. If we have any further questions we will raise them at the time the bill is at the committee stage. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: The Honourable Minister of Consumer and Corporate Affairs and Environment will be closing debate.

The Honourable Minister.

MR. FILMON: Mr. Speaker, I will wind up debate on this bill for Second Reading. As I indicated in introducing the bill, the intent was to normalize procedures with other jurisdictions across the country with respect to registration of companies and the various aspects of The Corporations Act. Since the introduction of the bill some other changes have come about that will require amendments to be introduced to normalize our procedures with those of the Province of Ontario, I believe, and I will have a couple of minor amendments to bring forth at the committee stage. I will just close debate on that note. Thank you, Mr. Speaker.

QUESTION put, MOTION carried.

MR. SPEAKER: The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, I move, seconded by the Honourable Minister of Government Services 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 and carried and the House resolved itself into a Committee of Supply with the Honourable Member for Roblin in the Chair for the Department of the Attorney-General and the Honourable Member for Virden in the Chair for the Department of Northern Affairs.

CONCURRENT COMMITTEES OF SUPPLY SUPPLY - NORTHERN AFFAIRS

MR. CHAIRMAN, Morris McGregor (Virden): I call the Committee to order. We're on Northern Affairs, 1(a).

The Honourable Minister.

HON. DOUG GOURLAY (Swan River): It is with pleasure I present the Estimates of the Department of Northern Affairs to this Assembly for the 1981-82 fiscal year.

At the outset I'd like to acknowledge the effort of my staff that was required in preparation of the Estimates. In addition their excellent service during the past year in delivering programs to those citizens in Northern Affairs jurisdictions of our province.

The programs and funding will reflect the continuing commitment to support the development of local government and the associated provision of services. The Estimates will reflect a continued use of cost-shared agreements to improve the quality of life in the north and the undertaking of responsibility respecting the Northern Flood Agreement.

I'd like to briefly reflect on the past year. The level of development of local government has grown as community people undertake more decisions effecting their local area. There has been a stronger and more active participation in the Budget process and the delivery of projects in the communities. The underlying strength in the development of the local government is the interest and responsibility being evidenced by so many communities in our north.

Of major significance was the acceptance of the Fire Program with some 39 volunteer departments ready for training, a major change over the previous

six volunteer departments. My department has provided nine fire trucks plus other essential equipment, the beginning of a serious effort to prevent fires and reduce the ravaging effects should they start. In July 1980 a program for establishing civil emergency plans for a community was begun. To date nine northern communities have established plans with seven more underway. This was done in concert with the provincial Emergency Measures Organization.

I am pleased to report that the arenas at Wabowden and Norway House constructed in the early Seventies were reopened in 1980 following extensive remedial work required due to construction deficiencies. The Camperville Arena built in 1972 was condemned, the unfortunate victim of poor construction and unwise choice of structure. Some 39 homes built in the early Seventies at South Indian Lake were provided with sound foundations at a cost of \$436,500.00. Subsequent engineering reports indicate remedial work will be required on other homes and the community store at an estimated \$550,000.00. Remedial work continues to drain funds that otherwise could be used for new facilities and development needs.

Among numerous road projects the all-weather road to Cross Lake was opened to traffic.

The election regulations respecting northern communities had not been revised since 1973. A review committee consisting of community representatives, the Northern Association of Community Councils and my department staff recommended changes that were accepted. Those changes enable that every election in the north shall be held annually in the community to which it relates on the second Wednesday in the month of February; as well clarified issues of residency and conflict of interest.

The Department of Northern Affairs manages three agreements:

1. The special ARDA Program continues to assist primary harvesters of natural resources and, in addition, provides managerial training to small business enterprises. To assist northerners with large numbers of funding agencies the department prepared a compilation entitled Programs for Development in Rural and Remote Manitoba. It was distributed to mayors, chiefs, and other interested persons. To further provide access to information a toll-free number is available to all Manitobans. Special ARDA continues to be a very important program to Manitobans.
2. Activities within the Northern Flood Agreement have increased with severance-line proposals being completed for two Indian reserves, Norway House and Nelson House. At present some ten claims are before the Arbitrator. Manitoba has contributed \$1.2 million to Niyanun incorporated since the signing of the agreement. A further and final contribution of \$400,000 is planned and advisory groups under the agreement have been assisted in their functions.
3. The Canada-Manitoba Northlands Agreement has completed its five-year term. Provincial staff, however, have been in detailed negotiations for a new agreement

since the early summer of 1980. Efforts have included a consultation process with northern people. Department staff has now tabled programming similar to the expired agreement with an added emphasis on areas of economic development and employment. It is anticipated that the agreement will be signed during the first quarter of this fiscal year. The Federal Government is being pursued on this matter.

Our Estimates to follow my remarks will provide for increased funding in support of communities ongoing maintenance and operation; improved facilities in communities and the management of the various agreements.

Thank you, Mr. Chairman.

MR. CHAIRMAN: The Member for Churchill.

MR. JAY COWAN: Thank you, Mr. Chairperson. In response to that very brief introduction by the Minister of Northern Affairs for his departmental Estimates I have to say, right from the start, that we are once again disappointed. I guess it is a feeling that we should be getting used to by now in respect to the investigation, the examination and analysis of the Department of Northern Affairs Estimates under our Conservative government but I have to admit that it is not one to which one becomes immune; it is not a feeling that one can shake very lightly. The reason for that is because as we travel through the north, as many of us do, we see the effects of the policy of the Conservative government on the northern communities and on northern residents.

The Minister has indicated in these Estimates that they are increasing their commitment to local government. The Minister said much the same thing last year when he introduced his Estimates, yet if we review the occurrences in Northern Manitoba over the past year and if we review what northerners have had to say about local government in their communities over the past year, we will find that quite the opposite has in fact occurred. We will find that while the Minister gives lip service to local government the people of the communities are suggesting that there is in fact very little local government in the north and that there is less and less as each year goes by.

The Mayor of Thicket Portage said not too long ago that communities want more control over budgets and capital spending. What did the mayor say at that time? He said the current system whereby the Provincial Northern Affairs Department controls the budget is, "loaded in favor of inefficiency". He also said that the department's auditing system is extremely frustrating. Those are the type of complaints, type of concerns that we hear throughout our travels in northern Manitoba. The department is not decentralizing in respect to providing more control over their local affairs to the different communities; the department is in fact doing the converse, it is centralizing control over those communities and that is acting to the detriment of the north in general and is creating a great deal of frustration and anxiety on the part of many elected officials at the local level in Northern Manitoba, in specific.

The Minister knows only too well that within the past week we've had another mass resignation of a mayor and council in a northern community. How

many times do we have to have these types of mass resignations before the Minister finally clicks to the fact that there is something wrong with the system? How many mayors and councils have to go through a long frustrating process before they come to the realization that the only way they are going to get the Minister to listen is to resign before the Minister comes to the realization that perhaps something is wrong somewhere in the system; and something is wrong somewhere in the system.

Now, that bothers me and bothers others on this side to begin with but the fact that the Minister refuses to acknowledge that there is anything wrong; the fact that the Minister stands before us today and says that it is with great pleasure that he brings forward these Estimates confuses us. Does he not understand what the people are saying to him by way of mass resignation? Does he not understand that it's not a matter of the awarding of one contract in the community like South Indian Lake that drives those people to that sort of desperate action; that it is a result of a combination of a long series of events where that community feels that each and every time, on general, they are being overruled by a bureaucracy. It's no wonder that they don't want to continue on in their jobs; it's no wonder to me at all. When we talked to South Indian Lake last summer in respect to problems they were having and at that time we talked about the laundromat, and we've talked about the laundromat in these Estimates last year, the Minister knows about what happened with the laundromat in the community of South Indian Lake.

We talked about the trailers that were brought in for the RCMP officers and the trailers that were brought in by the province and the different ways in which the two different levels of government approach providing the community with an opportunity to work on preparing sites for those trailers. When we did all that we knew then that in fact there was a great deal of frustration building up in that community and the Minister knew. The Minister was in that community last year and he went in there because of that type of frustration and yet a year later we have the same situation in front of us. A year later we have seen very little, if anything at all, done by the Minister in a positive way to sort out the problems that community is facing. South Indian Lake is not alone in those problems, that as well must be said; neither is Thicket Portage; neither is Camperville; neither are any of the communities which have come forward over the past year and expressed a great deal of concern about the way in which their affairs were being handled by the department and express a great deal of concern about the way the Minister was handling the department because I believe if you point a finger in respect to what's happening in Northern Manitoba you must point it at the Minister and not at the department. It is the department which gets the direction from the Minister; it is the Minister which is supposed to provide that direction. The type of direction that the Minister is providing is acting to the detriment of all those in Northern Manitoba who wish to see a furthering of their ability to self-govern themselves.

So while we address the issue of South Indian Lake in specific, primarily because it is the most

recent incident, we as well are addressing the general policy thrust of the Conservative government, their historical thrust, their ideological thrust; a dogmatic conception of the north as a colonial state and they can't escape it. They cannot escape that as much as they would like and I don't think they want to, let's make that very clear. But even if they did want to, even if the Minister as an individual wanted to, he could not escape it. It is so much a part of this party's history, it is so much a part of his party's general philosophy that as long as they are in government the north will suffer; as long as the Tory government retains power in this province the north will suffer. I see some members opposite shaking their heads in disbelief.

MR. BLAKE: Poppycock.

MR. COWAN: I hear one of the members, the Member for Minnedosa, saying that's a bunch of poppycock. Well go up north and talk to the people. Mr. Chairperson, through you I address that comment to the Member for Minnedosa, go and listen to the people and hear what they have to say about you and your government; hear the agony that that hear; hear the frustration that they hear; hear what they have to say to you, listen for once with your ears and try to escape from your own sordid past when it comes to dealing with Northern Manitoba. (Interjection)—

MR. CHAIRMAN: One speaker at a time and through the Chair please.

MR. COWAN: It is exactly that type of negative attitude that we are hearing today that brings us to the type of conversation that we are going to have today and throughout the examination of the Department of Northern Affairs. The Minister isn't acting alone; these fine backbenchers are supporting him in his actions; they're encouraging him in his actions. When the Member for Minnedosa says, in response to the comments of just a moment ago — and they aren't on the record but I think they should be on the record — talk about the misappropriations he said twice. What is he saying? He is giving us some insight to how he views organizations in Northern Manitoba.

MR. CHAIRMAN: The Member for Minnedosa on a point of order.

MR. DAVID BLAKE: Mr. Chairman, on a point of order. If the member wants to put those on the record he should have the full feeling of my remarks. They're great for throwing the odd little point out and getting that on the record — the member of the opposition or the Member for Minnedosa said this or said that — but they don't have any idea of what context it was said in. My mention of that particular item was I want the member to settle down and be realistic in his remarks. I know it's his job to thrash the Minister and to thrash the department but he's got to be a little tempered in his remarks and realize it's not a one-sided sword; it's a two-edged sword up north and he knows that very well but he's playing his role the way he way he sees it fit and he's going to have to live with that, Mr. Chairman.

MR. CHAIRMAN: The Member for Churchill on the same point of order? No, all right. I think if we would

just control ourselves. If any member wants the Chair if he signals he'll get his turn bBecause if we start to cross back and forth it's hard to recognize who has the point.

The Member for Churchill.

MR. COWAN: Thank you, Mr. Chairperson. I just have to address the point of order very briefly that was brought forward by the Member for Minnedosa and suggest that we have looked at the situation realistically; that we have gone and talked to the people and invited their responses and we have gotten their responses. When I speak here today I am not speaking on my own, I am speaking for the people in my constituency; I am speaking for the people in Northern Manitoba and I am trying to give the Minister and his government some of the benefit of the insights which we have developed, not over the past years, not over the past three years, but over decades and decades in respect to what should be done to make the north a better place for people to live. That's all we are trying to do and we have shown restraint. We have shown restraint for three long years just as the people of Northern Manitoba have shown restraint for three long years and we have tempered our remarks.

When reviewing my files for this particular Estimates and going back through last years Estimates I'm amazed at how tempered our remarks were. I am amazed at the opportunities that we provided the government so that they might be able to develop a better northern policy. So we have tempered our remarks but there is a time for anger and I think perhaps now is the time for anger. And if that upsets the members opposit then so be it, because there is anger and there is frustration because there are problems in Northern Manitoba and the Conservative government has done nothing to deal with those problems in any sort of positive way and, in fact, the Conservative government appears to have done a great deal to aggravate existing problems and to create new problems where problems didn't exist before.

So I'm somewhat amazed that the Minister would want to take credit for what has been happening in respect to the development of local government in Northern Manitoba because the Minister's policies are not working; they are creating frustration; they are creating antagonisms and they are creating a situation which will take some time to undo because they are building back into the system the sort of centralized control over the affairs of remote communities which acted to the detriment to those communities for so many decades and so many years.

But it's not us who are only saying that the Progressive Conservative government has forsaken the north. A Free Press article, Mr. Chairman, March 14, 1981, PCs Blamed for Despair in North. Now who's blaming the PCs you might ask? Well, it says Northern Manitobans say neglect has led to fewer jobs and more welfare. Well certainly Northern Manitobans have said that the Conservative policies, which are policies of neglect, have led to fewer jobs and more welfare in the north. And what does the Minister say in response to that very serious allegation, one which is substantiated by northerners, what does he say? He says he's sick and tired of the rhetoric on the north. What does he say exactly in

the House — and I'm quoting the Minister of Northern Affairs — "I'm sick and tired of all of this rhetoric from the other side about what isn't happening in Northern Manitoba". Then he went on to say that new roads were the key to unlocking the north and when he was asked what new roads had been started under the Conservative Government, his mind went blank — not the first time nor the last time his mind went blank — but his mind went blank. He couldn't give us any concrete examples because there are very few concrete examples; because the road building that is ongoing in the North now is not what it used to be and if you want to make the comparison of his government's activities in road building in Northern Manitoba against our government's activities in road building in Northern Manitoba then let's do it because I think that's an accurate and a fair way to deal with it. You will find they have cut back on road building to remote communities in Northern Manitoba. If he says that's the key, then he himself is taking that key and throwing it away.

If he is really sick and tired of the rhetoric on the North, if the members opposite are really sick and tired of hearing about how their government is failing in Northern Manitoba, then let them do something successful in Northern Manitoba. Let them develop programs which worked in Northern Manitoba; let them gestate from the historical approach to the North and try to, in innovative and imaginative ways, bring forward something positive for Northern Manitoba. But they are going to refuse to do that; they have refused to do it for three years now; they have refused to do it for centuries and they will continue to refuse to do it but that's the only way in which they are going to avoid having to hear about how they are failing in Northern Manitoba because the situation is not just going to go away. The people are not going to suddenly stop talking about their own future.

The Minister talked about creating employment in Northern Manitoba and yet we have his own words that he thinks some of the projects which created employment in the North — and one of the members opposite likes to talk about Churchill and we talked about in specific the Churchill prefab plant — one of those projects which created employment, which developed skills in the North, which on a strictly balanced budget estimate was probably not making money but when you develop a cost-benefit analysis in order to determine the full benefits and the full financial reward from that plant it was in fact making money, but they disbanded the plant. They threw people in the North out of work and because there was no other work in the community they had to go on welfare. They didn't want to go on welfare; nobody wants to go on welfare; people want productive employment but when the productive employment isn't there, people want to live. They don't want to starve; they don't want to live in misery so they go on welfare; it's not enough but it's something; it's better than nothing.

When they go through the North cutting the work projects in the way in which they did they are going to in fact drive people out of employment and on to welfare. The Minister says that he is doing this because he thinks that's more beneficial. Well, beneficial for whom? Beneficial for the people who

are on welfare? Certainly not. Beneficial for the government? Certainly not. Beneficial for the people of this province? Certainly not. I would like to know and we'll ask the Minister later on when we have an opportunity who he thinks is benefiting by his welfare over employment policy in the North. To whom does he think those benefits are accruing? I'd be interested in his answer. I think it will liven the debate and give opportunity for more questions because that is a policy that I can't understand; that is a policy that my colleagues cannot understand. That is certainly a policy that the New Democratic party never subscribed to. I can assure him that it is a policy that the New Democratic Government never subscribed to and never intended to implement.

I know for a fact that the people in Northern Manitoba have had a great deal of difficulty in trying to figure out exactly what the Minister meant when he said that he preferred welfare over employment. So there will be opportunity for the Minister to talk about that because that indeed is a strange sentiment. The Minister also talked about the Northlands Agreement.

MR. CHAIRMAN: The Honourable Minister.

MR. GOURLAY: I would like to correct the Honourable Member from Churchill. At no time did I ever say that welfare was better than employment and I would like to put it clear on the record.

MR. COWAN: Well, I don't have the quote directly in front of me, perhaps the Member for Rupersland remembers the exact instance, but I can find the quote and I can certainly read the quote in the record. —(Interjection)— No, Mr. Chairman, it's certainly not a pass and I would like to find the quote because if the Minister wants to talk about that comment then perhaps we should talk about the comment.

MR. GOURLAY: Is this the same newspaper that calls South Indian Lake a mining town?

MR. COWAN: You know, the Minister seems to take great pleasure, as does his colleagues, in knocking the Free Press and, this is very interesting, when the Minister is faced with a situation that is quite serious, when he has a whole council resign over his department's policies, over his own policies, when he is faced and confronted with that situation and asked in the House by the Opposition a legitimate question, will you go up there and talk to the people? And if you don't go up there and talk to the people will you make a phone call to the people? What does the Minister talk about? He talks about the fact that South Indian Lake is not a mining community. That's all he cares about is that they made a simple mistake. I could suggest to him that his own Premier and his own Minister of Labour made a much much more obvious mistake when they said that the population of Thompson is 19,000 people at this time.

MR. CHAIRMAN: The Member from Minnedosa on a point of order.

MR. BLAKE: The Minister asked the Member for Churchill if he could tell him when he made that

quotation and he hasn't answered it, he hasn't said when it was made or he hasn't retracted it.

MR. CHAIRMAN: Well, the fact of the matter is that we are stretching our rules to allow this to apply on the Minister's Compensation, we really should be onto another item and I respect . . .

MR. BLAKE: The Member from Churchill, Mr. Chairman, with all due respect, said the Minister of Northern Affairs would rather have welfare over employment for the people of the north and he asked him to show him where he said that and the member hasn't been able to do it so therefore he should retract it.

MR. CHAIRMAN: The Member from Churchill, probably it isn't right to quote the Minister from a newspaper. If you have it maybe you could clarify exactly what you did say, we'd all . . .

MR. COWAN: Mr. Chairman, on the point of order, I will, and I'm reading from a Free Press article of the 17th day of the 3rd month of this year, when it says that the Northern Affairs Minister was quoted as saying that programs, and these are job creation programs, were not good value when compared to welfare. Now, if the Minister is at this point backing away from that statement then I'm glad to hear him finally come to his senses but the fact is that he made the statement and the fact is that this statement is in the record and if we can go back to the Hansards, if someone wants to provide me with a Hansard for that day or the day before then I'm certain that we can point out in great detail exactly when, how, and where the Minister made that statement. But the fact is that he has been quoted as saying that the job creation programs of the New Democratic party were not good value when compared to welfare and I would invite any comments that he might have to make in respect to that earlier statement.

MR. BLAKE: Yes, I just wanted the record to show that the Member for Churchill is quoting from a newspaper article that claims the Minister said that.

MR. COWAN: We seem to be at a bit of an impasse, Mr. Chairman, if you're not going to accept a newspaper quote, however, if the members can come forward and provide the Hansards for the days surrounding that period of time and can — (Interjection)— I'd like to make my point of order if I can before being interrupted.

MR. CHAIRMAN: The Member from Churchill.

MR. COWAN: Thank you, if the Minister or the members opposite can come forward with something that proves that he did not make such a statement then I would be willing to retract the statement, however, as it stands now, the only evidence we have is evidence that shows that he did make such a statement.

MR. GOURLAY: Mr. Chairman, the quote in the newspaper, I can say, is accurate but the Member for Churchill did not quote what I had said accurately and took it out of context and I can elaborate on

that further but I don't think that this is the proper time right now.

MR. COWAN: I can't see any better time, Mr. Chairman, for an elaboration on the part of the Minister because I would like, in this instance, to be proven wrong.

MR. GOURLAY: Mr. Chairman, the long lists of projects that the former administration had were make-work type of programs. None of them were ever self-sustaining; they were huge losers to the province; they were costing the taxpayers of this province huge sums of money. Our administration looks at it from the point of view that we want to create long-term meaningful jobs that are self-sustaining and that will reduce welfare costs; people don't like welfare; I don't like welfare. I'm sure people in the province would like to see welfare reduced but the types of huge spending projects that were mismanaged for the most part had no hope of ever becoming self-sustaining and many of the people were certainly not sure of what the projects were all about. This is how I was quoted, perhaps maybe somewhat out of context but certainly it was a very costly program that we were getting into and it was one that the Province of Manitoba could not afford for very long.

MR. CHAIRMAN: The Chair will rule that we are now on (1)(b) so we're clearly somewhere within the rules of the House. If we go on like this (b) opens up the same subject and if you want me to quote it I will — Salaries and Wages.
The Member from Churchill.

MR. COWAN: Mr. Chairperson, I had not completed my response to the Minister which has been allowed in other instances. The years previous and in other Estimates during this year I believe it has been the practice of the Minister to make an opening statement under that item for the Opposition to respond. But if you want to go on to 1(b) and you believe that will deal with the situation I'm perfectly willing to do that. I'd like to be able to continue on in my remarks; I would not be able to lose the floor because of that change.

MR. CHAIRMAN: We are breaking the rule to do what we've always done. The Member for Churchill is perfectly right to be allowed one comment seeing we're getting into a hassle. We're on to (b)(1). I recognize the Member for Churchill — (1)(b).

MR. COWAN: Now, based on the Minister's last statement, I'm interested in finding out if he believes that the welfare that was necessitated in Churchill because of the closure of the Churchill prefabricated plant is a better investment of the taxpayers' dollar in this province than it would have been to keep that plant open. I would hope the Minister would answer that. Quite directly, does he believe that it is better to spend money on paying out welfare to unemployed Churchill residents than it was to spend money on providing employment for them and, as well, providing them with experience which they can use in other jobs?

MR. GOURLAY: Mr. Chairman, I understood that the Member for Churchill wanted to complete his

remarks in response to my opening remarks. Are we getting into line-by-line questioning or where are we?

MR. CHAIRMAN: We're at (1)(b).

MR. COWAN: It was not I who wanted to proceed directly into line-by-line questioning it was the will of the Chair and I accepted it as being appropriate and therefore would hope the Minister would take this opportunity, under line-by-line questioning, to talk in general ways about his government's policy in respect to employment versus welfare in Northern Manitoba. I think that's perfectly legitimate under the rules of this Committee.

MR. GOURLAY: Certainly the project that the member refers to was one that we couldn't sustain for very long. I don't have the details on that operation right handy but I can get them for a subsequent session. But certainly it was a very heavy loser and one that had to be stopped.

MR. COWAN: The question to the Minister is simply, why did it have to be stopped?

MR. GOURLAY: I don't know what I have to say to inform the member that this was a very huge loser of taxpayers' money and one that had no hope of becoming self-sustaining. It was scrapped on that basis.

MR. COWAN: Can the Minister indicate how much money that project was losing and how much money that project was projected to lose over the next five years? Does he have that figure available to him?

MR. GOURLAY: No, I don't have that information available and it was prior to my coming on as Minister of Northern Affairs but I can get that information as I mentioned earlier.

MR. COWAN: When would the Minister be prepared to provide us with that information?

MR. GOURLAY: I would say the next time we meet or the next sitting or shortly thereafter.

MR. COWAN: So at the next time that this Committee meets the Minister is making a commitment to provide to us a figure which would be equivalent to the amount of money which the Churchill prefabricated plant would have lost by continued operation for this year or for the year in which it was cut back and for a five-year period; is that correct?

MR. GOURLAY: Mr. Chairman, the member is putting words in my mouth. I didn't say that at all. I said I would bring back the information that we had with respect to that operation when it was functioning and the types of losses that it was creating; that's what I promised to bring back and nothing else.

MR. COWAN: Will the Minister bring back the cost-benefit analysis which was done which showed that plant, in fact, could remain operational and could provide dividends to the province if one took into consideration the lost tax revenue, the welfare costs which would be paid out as a result of the closure of

that operation and the other social impacts which would exhibit themselves in the community at the time of the closure and therefore would cost taxpayers increased money for the provision of services to deal with the social disruption caused by the increased unemployment in the community?

MR. GOURLAY: No.

MR. COWAN: Why won't the Minister do that because that has to be part of the equation? You just can't say that a company lost money this year and for that reason we're going to scuttle it or scrap it, to use the Minister's words. One has to review the situation to find out the effects of shutting down that operation. How many people are going to be on welfare? What are going to be the welfare costs to the province because of that? How many people are paying taxes because they are working at that operation? What's going to be tax revenue loss to the province? What's going to be the tax revenue loss to the general area? What kind of accelerated programs are you going to have to put in place to deal with the manifestations of the social disruption that accompanies any closure? If you don't do that then you can't very well make the statement that particular project is costing the Province of Manitoba money because you don't know, because you don't have the full figures before you. And if you're going to read one line against another on a simple balance sheet then you will find that in many instances you are making a wrong decision based on incomplete information.

So I would ask the Minister again, can he provide to us that social cost-benefit analysis so that we can have all the information available to us in respect to the cost of operating that plant after it was closed and the cost of not operating that plant after it was closed?

MR. GOURLAY: I'm not prepared to do that, Mr. Chairman.

MR. COWAN: The Minister says he's not prepared to do that. I'll have to accept that but perhaps the Minister would use this opportunity to explain why he is not prepared to do it. I'm not trying to change his mind at this point because he seems to have his mind made up but I would like to have some insight as to why he made that particular decision.

MR. GOURLAY: I'm not prepared to comment any further on it, Mr. Chairman.

MR. COWAN: You're not? Mr. Chairman, the Minister says he's not prepared to comment any further on that particular item? I mean we'll have to accept him at his word but we certainly have to question why it is that he is not prepared to discuss what is an essential item in respect to his department's policy thrust and in respect to conditions in Northern Manitoba. It's going to be a very complex Estimates if, in fact, the Minister is going to, at one point or another, arbitrarily and unilaterally decide that he's not prepared to discuss what are very crucial issues to the people of Northern Manitoba, to the Opposition, I would suggest to his government. Would he not reconsider that and perhaps allow this discussion to continue so

that we can have some better insights into why he's making the type of decisions he's making? You know, perhaps — and I don't think it's the case — but perhaps he's made a right decision from time to time. Certainly he'd want the opportunity to explain how he came to that conclusion, to substantiate his decision and even to try to change our mind if we're in the wrong in respect to criticising the decision of his and he has evidence to prove otherwise. I would hope that he want to bring that evidence forward so that we can all understand a bit better the way in which his government is proceeding with Northern development.

MR. CHAIRMAN: 1(b) — the Member for Churchill.

MR. COWAN: Well then perhaps I'd ask the Minister if he can indicate to us what projects, work projects, have been shut down by the government over the past four years or three years, since they've taken office in October of '77.

MR. GOURLAY: Mr. Chairman, we can provide that listing. We don't have it available right at the moment.

MR. COWAN: Has the Minister talked to individuals who were employed by these projects to try to determine if in fact they believe that the course of action which the government is following is in fact the proper course of action?

MR. GOURLAY: Mr. Chairman, most people that I've talked to prefer to work on long-term meaningful jobs; they don't like government make-work projects.

MR. COWAN: I have no doubt that most people prefer to work on long-term jobs when they're offered a choice between long-term jobs and short-term make-work jobs, however when they're offered the choice between no jobs and short-term make-work jobs is the Minister still of the opinion that they would prefer welfare over work?

MR. GOURLAY: Mr. Chairman, I would say that there's been considerable improvement made in the general activities of the north. Perhaps there's still a long way to go in employment, there's many communities that have high employment but certainly with the mining exploration and other developments that are taking place in the north and also the projects through the Communities Economic Development Fund — that particular corporation has created more jobs in the last three years than the last three years of the previous administration did.

MR. COWAN: The question to the Minister was has he talked to people in respect to whether or not they prefer short-term make-work employment over welfare?

MR. GOURLAY: I'm not sure that I've talked to these specific people that have been in these projects that you refer to.

MR. COWAN: Does the Minister think that individuals in Northern Manitoba would prefer welfare over being employed, even on a short-term basis, on what the Minister calls a make-work project?

MR. GOURLAY: Could the member repeat that question?

MR. COWAN: Yes. I was asking the Minister if he hasn't talked to individuals in respect to this I'm asking for his opinion and the opinion I would like from the Minister is does he believe that individuals would prefer welfare over being employed if even only on a make-work short-term project?

MR. GOURLAY: I would say for the most part people do not enjoy living on welfare; they would prefer to work.

MR. COWAN: And those people would prefer to work on even short-term make-work projects, as the Minister calls them? Is that his opinion?

MR. GOURLAY: I would think perhaps they may. That's correct.

MR. COWAN: So let us have the record straight, Mr. Chairperson. The Minister is not saying that they have disbanded these make-work projects because people in the north want them disbanded; they have disbanded them for other reasons.

MR. GOURLAY: As I explained earlier, the types of jobs that we are trying to create are long-term meaningful jobs that will be self-sustaining. The types of projects, as I indicated, that were for the most part started under the previous administration were big losers and had no hopes of becoming self-sustaining, they weren't short-term jobs.

MR. COWAN: The Minister didn't answer the question but I don't think he will either, Mr. Chairperson, but that's his prerogative certainly. I would ask him perhaps to bring back information for our next sitting, if he doesn't have it available now, as to how many long-term self-sustaining jobs have been created in Northern Manitoba in his three-and-a-half years of government? As well I would ask if they can provide information on how many long-term self-sustaining jobs have been lost in Northern Manitoba during their term of government?

MR. GOURLAY: Mr. Chairman, I'm not sure if that information is available to us but if it is we'll get it.

MR. CHAIRMAN: 1(b) — the Member for Rupertsland.

MR. BOSTROM: Thank you, Mr. Chairman. I'd like to make some general comments on the Minister's office part of the Estimates which covers the entire department and therefore it should be possible to comment on the general concerns we have before we get into the specifics of the department.

Mr. Chairman, I'm particularly concerned with many of the things which my colleague has already brought up and that is the government's attitude towards northern development. Certainly, as we have seen over the past three years of this government, they do not appear to have the interest of the communities at heart in terms of the development of an kind of innovative programming. What we have seen is the reduction or elimination of any kind of developmental programs that have been available

through the Department of Northern Affairs. What we have seen in its place is the concentration on the physical delivery of infrastructure services to the communities. Now granted that's a very important function of the Department of Northern Affairs but it's not the only function of the Department of Northern Affairs. It certainly wouldn't be the only function of a Department of Northern Affairs under a New Democratic party government. I say that, Mr. Chairman, because I think that is where the contrast lies between the Conservative approach to northern communities and the NDP approach to development in the north.

If we look at the north in general we see that it's really doomed to become a welfare population if the provincial government continues to follow this policy because really they're only looking after the physical side of the communities; they're not attempting in any way to assist the communities to develop economically; they're not assisting them to develop their resources. They're forcing them to rely on an unstable subsistence economy, trapping and fishing, which has been there for centuries is practically the only occupation which this government I think considers the people are able to do in the northern communities. They're certainly not doing anything about the high unemployment. The environmental problems in the communities are not being looked at sufficiently by this government in spite of their blinkered view of the communities and their concentration on only the physical side of their problems. There's certainly an inadequate level of social programs and resources. Mr. Chairman, the north in Manitoba suffers much the same kind of problems as developing countries and it's something that any government has to take notice of and has to try to develop the programs to deal with those problems. If you look at the area, Mr. Chairman, you see that the area generally has the highest illiteracy rate in any place in Manitoba and certainly it's comparable with developing countries in that respect.

If you look at the statistics you see there is a higher suicide rate which is related to the depression conditions that face the people in the communities. There are more youths and able-bodied people on welfare than anywhere else in Canada. There is a higher rate of infant mortality because of the unsafe conditions of the housing and the improper health services that are available and, Mr. Chairman, I think a large part of the problems that are facing Northern Manitobans today are part and parcel of the blinkered view that the Conservative party has towards Northern people. There's certainly an indecisiveness if not a complete lack of responsibility on the part of the Progressive Conservative government in developing any kind of northern social or economic policies. There has really been no efforts made other than to continue some of the programs that the NDP brought in.

I don't know one single solitary program that this Minister or any other Minister can hold up and say this is something that we've developed and we are holding out, to be at least part of the answer to the problems of Northern Manitoba. They have simply carried on the part of the policies that were developed by the NDP and even there they have watered them down to the point where they actually

discriminate in the delivery of the policies and we saw the communities economic development fund as a case in point, where it's not even available to over 75 or at least 50 percent of the Native people that live in the Northern part of Manitoba and that is the treaty Indian people, this government is ignoring their economic development opportunities. They are ignoring them and refusing to permit them to even apply to the Communities Economic Development Fund for assistance and I say that's a discriminatory policy — I've said it before and I'll continue to say it — because I think this government should be embarrassed by that kind of a policy and it certainly should be pointed out at every opportunity.

If you look at the North it's become even more isolated economically and socially since this government has been in power. It certainly exhibits something which I think is really unfortunate and that is the sense of hopelessness that has developed in many communities. You talk about doom and gloom in the Province of Manitoba, Mr. Chairman, you certainly see it and hear it in many Northern communities because there is a sense that there is no government either provincially or federally that's really interested in their problems and is really prepared to do anything about the major problems which they are facing. So there is certainly a lack of confidence in the future.

I saw when I was first elected in 1973, in many of the Northern communities, in fact most of them, there was a sense of hope that something was going to be done and there was a sense of participation in the local government, a participation and a potential economic development of the communities and that is something that has waned, certainly under the Conservative Government because they see this government as not being one that's receptive to that part of their development, in fact to the point where they've just thrown up their hands and they say there's no point in even writing a letter; or putting in a proposal; or making any effort really to get this Conservative Government to move in areas of economic and resource development. We may as well just forget about it. So there's that sense of hopelessness when it comes to economic development opportunities. I think that's sad and it's something that this government has to be blamed for because they certainly haven't done anything in that area.

MR. CHAIRMAN: The Member for Rupertsland.

MR. BOSTROM: Mr. Chairman, I would think that generally the government's response which has been characterized by one of providing a very minimal level of service which is just sufficient to guarantee the containment of people in the remote communities. It's not a large enough level of service to allow them to develop any opportunities for education or training to get out of the community and to pursue other opportunities; it's a containment policy which this government is following. It's one of providing welfare and just keeping people down, in the community and not doing anything more in terms of assisting them.

The North generally, Mr. Chairman, is lacking in most services and especially in the area of health care. I think it's tragic and it's something which should be a source of shame to Manitoba and

Federal governments that people in the North suffer such a low degree of health care and as a result there is such a high degree of infant mortality and other health problems.

If you look at the reports on alcoholism, Mr. Chairman, you see that alcoholism exceeds by nearly 50 percent the provincial average in Manitoba and certainly that also can be attributed to the feeling of desperation and hopelessness that people feel in Northern communities. It's not only the Indian or Native people that have problems with alcohol, it's every person, every resident, in many cases every kind of resident that lives in Northern communities. You talk to teachers, nurses, professional people in the communities who find that in many cases there are alcohol problems there too because of the isolation and the loneliness associated with communities that have very little opportunities for recreation or personal development of any kind.

Mr. Chairman, if this government doesn't have any sense of political purpose in relationship to development of the northern part of Manitoba I think it's a sad case for Northerners. I've questioned the various Ministers on this, whether it be the Minister of Mines or the Minister of Natural resources or in this case the Minister of Northern Affairs, and none of them seem to have any sense of political policy or purpose as to where they may be going in terms of the government's direction in Northern Manitoba. What seems to be particularly absent is any kind of philosophical commitment to develop any kind of innovative programs to assist Northern people.

Then you see, Mr. Chairman, the headlines, "The province ties roads to jobs" and my colleague already mentioned when we asked the Minister of Northern Affairs which roads were going to be developed which would create jobs, he couldn't think of any. Well, Mr. Chairman, when that's your only policy and your only idea or concept of something that may assist Northern people in developing jobs then when you pursue even that glimmer of hope, that little light of possibly some concept in the mind of the Minister as to what may assist Northern residents we find even there, there is blackness and nothing. He doesn't know what he's going to be doing even in terms of better roads.

The Minister was also quoted in the same article as saying he doesn't have a lot of ideas for creating employment. Well, that's certainly true and I think it exemplifies the Progressive Conservative Government in their attitude towards the north. In fact I suppose it would be exemplary for the whole province that they don't have any ideas as far as creating employment.

Mr. Chairman, it's interesting to listen to the Minister who said today that he doesn't want to start any short-term make-work projects. You would think then, Mr. Chairman, that he has some kind of a policy on the other side of the spectrum which is to create long-term jobs. Mr. Chairman, when you look at the article — the same article where he ties roads to jobs — you see that the Divisional Personnel Manager for Sherritt Gordon Mines at Leaf Rapids and Lynn Lake is quoted as saying "that a proposed Native hiring and training program had been scrapped" and that the reason was production is so low the company doesn't have time for as he call it "little fringe programs".

Mr. Chairman, I think that the reason that Sherritt Gordon is not proving itself to be a good corporate citizen by increasing its opportunities for Native people, particularly the unemployed people in the remote communities, increasing opportunities for these people to have jobs, permanent long-term jobs in the community, can also be laid at the doorstep of the Provincial Government. What initiative is the Provincial Government taking to ensure that the companies that are operating, that can have the potential of providing long-term jobs to people are actually fulfilling their responsibility. Here again there's a failure on the part of the government to really do anything in that area.

I want to follow this up, Mr. Chairman, when we get down to line by line because I think that the government now has an opportunity, with a new mine opening up in the area of Bissett, Manitoba, which is a remote community which comes under the jurisdiction of the Minister of Northern Affairs, where he could take the initiative and make sure that there is provisions made that would compel the company to take the initiative, to get out there and to recruit their employees, their 200 employees that they need from the local area. There are people there that have mining skills that could be taken on I'm sure immediately without any training. But, Mr. Chairman, there is sufficient lead-time, which I think would be available to the mining company, to provide training programs for the mill operation which is going to be in operation I understand towards the end of 1981; they could have training programs in place to make sure that people are trained to plug into those jobs as soon as they come available.

Mr. Chairman, there's good reason on the part of both the government and on the part of the company to do this kind of thing because on the part of the government many of these people are now on unemployment insurance, if they were lucky enough to have had a job sometime during the last year, or they're on welfare. Mr. Chairman, to the extent that they can be put into permanent employment is a saving to the taxpayers, both provincially and federally. On the part of the company, Mr. Chairman, the statistics show that the most reliable workers, the workers that have the lowest turnover rate in mining towns, are those that come from the remote northern communities. The highest turnover rate is recorded in those mining towns where they have the transient miners that come from all over the world to work in mining towns. Many of them stay two or three weeks or a month till they get a stake and they're off; when they spend their money they're on to the next mining town in some other jurisdiction. They're a very transient population in that respect.

I want to compare, Mr. Chairman, this government's attitude toward that one thing which the Minister wants to hang his hat on — long-term job creation — to the efforts that are being made in Saskatchewan by the NDP government there, to make sure that Native people have an opportunity to participate in the long-term jobs that are made available through resource development and mining. If you take a look at the one example that has come to my attention — the AMOC development which is a combination of the AMOC Company and the Saskatchewan Mining and Development Corporation. They have, in a lease, the government has compelled

the company to ensure that Native people are trained and employed in that mine. They have a 43-page lease under which the company is compelled to have at least half of the company's mine and mill employees to be of Native descent. Mr. Chairman, it's spelled out clearly in a lease. There's no just word-of-mouth commitment that yes we're going to look for people in the local area and we'll make every effort to ensure that we hire people that are available because, Mr. Chairman, we have the experience to know that this goodwill part does not always come through to create jobs. It has to be more concrete and definite than that. I would say that the government here should be able to take an example from the AMOC situation in Saskatchewan because if you look at what is happening there now you see that AMOC has exceeded its 1982 objective already by this time. The Native employees in the Saskatoon office even are a case in point where they're proving that the Affirmative Action Program which has been in a sense foisted upon them by the NDP government in that province, is working out to the company's advantage; they're getting very good dedicated Native people working in their operation.

They have to go some lengths to live up to the lease. One of the requirements for example is that the company's recruitment team make regular sweeps through the villages of Northern Saskatchewan to interview people and to line up promising candidates who are flown to Saskatoon for interviews, briefings, medical examinations, etc. Those that are still interested in working are given the opportunity to enter the work force at the Cluff Lake Mine in Northern Saskatchewan. It's an expensive and lengthy process as admitted by the AMOC people but, Mr. Chairman, they say, and I quote from them, "It pays off". People who are hired cannot become early dropouts because they know what to expect.

If you compare that to other mines even in Northern Saskatchewan the ultimate bottom line is the turnover experience. The turnover at AMOC last year was running around 38 percent with its Native employees in place and that's compared to 100 percent turnover which has been experienced at Eldorado Nuclear in Uranium City. At the latter mine in Uranium City most employees are non-Native and many are non-northern residents. You can see the same thing in Northern Manitoba if you take a look at Thompson, any of the northern mines with the possible exception of Flin Flon where they have a pretty stable work force. The turnover rate is approaching 100 percent. The mining companies would be well advised to look to the people that are living right in the north to become part of their labour force because they would have a more stable labour force. In so doing I'm sure it would be a happier and more profitable experience for the company and this is an area which the government, if it had any gumption and any initiative, would get in there and make sure it happens. If they're talking about long-term jobs here's an opportunity for you, take that on as a project. But, Mr. Chairman, the thing that we see from this government is a lack of attention and a lack of interest and because of that I don't even hope, I don't even expect that they will do anything even given the information that's provided to them of the potential success of these kind of programs.

MR. CHAIRMAN: The member will have approximately nine minutes when the Committee meets again.

The hour being 4:30 Committee rise for Private Members' Hour.

Committee rise.

SUPPLY — ATTORNEY-GENERAL

MR. DEPUTY CHAIRMAN, J. Wally McKenzie (Roblin): Committee will come to order. We are examining the Estimates of the Department of the Attorney-General and we are dealing with Resolution No. 17, 2(b)(2) the final item and I understand that the Honourable Attorney-General had some information to bring to the Committee. If that's the way you wish to start or the Honourable Member for Wellington whichever the Committee suggests.

MR. BRIAN CORRIN: I was going to suggest the point, Mr. Chairman, that the first item would be the item, well I guess two items that were carried over, being the expenses incurred by the Provincial Government to pay special counsel responsible for the conduct of the Constitutional Reference Case, namely, Mr. Kerr Twaddle. It was indicated yesterday that information would be brought back to us at the beginning of today's Session.

The other item I'm less enthusiastic about, I think it can be covered under this item so I don't care, that's dealing with the wire-tap information which I think will flow naturally into the criminal prosecutions item.

MR. DEPUTY CHAIRMAN: I thank the Honourable Member for Wellington. The Honourable Attorney-General.

MR. MERCIER: Mr. Chairman, I've not yet received all of the information. Today being Wednesday Cabinet met this morning and I came right into the House. I don't have that information available today with respect to either matter but I hope to have it available tomorrow at the start of the Estimates. I think we could agree at the start of the Estimates tomorrow I would raise whatever information I have and whether the item is passed or not we can return to it. I have no objection to that.

MR. DEPUTY CHAIRMAN: Can I get some advice from the Committee. Will we leave this item, pass it, the Attorney-General will bring the information tomorrow or how do you wish to deal with it? We could do it on the Minister's Salary. We'll pass then Resolution 17, 2.(b)(2).

Resolved that there be granted to Her Majesty a sum not exceeding \$3,935,100 for the Attorney-General. Legal Service of \$3,935,100 — pass.

The Honourable Member for Wellington.

MR. CORRIN: Mr. Chairman, I know you weren't Chairing the meeting last night but where we left off last night was we had just completed 2.(a)(1) and (2) and we were about to proceed this afternoon at 2.(b)(1). That's the actual starting point this afternoon.

MR. DEPUTY CHAIRMAN: The benefit of the Committee my minutes here and the book show that (b)(1) and (b)(2) were already passed.

MR. CORRIN: Occasionally we just have to accept each other's words as gentlemen, Mr. Chairman, and I'm sure the Attorney-General's recollection will be the same as mine.

MR. MERCIER: Mr. Chairman, I think the presiding Deputy Speaker last night may have ticked them off but I really don't think we completed the items. I have no objection to continuing the discussion.

MR. DEPUTY CHAIRMAN: (b)(1) Salaries — the Honourable Member for Wellington.

MR. CORRIN: Yes, thank you, Mr. Chairman. Mr. Chairman, dealing with the criminal prosecution side of the department there are several items I wish to discuss. One that is of perhaps the most immediate importance to me and one that I believe is probably of considerable importance to other members present in the Chamber deals with the subject of the departmental attorneys with respect to incidence of child abuse.

Mr. Chairman, as I'm sure we're all aware there have been recently in the Winnipeg Free Press a series of rather revealing articles discussing the nature of this particular social problem, giving accounts and recollections of different people's perceptions of the problem and, as well, discussing the policies and programs of the government to cope with this I suppose you might term it a merging social problem. Perhaps it's a very old social problem but one that for some time has been in the closet and has not been the subject of public discussion.

In any event, Mr. Chairman, I wish to ask the Attorney-General several questions pertaining to this subject because I feel it's worthy of some consideration. We've never touched on it in these Estimates in the previous years of this particular government's term.

Mr. Chairman, my main concern is the approach taken by the Department of the Attorney-General when confronting allegations of child abuse. I'm talking about substantive allegations of child abuse; cases where there is physical evidence, perhaps more evidence that a child has been physically abused and has fallen subject to a parent or some other person who has in one fashion or another assaulted it.

Some time ago, approximately two months ago, I was involved in a case which I'm sure is no longer before the courts, involving the beating by a father of a young boy. The boy in question was I believe approximately nine years old. His parents were constituents of mine. I would like, if time permits, to recollect the events of this particular situation in order that other members be familiar with it in order that I can use it to discuss the policy of the Minister's department in this respect.

The information I received, Mr. Chairman, was that on the evening of the 14th of March the boy's father commenced beating him and the beating was by way of slaps to the boy's face and across his head and several kicks I guess to his back end and lower back with the father's heavy construction boots. At that point the mother attempted to intercede and attempted to stop the father from beating the child. The father apparently picked up a chair and threatened to kill the mother with it if she continued

to interfere with what he perceived as being his discipline of the boy. I might add that the whole incident stemmed from the 9-year-old boy's flooding of the basement toilet in the house. In any event after threatening the mother with the chair, apparently the father went back down into the basement where the boy was hiding in one of the rooms and continued the beating.

The mother took the other children and ran out of the house, ran down to the end of the block to a friend's home where she phoned police. The police came and they picked up the mother and the other children at the friend's house. I want to indicate as well that before the police went to the house — although it's partially pertinent but not absolutely from the Minister's point of view, he should be informed of this though — the police then went to pick up another daughter who spoke better English at a place where she worked down the way on Ellice Avenue.

In any event they did drive back to the house and they found the boy crying and complaining of injuries, cowering in a corner of the house. The police confirmed that when they arrived the boy was unable to sit down, the pain in his lower back and his backside was such that he couldn't sit. They were all alarmed about this. They didn't know what sort of injuries he'd received and they thought there could be serious spinal injuries so they took him off with the mother and went to the emergency ward at the Health Sciences Centre where he received treatment and also was subjected to x-rays and other clinical examination.

Now we have a situation where I believe the allegations were unrepudiated. I don't think there was any question that the young lad involved in this incident was the victim of child abuse. He was badly beaten. He was taken to the hospital. The medical staff at the hospital took note of the fact that he was bruised; there were no broken bones but he was bruised. The mother and at least two other children in the house witnessed the assault. The mother and one of the teenaged daughters related the circumstances of the assault on the 9-year-old to the police department and to the medical staff at the emergency department at the Health Sciences Centre so there was confirmation and corroboration across the board. No question about it.

I was concerned about this, Mr. Chairman, because I felt that the police should take action. I felt the police should do something in order to bring the perpetrator of this rather heinous criminal assault to justice. So I wrote to the Senior Crown Attorney responsible for the Docket Courts at the Public Safety Building, knowing that he had received the report of the City of Winnipeg Police Department officials and I asked him what the department was going to be doing with respect to this matter. I asked to be advised whether proceedings would be initiated.

Now, Mr. Chairman, here's the rub. In a minute I'm going to read the letter I received in reply from the Senior Crown Attorney. The Senior Crown Attorney advised me in a letter of response a short time after I had written to him, that the lady in question, the wife and mother in question, advised the investigating police officers that she had reconciled as it were with her husband, in other words they had

made up, and she was satisfied that the matter could be dropped. She had indicated to the police that there was no need to proceed. It wasn't a question of her suggesting that any of the representations or statements that were made were false, it was just a question that she indicated she now felt it was unnecessary for the police to proceed with the assault charge.

What bothered me, Mr. Chairman, there is every indication that has been the result of the matter. I received this letter on March 23rd, Mr. Chairman; to date no prosecution has been filed; no information has been laid against this particular individual. The departmental indicates — and I'll read it because I think it merits discussion and debate in the Legislature as I think there are two sides — and in this case I suppose I'm going to be accused of being the hard liner, I'm going to have to be accused of being the one who's perhaps even more inclined toward law and order than the government officials — but I'm willing, Mr. Chairman, in this particular case to take that position and I welcome the opportunity to do so.

The letter I got back goes as follows: "The matter of the assault upon" — we'll just say — "Joe X by his father, Mr. X, is under investigation by officers of the City of Winnipeg Police Department Child Abuse Unit. When the investigation has been completed" — (Interjection) —

MR. DEPUTY CHAIRMAN: On a point of order, the Honourable Member for St. Vital.

MR. WALDING: Mr. Chairman, it's usual in cases where a member reads from a letter that a request be made to table the letter. I'm wondering if that would be in the interests of those involved that such a letter naming names would be entered into the record. I bring that to the attention of the member that is speaking too.

MR. DEPUTY CHAIRMAN: The Honourable Attorney-General.

MR. MERCIER: Mr. Chairman, I appreciate the comments of the Member for St. Vital. I don't propose to ask that the letter be tabled in the Legislature. I would ask that after we complete discussion of this matter that he provide me with a copy of it so we can easily ascertain which case he's referring to and follow it up within the department.

MR. DEPUTY CHAIRMAN: The Honourable Member for Wellington.

MR. CORRIN: Yes, Mr. Chairman, it goes on to say that "When the investigation has been completed the report will be referred to the Child Abuse Committee for review as to whether counseling and therapy, or criminal prosecution is the more appropriate proceeding. This is in keeping with a longstanding policy on child abuse matters".

Mr. Chairman, I'm willing I suppose to recognize that there is a school of thought that would support this — I'm thinking of a term to describe it, more socially conscientious, I can't think of a way to describe it — but I know that there are particularly academics who would suggest that one has to attempt to remediate in circumstances such as this;

one has to take rehabilitative measures; one has to counsel; one has to discuss; one has to conciliate; I know all about that, Mr. Chairman. I know there are many people in society including astute professional people, involved in the subject matter in the field of child abuse who would counsel that as the correct direction to be taken by government officials.

My concern is, Mr. Chairman, that simply there is a law in this country and it says that if one citizen assaults another citizen, the citizen who perpetrates the assault is guilty of a criminal offence and is subject to punishment. That law says, Mr. Chairman, that it is the primary responsibility — because it isn't the sole responsibility — of the chief law enforcement officer of the province to enforce the law. Mr. Chairman, there is absolutely no question about the facts of this assault, I can assure you of that.

The law in question has clearly been transgressed. I want to know, Mr. Chairman — and it's a matter of very serious concern to me and I think it should be a matter of serious concern to others — why the intention of the law as stipulated by the Parliament of this country is essentially subverted or has been subverted by those who wish to make social policy that skirts, or deviates, or circumvents the basic provision of the law.

You see, Mr. Chairman, I'm much more concerned I suppose firstly, about the upholding of the law, and secondly the rights of people. In this case, Mr. Chairman, I believe it is the responsibility of the chief law enforcement officer to uphold the rights of the child. If the child were an adult and 18 years old, that child undoubtedly in those circumstances would probably have seen fit to file a private information against this particular person. I would hope that would be the case because what that child was subjected to was wrong.

Mr. Chairman, I would like to think that the Attorney-General of this province would act in loco parentis through his departmental officials, and I would like to think that the Attorney-General's Department would take the same sort of affirmative action. I believe in these circumstances that there is not only a deterrent effect of doing that, I think it's a very positive statement. I think if the Attorney-General says, "We're going to crack down on child abusers and notwithstanding the fact that we're going to suggest that there be some counseling", which by the way the judge could order under a Probation Order; he could order that there be an attempt at family counseling as part of the terms of the Probation Order.

I am asking that the Attorney-General also direct his staff to take prompt action when confronting these sorts of situations. I'm not against counseling; I'm not against family therapy; I'm not against the initiation of a family dialogue; I'm not against the intermediation of professional social workers; I'm not against a more compassionate police force but, Mr. Chairman, what I am against is the seeming willingness of the department — and for this, Mr. Chairman, I believe the Attorney-General must take responsibility — to allow the issue to be diffused in such a way so as the law is not enforced and respected.

So, Mr. Chairman, confronting the stories that have appeared in the Winnipeg Free Press this past

week which have advised us — and this was of some interest — that the Government Advisory Committee on Child Abuse which was supposed to assist the government in developing policy, only met for the first time in 18 months on April 27th. Mr. Chairman, I look at that and we must recognize that this is a pressing issue. The same article goes on to say that the province does not have a comprehensive program to deal with the growing number of abuse reports. It goes on to say that this 13-member Advisory Committee, although it's made up of many different persons representative of a cross-section of our society is not met. It says nothing has happened since 1976, since the former government drew up guidelines to deal with the child abuse problem.

So, Mr. Chairman, I for one want to know whether the Attorney-General is going to continue to allow his staff to implement this particular approach, whether he's satisfied that this approach is in the best interests of society and if so, Mr. Chairman, I want to know whether a similar approach will be taken with respect to other people who commit assaults. I would like to know, Mr. Chairman, if I decide to attempt to pummel the Honourable Attorney-General — probably with little success but if I attempt to do it — will I also be given a stay of proceedings? Will I also be entitled to shake hands and make up? Mr. Chairman, I'd like to know that and I'd like to know just in the whole context of children's rights whether the Attorney-General feels the staff is taking a responsible position?

In this regard I'd also like to know whether the Attorney-General couldn't consider asking the Public Trustee of this province who is also an official within the scope of his departmental authority, to intercede on behalf of children confronting these situations in order that they have full legal representation even before the matter is reviewed by the Crown Attorney's Office. That, Mr. Chairman, I'm only suggesting because there does not seem to be a willingness on the part of the department to do what I believe they should with respect to these incidents. So I would like some information on this, Mr. Chairman, and I'd like to know what the stated policy of the government will be.

MR. DEPUTY CHAIRMAN: (b)(1) — the Honourable Attorney-General.

MR. MERCIER: Mr. Chairman, as I indicated earlier I would hope that the Member for Wellington would be kind enough to supply me with a copy of the letter which he referred to from the Senior Crown Attorney at the Public Safety Building in order that we may look into this matter within the department.

Mr. Chairman, obviously these are situations where a difficult decision has to be made. As I understand the situation, the Provincial Advisory Committee on Child Abuse was established a number of years ago while the Member for St. Boniface was Minister of Health and I believe the Honourable Leader of the Opposition occupied my position.

I'm interested in the comment that was made and reported in the newspaper that the Committee has not met for some 18 months and I intend to enquire from officials within my department the reason for that lack of meeting. Without knowledge of the specific case, I am awaiting a copy of that letter. Mr. Chairman, I can't really speak to the individual

circumstances of the individual case but obviously in these kinds of cases and under the general description of the circumstances supplied by the Member for Wellington there are some difficult decisions to be made because the child would appear in this case, as I assume it was reviewed by Child Welfare authorities and social workers, that obviously a decision was made that the child who was beaten was to remain in the custody of the parents who had reconciled. Under those circumstances I assume there was probably a general concern about the welfare of the marriage, the continuation of the marriage and ultimately the interest of the child in that marriage. Taking all those factors into consideration it would appear that a decision may have been made, I don't know.

But I'm prepared, Mr. Chairman, upon receipt of a copy of that letter to investigate that case to enquire into the status of the meetings of this Advisory Committee on Child Abuse and if these Estimates are not completed or if they are completed, to respond to the Member for Wellington with respect to this individual case.

MR. DEPUTY CHAIRMAN: Is the Honourable Member for Wellington prepared to table that document as requested?

MR. CORRIN: I wasn't requested to table it, I was requested to provide it to Mr. Chairman, and of course I am going to provide it. I would table it as well but I will provide it. I think the point being that it was agreed that we would conceal the identity as between myself and the Attorney-General and his department as opposed to tabling it and having it accessible to the public.

Mr. Chairman, the point I want to know though is: Where I get into trouble on this is it seems to me that the responsibility of the Crown Attorney's Office is first and foremost to the law of the country. In other words, it is their responsibility to uphold the law of the country. I can understand, Mr. Chairman, that the Attorney-General's Department if a prosecution were successful, might wish to make submissions during the sentencing process that would give effect to the stated policy goal of therapy and rehabilitation; I can understand that, Mr. Chairman. I could see it if the Minister stood up and said that it was the stated policy of the department that certain cases of this sort be given special consideration with respect to sentencing policy; I could understand the position of the Minister. I would be able to respect a position that was sufficiently comprehensive as to allow a Crown Attorney to make submissions to the court in favour, for instance, of a term of probation as opposed to jail requiring as a condition that a therapeutic counseling sort of activity be engaged in; I could understand that.

What I cannot understand, Mr. Chairman, is this sort of discretion that seems to be inbred and inbuilt into the law. The law as I know it doesn't say that the Attorney-General is to exercise discretion upon cases where there is sufficient corroborative evidence, where the Attorney-General's Department is satisfied that the burden of proof can be established in court. This to me is a very novel approach. So what the Attorney-General seems to be suggesting — I think what is implied — is even

though there is the burden of proof with respect to a criminal prosecution would be satisfied, and that adequate evidence is available to assure the success of the prosecution, that the departmental staff is given discretion as to whether or not they are to lay the information — I guess they don't lay the information — whether they are to continue with the prosecution. That I can't understand, Mr. Chairman.

I can understand in circumstances where the evidence is questionable. I can understand the staff deciding not to proceed because they feel that it would be imprudent or generally unwise to proceed on the evidence that's before the Departmental Solicitor. But I can't understand why that discretion and latitude would be given in cases where there is sufficient evidence to confirm the information and the allegation.

As I've said before, Mr. Chairman, if it's a question of compassion, if it's a question of humanity, that is available to the courts already. The court does not have to destroy the fabric of the family. As a matter of fact, Mr. Chairman, it's very simple. If in fact the accused wishes to honestly confront the offence he can simply register a plea of guilty to the criminal assault charge and he can throw himself upon the mercy of the court and give an explanation of the events then as I suggested, Mr. Chairman, the Crown Attorney's Office could recommend compassionate disposition. For that matter the defendant, the accused, could bring character witnesses that would hopefully be able to motivate the court towards a more charitable and lenient disposition. There are ways within the system that all this can be accomplished now.

What I don't understand is why — and this is what I'm driving at and this is the response I want, I suppose I'm trying to elicit — is why is the Attorney-General allowing his staff to play with the system? I don't understand why they are given this sort of latitude. The question is whether or not the Attorney-General agrees with me that they should not be given that sort of latitude in the course of their responsibilities.

MR. MERCIER: Mr. Chairman, there is no question that the Crown makes the final determination as to whether or not charges in these and all other instances are to proceed. Secondly, there is no question that the Crown in the public interest has the prosecutorial discretion as to whether or not charges will be laid. Thirdly, the function of the Advisory Committee on Child Abuse when it was established, representing medical, nursing and social work professions, the RCMP, the Winnipeg Police and the Attorney-General's Department, that their primary function was to develop remedial and preventative child abuse programming.

As I understand the background of this matter, Mr. Chairman, this Committee arose and developed its concerns because of prosecutions which went forward in these cases, which in effect ruined marriages and were not in the best interests of the child or children involved. As I understand it, it is for these reasons in these cases the Crown receives recommendations from medical, nursing and social work agencies with respect to these cases and ultimately makes a decision as to whether it is in the best interest of the child to prosecute in these cases and prosecutorial discretion is exercised, in some cases not to proceed with prosecution.

MR. CORRIN: I'd like to know whether the Attorney-General believes in the deterrent effect of Law Enforcement. In other words I would like the Attorney-General to tell us as a matter of his personal philosophy and disposition with respect to Law Enforcement, whether he believes that the enforcement of the law also creates respect for the law within society. In other words, Mr. Chairman, does he believe that a person who has to confront society in the guise and in the form of the judicial system and is required by the courts to confront his guilt, will be at least somewhat deterred from repeating that sort of unsocial criminal conduct again. Does he believe that law enforcement by its very character, also to a certain extent and it's not perfect, I know, but does he believe that it will have a deterrent effect?

In this context, Mr. Chairman, I want to ask the Attorney-General whether he believes that it would be better that the court have registered a conviction against, for instance, this particular individual, in order that should he repeat this sort of anti-social conduct again that there be on the court record clear unequivocal indication that this person is disposed to this sort of behaviour. Because, Mr. Chairman, if this person were brought to court, and if he pled guilty or was found guilty, then if he were to once again perpetrate this sort of behaviour then the court would be dealing with a second offender.

Mr. Chairman, it makes a big difference because the first time the court might have been disposed to be compassionate and they might have said, "Mr. X go home; receive counselling; don't do it again. It's a very serious matter; we're slapping you on the wrist this morning but don't come back here again, Mr. X". But Mr. X may now do it again, the police may arrest him and he'll come before the courts. He's got an absolutely clean slate, there are no prior convictions registered against him. So you know, Mr. Chairman, Mr. X might get out. Mr. X, having done it twice, might be back on the street again and the judge will slap his wrist that time and he'll be compassionate and he'll say, "Mr. X, don't do it again, this is a bad thing you've done". But then, Mr. Chairman, Mr. X may go out and he might do it a third time. Only the third time, Mr. Chairman, he might kick too hard and the little boy's spine might be dislocated and the little boy might be paralyzed for life or he might be dead. Then, Mr. Chairman, does the Attorney-General feel that he or any member of his staff can live with that on their conscience.

In those circumstances, with the knowledge of all those facts and that background, do they feel that they want that sort of discretion to exercise? Do they feel that it would be better to enforce the law as it is or do they feel it would be better to exercise personal leniency on a very subjective basis, case by case?

My own position is, Mr. Chairman, if we're to do that then we should consider recommending to the Parliament of Canada that the law be amended with respect to criminal assaults on children in order that the Crown attorneys, the staff of the provincial Attorney-General's Departments, can be accorded this sort of wide latitude and discretion.

I don't know why, Mr. Chairman, the staff are holding their hands to their heads. This is the only

staff that ever does that, Mr. Chairman, I'll just put that on the record. It's their discretion to do as they wish but they're the only ones who ever do that during Estimates Review. Perhaps I'm just too outrageous and outlandish but I've been watching for three years and if they want to nod their heads, "that's right", that's fine too. It's a bit irritating, Mr. Chairman. (Interjection)— Mr. Chairman, this is a political forum, the Attorney-General can look after himself.

Mr. Chairman, I would like to know whether there will be recommendations with respect to changing the law. I do not believe that there should be this sort of tripartite negotiation on whether the law shall be enforced. I don't believe that the Winnipeg Police Department should confer with the other agencies and the Crown Attorney's office in order to determine whether to proceed. If there is evidence, Mr. Chairman, I believe that the prosecution should be forthcoming and it should be for the courts to make a decision, not for the Attorney-General's Department to supplant and substitute its discretion for that of judicial authority in this province.

That is the simple nub of the issue, whether it is the rule of law as interpreted by the Attorney-General's Department or whether it is the rule of law as interpreted by the courts. I say it should be the latter, Mr. Chairman, very simply the latter. If a child is abused and there is evidence confirming that the child has been abused and there is sufficient evidence to lay a charge should be forthcoming immediately. I'm not suggesting there should be an uncompassionate view on disposition, on sentencing, I'm just suggesting that there should be a full record.

The government has made some talk about its provincial registry of child abusers and I know that's a different department, Mr. Chairman, I won't dwell on it but they have indicated in past sessions that they have set up a provincial registry and they said they did that because they wanted to know who was prone to this sort of violent activity. Well, damn it, Mr. Chairman, the best record you can have is a court record. If you want a good record you have, not a private record that's kept in a bureaucrat's office in the Ministry of Community Services, but rather, Mr. Chairman, a record that is kept before the courts and one that can be relied upon by a sentencing judge disposing of a case. I would like to see, Mr. Chairman, a case where the Crown Attorney brings into sentencing the fact that there is a record in a provincial registry of child abusers indicating that John Smith has been suspected on several occasions of beating his children. I'd like to see that sort of information provided in a court of law. It can't, Mr. Chairman, and we wouldn't want it to be. Mr. Chairman, it's purposeless, it's absolutely purposeless to maintain these sorts of registries if we're not going to maintain the sorts of registries that will lend themselves to real law enforcement and real remediation of these sorts of situations.

It's happening, as is reported by the Free Press, all the time. There seems to be mounting statistical documentation of abuse. The Winnipeg Children's Aid Society figures indicated 280 reported cases of abuse; they were consulted with respect to another 102 cases in 1980; that's 382 cases last year, Mr. Chairman, that the Winnipeg Children's Aid Society

dealt with. Now, Mr. Chairman, if there were 382 cases that came to the attention of the Winnipeg Children's Aid Society, I ask you, how many cases never get that far? I would speculate, the Attorney-General suggested that they didn't want to break up happy families. I admit, he didn't say that but it was an inference that the department felt they should be mindful of the need to maintain the harmony and integrity of families so they shouldn't be too harsh in their disposition towards these sorts of charges. Well, Mr. Chairman, are we really dealing with happy families? Can we really in our own hearts and consciences, can we really believe that there is such a thing as a happy family where an adult physically abuses a child? Can we really believe that? I just simply can't buy that. I know that there is discord within families, Mr. Chairman. I have a family and there are arguments, Mr. Chairman, there are differences of opinion, there are disagreements, and sometimes there is anger and there is passion but there is a distinction between that, Mr. Chairman, and situations where there is physical violence. How can we respect someone's right to look after a child as a guardian? That is really what a parent is, Mr. Chairman, it's the first best guardian but not the only one available. How can we respect that person, Mr. Chairman, when we have evidence that person is wont to physically abuse the children in his charge?

I say, Mr. Chairman, that what happens so often, and what happened I know in this case, is that an intimidating, aggressive, assertive husband and father will often, after the event, browbeat the mother and wife and will say — in this case there was separation, Mr. Chairman, I want you to know that the woman went to Osborne House, she would not live with that man for four days. She went to Osborne House and she stayed there; she wouldn't come back to his house; she felt very strongly about what had happened on that particular evening.

Mr. Chairman, eventually the family got together and talked about the economic interests of the family and they talked about all the various different impacts and effects. Mr. Chairman, she is in an underprivileged position, she's not able to work she has five children. She's not in a position to take a dominant role within the family; she'll never put that guy in line, she wouldn't dare.

Mr. Chairman, I want you to know that when this particular family was in my office the little girl showed me — this is a 14-year-old girl — on her arms of where she had been beaten with an electric cord on several occasions by her father. She told me that happened with great regularity, particularly when he'd had a little bit too much to drink. That happened every so often during the course of every year as long as she could remember.

So, Mr. Chairman, where are we? What are we really trying to do? Wouldn't it be better for that fellow to come before the courts, with his wife if necessary, and for a judge to say, "What you have done Mr. X is wrong; you can't go on doing that". Wouldn't it be better if he did it a second time that there would be a record so the court could say, "You don't listen to reason Mr. X, it's no use reasoning with you anymore you're not built that way; you're not able to control your passions and emotions". Wouldn't it be better in those circumstances to let the courts do their job and the Attorney-General's staff do its job?

So I said I recognize that the Attorney-General will draw some sympathy, I think this sort of approach will get some sympathy from some elements in society but, Mr. Chairman, I simply believe there are certain bounds beyond which we cannot go so we either change the law or we enforce it. I would like to know whether the Attorney-General will instruct his staff whenever there is evidence which will confirm a prosecution, which they believe will be sufficient to confirm successful prosecution, that they simply proceed no questions asked; gather the evidence from the Police Department and the witnesses, etc. and proceed with the prosecution and let the judge make up his or her mind what sort of disposition should be made.

MR. DEPUTY CHAIRMAN: The Honourable Member for Inkster.

MR. SIDNEY GREEN: Mr. Chairman, I'm hoping against hope that the honourable member is not taking a good case for something to have been done and making a bad case out of it by suggesting a rule which I would find to be inapplicable. I don't know what happened in the particular case but I am satisfied that the honourable member is right when he says that some parents abuse their children to the extent that they should be prosecuted. Some parents, and this comes very hard but some parents kill their children. This has happened. There have been probably more murder-suicides in families than there are murders involving crimes of property or what have you. So it is a fact, and I won't deny it that, as between husband and wife, there can be terrible violence; there can be murder; and there are cases where it has to be prosecuted. But my friend, with this one case which may be exactly that type of case, extends it and says that the director of prosecution has to prosecute every case where there is evidence of a criminal assault. Now, have I heard him correctly? Because if I've heard him correctly then I don't know where the spanking stops and the beating starts and somebody has to say that, don't they? Somebody has to say that and we have judges who have said in open court that I'm going to paddle you. Is it still available, a paddle, although it's not used. The members of the branch are saying it's not even available but I've heard judges say if you'd only gotten the paddle from your father I wouldn't have to be giving it to you now, from your parents.

So there are different views in the world about discipline and I'm not sure that I know all the right answers and I'm not sure that my honourable friend knows all the right answers but I know that some discipline, when it's physical, can take the form of what is technically a criminal assault. I really want to know whether the honourable member is saying that every time such information comes to the prosecution's office that they go out and lay an information and have the man brought before a judge and let the judge decide because I'm sure we'd have to have many more courts than we have. Furthermore, Mr. Chairman, I'm sure that we would not be doing a good thing — and I'm not trying to belittle the honourable member's case which may indeed be a case that should have been prosecuted — I'm certain that the Crown has prosecuted cases of parents being violent towards their children; I've read about it in the papers, of adults being violent

towards dogs. So if you can prosecute those you can prosecute the other. But must we try to establish a rule that the Attorney-General must prosecute every case because I don't think that that is the criminal law, Mr. Chairman.

I do not think that the criminal law requires that the Attorney-General prosecute every case of which he believes there is evidence. I remember sitting in Cabinet, Mr. Chairman, when I was told that there was evidence of an obscene film and I said my vote is it is not an obscene film and I won't prosecute. I say the Attorney-General has a discretion and he has to decide which cases he will prosecute and which cases he will not prosecute. I was prepared to say let there be a private prosecution and let them go and lay information but that the Attorney-General did not have to prosecute that case.

Indeed, Mr. Chairman, the general rule in common assaults, as between two adults, is that the state does not prosecute. The general rule is that you can't figure out where the real cause of a common assault fight is and if there is no bodily harm occasioned then my impression is that you let the man proceed by way of private prosecution.

Well, Mr. Chairman, I don't know how old the child is but does a person have to be 18 before they can lay an information and complaint? —(Interjection)— Well, I know that you have to sue by your next friend, but what about an information and complaint, I'm not sure that my friend is right, however he may be. I believe that a person can swear a complaint provided that he knows the meaning of the oath. Well, you know we're getting like signals and it seems to me that what the prosecutors are saying is that I am correct. You have to sue my ex friend. Okay, Mr. Chairman, because it was done once I really don't care. The fact is that if it has to be done by an ex-friend it can be done by way of private prosecution as well if that's what you are saying it has to be done by.

I would very much not want it to be the law and this is where I try to ask the Member for Wellington to try to confine the argument on the case to the case because I would not want it to be the law that every time the Attorney-General had knowledge of facts which suggest evidence that there is a criminal offence that's been committed that he go ahead and prosecute. There are times when you don't do it. For years the Crown did not prosecute people for selling contraceptives; for years they didn't do it and there was all kinds of evidence that it was being done and it was against the Criminal Code of Canada. For years they did not prosecute people for counselling methods of birth control although it was contrary to the criminal code; for years they didn't prosecute people for conducting bingo games. And you now why they didn't, because I was at the bingo trial? I was at the trial when the Judge, Arnold Campbell, told the jury that was prosecuting the Lions Club for conducting a bingo game you shall go into that room and come out and say guilty; that was his charge and they went into the room and they came out and they said not guilty and the Crown just couldn't prosecute bingo games.

In England there was a celebrated court case about a year ago because the Attorney-General did not prosecute a strike for reasons — I believe it was a strike, and this one I'm not sure but I think that the

general facts that I will state will be correct — that the Attorney-General of England, and I think it was under the labour administration, did not prosecute in a certain case where there was something to do with an industrial dispute. And a mandamus was brought against the Attorney-General requiring him to prosecute because a law had been broken and I believe the courts in England said that you could not bring such a mandamus because the administration of justice had a discretion as to when they proceeded with the charge and when they did not proceed with the charge. I think that is something which is unavoidable and I believe that if the Member for Wellington would think about it awhile or at least reconsider the blanketness of his position he would say that not every evidence of a criminal offence having been committed requires, under the Criminal Code and the law that the Attorney-General institute a prosecution; that is just not the fact.

The fact is that the Attorney-General still has discretion as to when a prosecution should lie — and I'm not saying it shouldn't lie in this case. I don't really know the case and the Member for Wellington obviously does and if there has been an abuse of the child such as would require the Attorney-General to make that decision, fine, but I don't think that if the Member for Wellington became the Attorney-General and had cases brought to him of the fact that a parent disciplined his child and used physical discipline, which some people still believe in, that every such case would be, in his view, a case which should be prosecuted. It could be a technical assault, it could be an assault. You have to decide whether, under the circumstances, prosecution is the best way of dealing with it. I am hastening to say that I do not agree — I'm not suggesting that the Member for Wellington is wrong — I'm saying that this case should have been prosecuted. I suggest that it is not right that the Attorney-General must prosecute by law every time he sees that there has been a commission of an offence which is punishable by the Criminal Code.

MR. CORRIN: I just wanted to elaborate a bit because I think the opinion of my honourable friend from Inkster deserves some response and I think that his presentation deserves some rebuttal, friendly rebuttal. I would bring to his attention I suppose two points and bring to the attention of other members of the House two points with respect to these matters, Mr. Chairman.

First of all, child abuse is a special circumstance. Normally if a child is the subject of an assault and physical abuse one would hope, and I think one can expect that the child's father, that the child's parents, would bring that to the attention of the law enforcement agency. I would hope they would do that as opposed to take matters into their own hands. In cases of parental child abuse that, of course, normally will not happen. So I say on that basis, Mr. Chairman, that there is a special responsibility resting with the government and the department of the Attorney-General with respect to law enforcement in this regard. I guess I should also ancillary to that and make the point that we can of course not expect the child to be able to, nor should we expect the child to be able to, or be inclined to, lodge its own information and complaint against the parent. That would be to ask the child, a nine or 10-

year old child to be in an invidious sort of situation. I don't think we would ever want to put that burden on the child. So, I think, Sir, for that reason the responsibility should lie where I think the public has put it with the Department of the Attorney-General.

Secondly, I think with respect to the question of parental discipline and the degree of the assault. The honourable member suggests that he wants discretion to be exercised because normal discipline is in a sense an assault. That is correct, Mr. Chairman, but I think we must remember that it's all a question of degree. First of all, it's unlikely that a case of normal discipline will ever come to the attention of the law enforcement authorities, namely, the police; it is highly unlikely. It would only happen when that discipline went beyond the normal bounds and the child presented, as in this case, in an emergency ward, or came to school with bruises on its body. So it's highly unlikely, it's a rather fictional sort of scenario that the Attorney-General would have to exercise discretion in cases of normal discipline because in those circumstances it's highly, highly, highly unlikely that the events, the incident would ever come to the attention of authorities in the first place.

Also, Mr. Chairman, there wouldn't be sufficient evidence in a case of normal discipline to sustain a criminal assault charge. You know, a slap like that across Johnny's hand is not a criminal assault and no police officer worth his salt is going to go to the Attorney-General and say, we have evidence that John Doe slapped his son's hand because his son came home three hours late from school. You know the Attorney-General's department would laugh and say the courts wouldn't uphold that prosecution. That's not an assault, it's just not within the normal bounds, normal purview of legal precedent.

Mr. Chairman, I would suggest that it's the Member for Inkster that's extending a case basically on a rational premise, but it's him who's overextending his case. I will yield, Mr. Chairman, in order that the Member for Fort Rouge and the Attorney-General be given an opportunity to respond to other member's discussion of this issue but I still feel vigorously supportive of my original position.

MR. DEPUTY CHAIRMAN: The Honourable Member for Fort Rouge.

MS. WESTBURY: Yes, Mr. Chairman, I wasn't going to talk about that, I wanted to ask, under what line I should discuss the treatment of people who are being held at the Public Safety building? Does this come now or on the next section? No. 5 maybe?

MR. DEPUTY CHAIRMAN: The Honourable Attorney-General.

MR. MERCIER: The Member for Wellington has indicated it comes under Community Services and Corrections but I think the member is probably referring to perhaps some allegations of police brutality. If she is, perhaps under the Manitoba Police Commission might be the best . . .

MS. WESTBURY: It might even qualify for the Human Rights Commission so I'll try it sometime in there. Thank you very much.

MR. DEPUTY CHAIRMAN: The hour is 4:30. Committee rise. Call in the Speaker.

The Chairman reported upon the Committee's deliberations to Mr. Speaker and requested leave to sit again.

IN SESSION

MR. DEPUTY SPEAKER: The Honourable Member for Roblin.

MR. J. WALLY MCKENZIE: I move, seconded by the Honourable Member for Gladstone, that the report of the Committee be received.

MOTION presented and carried.

PRIVATE MEMBERS' HOUR

MR. DEPUTY SPEAKER: Order please. We are now in Private Members' Hour.

The Honourable Government House Leader.

MR. MERCIER: Mr. Speaker, on Monday when resolutions were being considered in Private Members' Hour the Speaker had indicated at the end of the day, perhaps after 5:30, that he was either ruling or going to rule the amendment of the Member for Minnedosa's Resolution 18 in order. I understand that it really was not proper for him to do that at that time and that he has a ruling to make to the Chamber therefore that resolution can't be proceeded with today without the Speaker making a ruling. On this understanding, which I believe was communicated to the Member for Lac du Bonnet, the Member for Lac du Bonnet finding out that the resolution was not going to come up today, I think he had other business and left the Chamber. In view of that I wonder, Mr. Speaker, if there is a disposition to call it 5:30.

MR. DEPUTY SPEAKER: The Honourable Member for Inkster.

MR. GREEN: Yes, Mr. Speaker, I'm not going to interrupt that suggestion. But what the Speaker did I think was perfectly right. He said on Monday that he was going to rule on Wednesday that this resolution was in order and the reason he said it was so that people would be prepared to debate the resolution. He didn't make the ruling from the Chair but he wanted members to know that the resolution would be ready for that time. If he is not here and can't make the ruling then certainly I don't see that there are members who will want to say.

MR. DEPUTY SPEAKER: Well, I would apologize for the Speaker's health. I'm sure that it wasn't a matter of that he wanted to because he is a little bit under the weather.

The hour being 5:30, the House is now adjourned and stands adjourned until 2:00 o'clock tomorrow afternoon. (Thursday)