

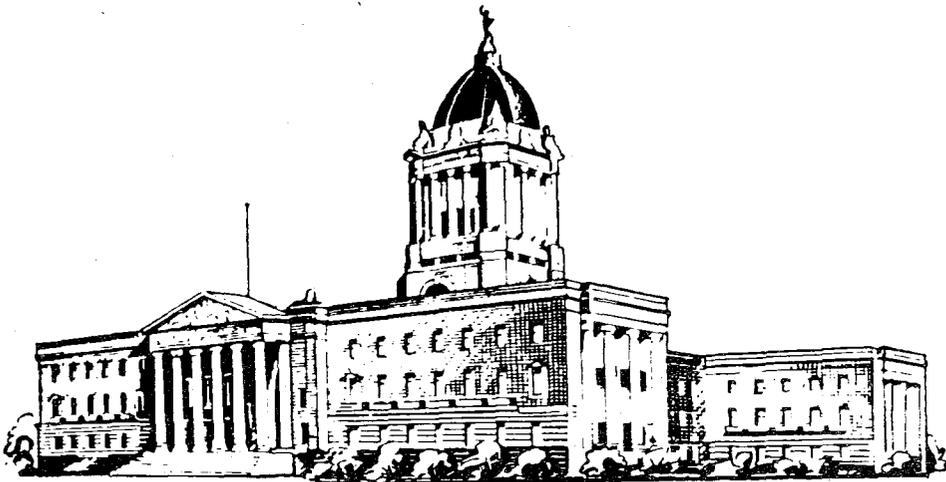


Legislative Assembly of Manitoba

**DEBATES
and
PROCEEDINGS**

Speaker

The Honourable Peter Fox



Vol. XVIII

Third Session, 29th Legislature.

No. 139 - 9:30 a.m., Tuesday, July 27th, 1971. — No. 140 - 2:30 p.m., Tuesday, July 27th, 1971.

ELECTORAL DIVISION	NAME	ADDRESS
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ASSINIBOIA	Steve Patrick	10 Red Robin Place, Winnipeg 12
BIRTLE-RUSSELL	Harry E. Graham	Binscarth, Manitoba
BRANDON EAST	Hon. Leonard S. Evans	Legislative Bldg., Winnipeg 1
BRANDON WEST	Edward McGill	2228 Princess Ave., Brandon, Man.
BURROWS	Hon. Ben Hanuschak	Legislative Building, Winnipeg 1
CHARLESWOOD	Arthur Moug	29 Willow Ridge Rd., Winnipeg 20
CHURCHILL	Gordon Wilbert Beard	148 Riverside Drive, Thompson, Man.
CRESCENTWOOD	Cy Gonick	115 Kingsway, Winnipeg 9
DAUPHIN	Hon. Peter Burtniak	Legislative Bldg., Winnipeg 1
ELMWOOD	Hon. Russell J. Doern	Legislative Building, Winnipeg 1
EMERSON	Gabriel Girard	25 Lomond Blvd., St. Boniface 6
FLIN FLON	Thomas Barrow	Cranberry Portage, Manitoba
FORT GARRY	L. R. (Bud) Sherman	86 Niagara St., Winnipeg 9
FORT ROUGE	Mrs. Inez Trueman	179 Oxford St., Winnipeg 9
GIMLI	John C. Gottfried	44 - 3rd Ave., Gimli, Man.
GLADSTONE	James Robert Ferguson	Gladstone, Manitoba
INKSTER	Hon. Sidney Green, Q.C.	Legislative Bldg., Winnipeg 1
KILDONAN	Hon. Peter Fox	627 Prince Rupert Ave., Winnipeg 15
LAC DU BONNET	Hon. Sam Uskiw	Legislative Bldg., Winnipeg 1
LAKESIDE	Harry J. Enns	Woodlands, Manitoba
LA VERENDRYE	Leonard A. Barkman	Box 130, Steinbach, Man.
LOGAN	William Jenkins	1287 Alexander Ave., Winnipeg 3
MINNEDOSA	Walter Weir	Room 250, Legislative Bldg., Winnipeg 1
MORRIS	Warner H. Jorgenson	Box 185, Morris, Man.
OSBORNE	Ian Turnbull	284 Wildwood Park, Winnipeg 19
PEMBINA	George Henderson	Manitou, Manitoba
POINT DOUGLAS	Donald Malinowski	361 Burrows Ave., Winnipeg 4
PORTAGE LA PRAIRIE	Gordon E. Johnston	Room 248, Legislative Bldg., Winnipeg 1
RADISSON	Harry Shafransky	4 Maplehurst Rd., St. Boniface 6
RHINELAND	Jacob M. Froese	Box 40, Winkler, Manitoba
RIEL	Donald W. Craik	2 River Lane, Winnipeg 8
RIVER HEIGHTS	Sidney Spivak, Q.C.	1516 Mathers Bay, West, Winnipeg 9
ROBLIN	J. Wally McKenzie	Inglis, Manitoba
ROCK LAKE	Henry J. Einarson	Glenboro, Manitoba
ROSSMERE	Hon. Ed. Schreyer	Legislative Bldg., Winnipeg 1
RUPERTSLAND	Jean Allard	602 - 245 Provencher Ave., St. Boniface 6
ST. BONIFACE	Laurent L. Desjardins	357 Des Meurons St., St. Boniface 6
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ST. JAMES	Hon. A. H. Mackling, Q.C.	Legislative Bldg., Winnipeg 1
ST. JOHNS	Hon. Saul Cherniack, Q.C.	Legislative Bldg., Winnipeg 1
ST. MATTHEWS	Wally Johannson	23 - 500 Burnell St., Winnipeg 10
ST. VITAL	D. J. Walding	31 Lochinvar Ave., Winnipeg 6
STE. ROSE	A. R. (Pete) Adam	Ste. Rose du Lac, Manitoba
SELKIRK	Hon. Howard Pawley	Legislative Bldg., Winnipeg 1
SEVEN OAKS	Hon. Saul A. Miller	Legislative Bldg., Winnipeg 1
SOURIS-KILLARNEY	Earl McKellar	Nesbitt, Manitoba
SPRINGFIELD	Hon. Rene E. Toupin	Legislative Bldg., Winnipeg 1
STURGEON CREEK	Frank Johnston	310 Overdale St., Winnipeg 12
SWAN RIVER	James H. Bilton	Swan River, Manitoba
THE PAS	Ron McBryde	Box 1295, The Pas, Manitoba
THOMPSON	Hon. Joseph P. Borowski	Legislative Bldg., Winnipeg 1
TRANSCONA	Hon. Russell Paullay	Legislative Bldg., Winnipeg 1
VIRDEN	Morris McGregor	Kenton, Manitoba
WELLINGTON	Philip M. Petursson	681 Banning St., Winnipeg 10
WINNIPEG CENTRE	J. R. (Bud) Boyce	777 Winnipeg Ave., Winnipeg 3
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THE LEGISLATIVE ASSEMBLY OF MANITOBA
9:30 o'clock, Tuesday, July 27, 1971

Opening Prayer by Mr. Speaker.

MR. SPEAKER: Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees. The Honourable Member for The Pas.

REPORTS BY STANDING COMMITTEES

MR. RON MCBRYDE (The Pas): Mr. Speaker, I beg to present the Second Report of the Standing Committee on Agriculture.

MR. CLERK: Your Standing Committee on Agriculture begs leave to present the following as their Second Report:

Your Committee has considered Bills:

No. 94 - An Act to amend The Natural Products Marketing Act.

No. 113 - The Farm Machinery and Equipment Act.

No. 120 - An Act to amend The Animal Husbandry Act.

And has agreed to report the same with certain amendments as adopted by the Committee. All of which is respectfully submitted.

MR. SPEAKER: Ministerial Statements and Tabling of Reports.

MINISTERIAL STATEMENTS

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

HON. SIDNEY GREEN, Q.C. (Minister of Mines, Resources and Environmental Management) (Inkster): Mr. Speaker, I wish to make a brief report relative to the Fishermen's Income Maintenance Program. In view of the interest in this matter and also in view of the indefinite statements which have been made in the past, I believe that I should present a brief report on the progress of the program initiated by the Province of Manitoba relative to the maintenance of income for fishermen who have been affected by mercury contamination of Manitoba lakes.

The program devised by the Manitoba Government and proposed to the Federal Government in April 1970 consisted of the following elements:

(1) A commercial fisheries development scheme for southern Manitoba lakes which provided for a program of coarse fishery development, fish culture development (aqua culture), and research and monitoring.

(2) A program which allowed for the retirement of older fishermen from the fishery. It was recommended that those fishermen who are unable because of their age to seek alternative employment be eligible to receive a sum of money as a monthly pension.

(3) A work program similar to that offered during the winter months was designed to provide employment opportunity for unemployed fishermen in various communities throughout the province.

(4) As announced earlier, there was also a selective whitefish fishery on the north portion of Lake Winnipeg which provided employment for some 200 fishermen and helpers.

We have succeeded now in establishing the following:

1) The Federal Government has accepted 100 percent of the responsibility for and undertaken the administration of the first item, that is the commercial Fisheries Development Scheme. This aspect of the program will provide employment for Manitoba fishermen at total federal expense. It should be emphasized that although this program is being administered federally, it is a program which was conceived almost entirely by the Provincial Government which willingly accepted the fact that the Federal Government would fund it 100 percent and administer it, thereby resulting in considerable savings for the people of the Province of Manitoba. I note from the Winnipeg Tribune, dated June 28th, 1971, that the Manitoba Federation of Fishermen is much satisfied with these three programs, which I repeat were devised, initiated and requested by the Province of Manitoba.

2) With respect to the second part of the program which we recommended, the Province of Manitoba is unable to proceed on its own volition to provide pensions or early retirement pensions for people in the fishing industry. Although the Government of Manitoba did commit itself to paying 50 percent of the cost of the program if Ottawa would participate with us, the Federal Government has refused to involve itself in cost-sharing such a program.

(MR. GREEN cont'd)

3) The Government of Manitoba is now engaged in providing employment to local public projects in various areas in Manitoba, with an estimated total program cost of \$1,550,000. The amount of monies already committed is approximately \$900,000 for special summer works projects which will provide employment for 309 fishermen in approximately 50 communities. The Federal Government has undertaken to provide 50 percent of the cost of these programs where they employ Treaty Indians, but has refused to commit itself with regard to people who are non-Treaty.

To the best of our knowledge, all eligible fishermen who required and requested employment have been given jobs, and as of the last report which I received, the number of fishermen involved in various projects are as follows: whitefish fishing, 200; (156 helpers and 44 licenses). Commercial Fisheries Development 76; Summer Fishermen's Work Projects 309; Accommodated within programs being carried in various departments of the Provincial Government 125; Forebay projects in Easterville 51. Provincial employment programs, that is the PEP program 8; Canada Department of Indian Affairs and Northern Development Housing Projects 10; Found employment in Industry - these are people who found their own employment 111; Self-employed people 28; Deceased fishermen 13; Receiving Old Age Assistance 50; Moved out of the province 26; Unaccounted for 31; for a total of 1,038 fishermen who would be eligible. It would be appreciated that these figures may vary frequently for obvious reasons such as death, mobility of the working force, etc. It should also be noted that the figures aren't 100 percent meaningful because people can change from one position to another or a person having employment today could be seeking it tomorrow. But this is a general outline as to how the program has worked.

At a meeting with Federal Ministers responsible for the Department of Environment held in Ottawa on Tuesday, June 29th, 1971, I again raised the question of assisting fishermen experiencing a loss of income because of the mercury situation. The Honourable Jack Davis was unable to commit the Federal Government to any additional participation in our program. I've also written to Mr. Davis this week indicating that Manitoba's responsibility in regard to the summer program of income maintenance for fishermen is being carried out and expressing hope that the Federal Government will be assured by contributing funds to this program which was earlier agreed was a responsibility to be assumed by both governments. I have impressed upon the Federal Government our concern for a commitment as to the federal share of the program so we would not be faced with a situation whereby the work program might have to be terminated should the large financial input by the province become exhausted.

In connection with longer range programs for the fishermen, I have expressed to Ottawa our concern for a favourable reaction to our five-year commercial fisheries development scheme for southern Manitoba lakes which is a continuance of the program commenced this summer and which was funded by the Federal Government. We are optimistic to this acceptance of the program, that the acceptance of this program as well as other proposals presently under discussion with federal authority will provide a satisfactory source of income to fishermen in those areas presently affected by mercury contaminated waters.

MR. SPEAKER: The Honourable Member for Riel.

MR. DONALD W. CRAIK (Riel): Mr. Speaker, if I can just reply formally on behalf of our side to the Minister's announcement. First of all, I wish to thank him for reporting this. There was concern expressed earlier in the session and a great deal of debate took place to ensure that adequate support was provided for the fishermen.

We'll look with interest at detail in the Minister's report because it is quite long and quite detailed, but one of the features that seemed to come out of it was that the vast majority of the fishermen are still employed on projects which ready them to go back into the fishing business. I would gather out of the 1,038 that he has listed here that the smallest percentage of these have actually relocated in other industries or in other occupations and that most of them, the large numbers are associated with fish in one way or another. -- (Interjection) -- Well, perhaps then we can examine your statistics in more detail when we get the finalized figures; from the titles given it sounds as though most of them are still associated one way or another.

The main question I think that comes out of it is whether there's any indication that the mercury level has subsided sufficiently that the fishermen can expect to go back on to the lake another year. There is speculation among them that in 1972 they may well be back on the lake

(MR. CRAIK cont'd) and I don't know if the Minister can indicate whether this speculation is well-founded or whether there are any indications as to when the fishing can resume.

INTRODUCTION OF GUESTS

MR. SPEAKER: Any other Ministerial Statements? Tabling of Reports. Before we proceed, I should like to direct the attention of the honourable members to the gallery where we have 13 members of the Walsh County 4H Club of North Dakota under the direction of Miss Arlene Olson.

We also have 24 Sea Cadets from Great Britain, Sweden and the Netherlands under the direction of Mr. George Hanna, of the Navy League of Canada.

On behalf of all the Honourable Members, I welcome you here this morning.

Notices of Motion; Introduction of Bills; Oral Questions; The Honourable Member for Riel.

ORAL QUESTION PERIOD

MR. CRAIK: Mr. Speaker, if I might direct a question to the Minister of Mines and Natural Resources. Can he indicate whether there are any mercury level indications that will indicate when fishing might resume?

MR. SPEAKER: The Honourable Minister of Mines.

MR. GREEN: Mr. Speaker, I did respond to this question on Saturday but I will again today. That there is nothing that can be announced in this connection.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Yes, Mr. Speaker, I'd like to address a question to the First Minister. Since CFI is under receivership, the government most likely will know: Does CFI operate on a deficit, and if so, how much? Or if they are in the black, how much?

MR. SPEAKER: The Honourable First Minister.

HON. EDWARD SCHREYER (Premier) (Rossmere): Is the honourable member asking whether the receiver is operating the complex at a surplus or a deficit? For what time period is my honourable friend thinking.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: For the last month or so. Since the operation started.

MR. SPEAKER: Order, please. I wonder if the honourable member realizes that a Minister cannot carry statistics around in his head continually. Did he provide any notice for the question? I've requested this before. If we're going to proceed so that we can have some definite meaningful relationship I think that this would be necessary. The Honourable Minister of Agriculture.

HON. SAMUEL USKIW (Minister of Agriculture) (Lac du Bonnet): Mr. Speaker, I think on a point of privilege. In yesterday's Free Press on Page 4 it is reported that I had said following: "Mr. Uskiw said the bill would facilitate formation of Marketing Boards to fit in with the Federal Government's proposed federal marketing legislation Bill C-176." I never made such a statement. I would hope that the Free Press would correct that.

MR. SPEAKER: Any further oral questions? The Honourable First Minister.

MR. SCHREYER: Well, Mr. Speaker, I'm rather reluctant to rise, I'm not sure if you ruled on the question of the Member for Rhineland. If you haven't, Sir, I was merely going to inform my honourable friend that about the closest way that I could answer his question is to say that since operations commenced, near the beginning of the calendar year, the pulp and paper operation has been working at somewhere in the neighbourhood of 60 to 65 percent of capacity which is considered quite good for a first year of operation.

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

MR. GORDON E. JOHNSTON (Portage la Prairie): Mr. Speaker, I direct my question to the Minister of Industry and Commerce. When is he going to table the Order for Return with respect to the information asked by the Member for Rhineland, who has had an Order in now for two months?

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

HON. LEONARD S. EVANS (Minister of Industry and Commerce) (Brandon East): Soon, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. R. (Bud) SHERMAN (Fort Garry): Mr. Speaker, I'd like to direct a question

(MR. SHERMAN cont'd) to the Minister of Urban Affairs and ask him whether its likely before the next session of the Legislature a start will be undertaken on a proposed Convention Centre for downtown Winnipeg?

MR. SPEAKER: The Honourable Minister of Finance.

HON. SAUL CHERNIACK, Q.C. (Minister of Finance)(St. Johns): Mr. Speaker, there are almost constant meetings going on reviewing the convention centre with the Metro Committee and the architects. I don't want to make any assurances except to say that we are looking at what can be done within a budgetary constraint limit and one which will still be consistent with what we've said as long as a year ago and longer, that this in itself, a convention centre in itself is not sufficient; it also has to be a stimulus to further development. All that is part of the package we're looking at and I'm not prepared to make any prognosis.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. SHERMAN: Well, Mr. Speaker, a supplementary to the Minister. Can he assure the House that the plans for a convention centre have not been shelved or abandoned?

MR. SPEAKER: The Honourable Minister of Finance.

MR. CHERNIACK: Were the last few words, "have not been shelved?"

MR. SHERMAN: Have not been shelved or abandoned.

MR. CHERNIACK: Mr. Speaker, they're almost daily - if we weren't in this House, even in spite of being in the House - they're being looked at and reviewed almost daily, it's one of the ongoing pressing programs with us now, but we don't want to be rushed into making a decision which will be costly without proper investigation. No such thought as shelving but there is a cautious approach to it.

MR. SPEAKER: Orders of the Day. The Honourable Member for Arthur.

MR. J. DOUGLAS WATT (Arthur): Mr. Speaker, before the Orders of the Day, I'd like to direct a question to the Minister of Agriculture. I'd like to ask the Minister, since he's had time to peruse his own Order for Return on my motion, No. 3, would he not now agree that the Hail Insurance Corporation in the Province of Manitoba did lose money in thousands of dollars?

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. USKIW: Mr. Speaker, I never said that they didn't.

MR. SPEAKER: Orders of the Day. The Honourable Member for Arthur.

MR. WATT: I understood that the Minister did say yesterday that they did not lose money. May I ask a question. Is there federal money involved in the Hail Insurance Program?

MR. USKIW: Mr. Speaker, to help my honourable friend, yesterday he posed a question as to how much money the taxpayers of Manitoba lost and I said none; because the Corporation is self-sustaining. That is his answer.

MR. SPEAKER: The Honourable Member for Arthur.

MR. WATT: If the Corporation is self-sustaining, then where is the somewhat odd \$25,000 coming from?

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. USKIW: I would presume, Mr. Speaker, in the normal insurance way. They will load their premiums accordingly.

MR. SPEAKER: Orders of the Day. The Honourable Member for Rhineland.

MR. FROESE: On a subsequent question to the Minister of Agriculture. Are the hail insurance monies kept separate from other insurance funds and that this is not going to come out of their reserves?

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. USKIW: Well, Mr. Speaker, I think I should indicate to members opposite that we did have a bit of difficulty, and are having some difficulty with the Government of Canada with respect to the apportionment of cost to the hail insurance program. They are insisting we charge eight months of the year for the program and we are insisting that it should be about four, and that has not been resolved at this point.

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

GOVERNMENT BILLS

MR. GREEN: Mr. Speaker, I wonder if we could proceed with third readings of the two bills that are on the Order Paper for this morning, if the members of the House are agreeable, and only if they are agreeable, because it would require leave that we proceed with the other bills on the Order Paper for third reading; but in any event proceed with Bill 37 and 75.

BILLS Nos. 37 and 75 were read a third time and passed.

MR. SPEAKER: I would now ask, do we have agreement to concurrence to proceed with the other bills? (Agreed)

MR. GREEN: Mr. Speaker, can we deal with 111 first.

MR. SPEAKER: Well, first of all I wanted to hear whether we have it. (Agreed) The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Chairman, I don't think we'd have any objection to proceeding provided that we're in a position on the reporting stage to be able to submit our amendments verbally at this point because they're not in a written form and some latitude in being able to explain the position . . .

MR. GREEN: Well, Mr. Speaker, would you call 111 first.

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

BILL No. 111 was read a third time and passed.

MR. SPEAKER: Bill 94, the Honourable Minister of Agriculture.

MR. USKIW: Mr. Speaker, I beg to move, seconded by the Honourable Minister of Education, that the House concur in Bill No. 94 an Act to amend The Natural Products Marketing Act, be now read a third time and passed. No, this isn't right. I don't need this. I'm sorry, Mr. Speaker. I beg to move that the report on Bill 94 be concurred in.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Member for Gladstone.

MR. J. R. FERGUSON (Gladstone): Thank you, Mr. Speaker. I don't think that any of the farmers in rural Manitoba, I'm not saying any, but the vast majority, or the farmers that are representing productions in Manitoba, can allow this bill to go through without at least commenting on it once more. It's a flagrant violation of what went on during the hearings of the Agricultural Committee at our 18 meetings. I think the majority of opinion was that the farmers did not want the hand of government in the marketing boards. Here we have a bill gone through, more or less gone through last night, and even the Minister said in committee that it was possible that also a Hog Marketing Board could be formed without the producers having a chance to vote on it, and it seems to be a perfect example of this so-called people's government that we have before us. They have just about the same kind of government I think in Russia and in China; and I think the end results if we keep on at our present reate won't be too much longer in coming, we'll be just about on the same level. — (Interjection) — Not too far from it, Mr. Minister, not too far from it.

Now I don't really know what more we can comment on this bill except to once more voice our strong objections to the bill, to the way it's being boarded through as usual, and the producers that the government is supposed to be representing or co-operating with, are being run over rough shod, and apparently last night in committee none of our amendments were accepted, not even down to one small word in this Bill 120; it's all frozen; this wasn't even allowed.

So I think, Mr. Speaker, that was all I had to say at this time on this Bill 94.

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

MR. HARRY E. GRAHAM (Birtle-Russell): Mr. Chairman, I would like to move an amendment. Do you want this at third reading or on the report stage of it? The report stage.

MR. SPEAKER: Well, let me indicate that I was remiss in accepting a motion from the Minister. We are at the report stage, and therefore amendments are admissible. I think it was agreed that amendments could be made orally since there wasn't enough time to have them written, so therefore I will entertain amendments at the present time, and the motion to concur will come later in the report stage. The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Speaker, I would like to move that Section 13(1) of Bill 94 be amended by inserting at the beginning of the first line the following words: "Subject to the approval of producers"; and also in Section 23(1) that 23 (1) be amended by inserting at the beginning of the first line: "Subject to the approval of producers."

In speaking to this . . .

MR. SPEAKER: I wonder if the Clerk would approach the Chair so I could check this item with him. Moved by the Honourable Member for Birtle-Russell, seconded by . . .

MR. GRAHAM: . . . the Honourable Member for Roblin.

MR. SPEAKER: . . . the Honourable Member for Roblin. The amendment as read -- shall I read it? Are you ready for the question? The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Chairman, in moving this amendment this is consistent with the

(MR. GRAHAM cont'd) thoughts put forward in the federal bill on marketing boards that the producers will be consulted and at the same time when the Minister introduced this bill he indicated that the reason for the amendment to The Natural Products Marketing Act at this time was to make it, bring it in line with the federal legislation so that the other nine provinces could co-operate with the Federal Government in their Act which covers natural products in the Dominion of Canada. It's rather significant, Mr. Speaker, that this is a concept in marketing that has always been consistent with modern-day thinking that whenever a marketing board is established that the producer will be consulted; we leave the machinery in the hands of government; they can establish the type of vote that they want with the producer; they can establish what the majority shall be, whether it'll be a two-thirds majority or a 51 percent majority; we leave that machinery up to the Lieutenant-Governor-in-Council. All we ask is that the Lieutenant-Governor-in-Council in bringing forward their machinery for marketing commissions, etc., that this be subject to the approval of the producers -- and quite frankly, Mr. Speaker, I was thunderstruck last night when members of the government indicated that they were not willing to consult with the producer in the establishment of marketing boards.

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. USKIW: Well, Mr. Speaker, I think I have to rise and take some exception to the remarks that were made. The Member for Gladstone seemed to stress on the area of compulsion inherent in the procedures which have been followed over the years in the introduction of marketing boards in Manitoba, and I want to remind my honourable friend that his argument doesn't hold too much water in that ever since the Conservative Government came into power the Act was amended in 1964 in order to allow the establishment of producer boards without a referendum. Prior to that time the act made it mandatory that a referendum had to be held and that two-thirds of the voters had to support it, or to support any proposal put before them. It was a Conservative government that removed that -- removed that right from the producers. -- (Interjection) -- That's right, because they thought that they were the ones that had the divine right to decide what is good for the province. Now that the government has changed hands they seem to assume that another government isn't capable of, or may not use the kind of discretion that they were using at that particular time. It's a matter of not trusting the government in power today -- and I can appreciate the concerns of the members opposite in this regard, because philosophically, of course, there is quite a difference. But I can assure you, Mr. Speaker, that we will be much more cautious and will use a great deal more discretion than did the previous government of Manitoba in the last 11 years.

The Member for Gladstone talked about compulsory hog marketing being brought in without a vote and that this legislation in some way is going to make that possible. Well, let me remind the House, Mr. Speaker, that this Act is not required to do that; that the Act as it now stands, which the Conservative Government put on the statute books, is sufficient to do that without a referendum. We don't need this amendment for that purpose, so let that be clear -- and if this is Russia it was Russia since 1958 when my honourable friends took over the reins of government in Manitoba. No more today than it was for the past 12 or 13 years.

The Member for Birtle-Russell suggested that, or indicated that he was appalled at the fact that the government voted down a motion in committee yesterday, a motion that would provide that a vote be held before any marketing board was established in the province. And he implied that there was a rejection of the idea of consultation with the producers on the part of the government. We voted against making it mandatory that a vote shall be held, but I want to inform my honourable friend opposite that in all the meetings that we had with the egg producers, and the broiler producers, and the Federal Government, and the provincial governments, that the producers were very much involved in those meetings and in those discussions.

-- (Interjection) --

MR. SPEAKER: Order, please.

MR. USKIW: We were talking, Mr. Speaker, to all ten from all of Canada as late as only a week ago, and that we were very much aligned with the producer interest, and we had producer representation at those meetings. So my honourable friend is wrong when he suggests that the Government of Manitoba is not prepared to take into account the feeling of producers.

May I point out that if we were to accept the kind of amendment that is proposed here, and which was proposed yesterday in committee, it would make it virtually impossible for Canada, or for the ten provinces in Canada to enter into any kind of agreement if every province had to have a vote on the part of their producers to support that agreement. Most likely

(MR. USKIW cont'd) one out of the ten may say, well we're not prepared to go that far, most likely. There will always be a problem of trying to get referendums held across Canada in ten different provinces in order to get concurrence, and that would not lend towards speedy solution to crisis situations that develop in the industry -- I would hope that my honourable friends opposite would appreciate that insofar as the eggs are concerned and the broilers we've been in a crisis position for the last year and we have finally come to the point where we can see a bit of daylight, and where we can arrive at some agreement which is fair to all producing regions in Canada. And if we can arrive at that kind of agreement in concert with our producers, or representatives from our producer groups, then there's no reason in the world why this kind of agreement should be held up and why chaos cannot be eliminated simply because my honourable friend wants to go through the motions of having a referendum.

MR. SPEAKER: The Honourable Member for Morris.

MR. WARNER H. JORGENSEN (Morris): Mr. Speaker, it's rather amusing to listen to the Minister in attempting to explain away the action that he is proposing to take in this particular bill. He complains because we are regarding this government with some suspicion and, Sir, we have every reason to regard this government with some suspicion. Before the end of last week the Minister came to me and suggested that what they were going to do on another bill, The Farm Machinery Bill, Bill 113, was to introduce it for second reading, then refer it to the Standing Committee on Agriculture for consideration during the recess, so that the people who are concerned would have the opportunity to make representations before this committee. No sooner had they got second reading and -- (Interjection) --

MR. SPEAKER: Order, please. The Honourable Minister on a point of order?

MR. USKIW: The Honourable Member is suggesting that I had caucused with him and given him some assurances. That is not correct. My comment was that there was a possibility that that might be considered and not that that is what we were going to do.

MR. SPEAKER: The Honourable Member for Morris.

MR. JORGENSEN: Well, I've never heard such a ridiculous withdrawal in all my life, from a position that he made very clear to me, and a position that I agreed with and thought was the proper course of action to be taken under these circumstances. And they wonder why we regard them with suspicion, when a government will give the assurance, and their word, to the people of this province and then the moment our backs are turned they change their minds, and that's what we fear in this legislation, Sir.

Now he went on to say that the legislation has been on the statute books since time immemorial and was brought in by the Conservative government. What we have attempted to point out, Sir, is that during the time that we were responsible for the administration of government in this province, on one occasion did we try to implement the provisions of the Act as they now exist; and there never was a greater problem than occurred in marketing in this province than under The Vegetable Marketing Board, and it had to be withdrawn because we failed, because we failed to get the approval of the producers on that occasion. -- (Interjection) -- That's not a marketing -- The Minister says, what about hogs? Sir, that is not a marketing board, it is a marketing commission and no one is compelled to sell to the Marketing Commission. -- (Interjection) -- They are free to market their hogs in any fashion that they choose. There's a great deal of difference between a compulsory marketing board and a voluntary marketing commission, as the Minister should know if he doesn't. We're not concerned if they want to implement a marketing commission because then only those producers who want to sell through a commission may do so -- (Interjection) -- that is not compulsion. -- (Interjection) -- What I am trying to point out to the Minister is that we made a mistake under The Vegetable Marketing Commission by bringing in that compulsory marketing board. . .

MR. SPEAKER: Order, please.

MR. JORGENSEN: . . . and we're trying to prevent that same mistake from happening by ensuring that the producers of this province have the opportunity and the right to have some say in the development of a marketing plan for their products. Sir, throughout the hearings that we had in the Agriculture Committee during the past year, time after time representatives of the Pork Producers Association came before the committee and said if it is the wish of the producers, the majority of the producers, to have a compulsory marketing board, we then will live with that marketing board. But on almost every occasion, it was suggested that the producer should have the right to determine whether or not they would enter into agreement or would enter into such a plan for the marketing of their product. We want to be able

(MR. JORGENSON cont'd) to give the producers that assurance that if a plan for marketing of hogs in this province, or any other commodity, is to be introduced that the producers themselves are going to have the opportunity of making that decision. Now the Minister says it would be virtually impossible to enter into agreements with other provinces and for this reason the government requires the authority that they're seeking in this particular piece of legislation.

Well, Sir, the Supreme Court of Canada made a decision in this country just a while ago and it is my honourable friends opposite that wanted that decision made. No sooner had it been made than they got together and tried to find a way, and are now seeking ways, of circumventing a Supreme Court's decision. In other words, the Supreme Court says that there should not be such a thing as the prohibition and restriction of trade between provinces. And what my honourable friends opposite are doing in concert with other governments, other provincial governments across this country, is to say well now that the Supreme Court has made that decision is very clear that we can't do it. Let's agree amongst ourselves that we will do it. And that's the ridiculous position we find ourselves in today. Governments who are supposed to be upholding the law are getting together and deciding that they're going to circumvent the law, and the Minister wants the authority to be able to do that, at the dictates, Sir, at the dictates of the two provinces that stand to gain most from the Balcanization of this country. And the Minister very neatly is falling into line and making sure that he is going to be subjugated by those two provinces. -- (Interjection) -- Well, the Minister says, nonsense. That's exactly what it is. Nonsense. That a government that purports to be representing the thinking of the producers of this province would lead them down the garden path and lead them into oblivion because that's exactly what will be the results.

Sir, to limit production of hogs in this province to what can be consumed in this province, and that's going to be the effect of what they're proposing, will reduce two-thirds of the hog producers in Manitoba. The Minister says, let's eliminate them all. And that's precisely what they want to do. That's exactly what the objective is, in both in Bill C, whatever it is, Bill 94 and in Bill 113 before we got into committee last night. They are determined to eliminate every free-thinking person in this province, every independent-minded person, any independent businessman they want to eliminate, and they were trying to do it with their Farm Machinery Bill, and they most certainly are going to try and do it with this bill, to make sure that there are no independent thinkers in this province. People who want to do their own thing and go out and make their own living without any crutches to lean on from the government - that kind of person is not wanted in this province. And it's very obvious from the kind of legislation that is being brought in here at the last moment that this is the sort of thing that they are attempting to do to the people of this Province.

Sir, when the Speed-up motion was brought into this House, I asked the government how many more bills were to be brought in after Speed-up and I was told that there'd be less than five and only those, only those, Sir, that had already been indicated were going to be introduced. We have had 15 bills since Speed-up and everybody knows that when you introduce a bill under those circumstances there is no opportunity to get the kind of advice that you want to from the people who are concerned; there's no opportunity to mobilize the kind of forces that you should mobilize to give it the proper study; there's no opportunity for the Press to communicate the Opposition to any piece of legislation that is a part and parcel of a responsible government. They want to make sure that they get those things through this House without anybody in the Province knowing anything about it. And, boy, if that isn't the -- if that doesn't carry with it the trademarks of totalitarianism, I don't know what does. And all we have done, Sir, in this amendment is to suggest that there are some safeguards that the producers of this country are going to have the assurance that they're going to have something to say about the implementation of programs that's going to affect their very ability to earn their livings. -- (Interjection) -- The Minister says they're going to have lots of say. Yes, they'll have lots to say after the fact that's been accomplished. Not before. And we're suggesting, Sir, in this amendment that this government give the producers an opportunity to voice their opinions through their votes as to whether or not they want to be involved in such a marketing program. I contend, Sir, that the producers of this province don't want marketing boards in the manner in which the honourable gentlemen opposite want to impose them on them. I contend, Sir, that the producers of this province would much prefer to take their chances on a free market rather than be eliminated by a marketing board as is planned by the government opposite.

MR. SPEAKER: Are you ready for the question? The Honourable Member for Arthur.

MR. WATT: Mr. Speaker, I think the honourable member, my colleague from Morris, has pretty well covered the waterfront and I just wanted to make a few remarks in regard to this bill, and in regard to what took place in committee last night.

MR. SPEAKER: Order, please. I would suggest to the honourable gentleman that we have an amendment before us, he should direct his remarks to the amendment, not to the bill or to last night's committee meeting. The Honourable Member for Arthur.

MR. WATT: Well, it's directly connected with what was debated in committee last night, where it was pointed out that it is a fact that the Conservative Government brought in the bill in 1964, and it was pointed out that we learned from trial and error whether a bill will work or not, and we found that it would not work in its present form and I just want to point out to honourable members that the last two marketing boards that were established in this province were established through referendum at the request of the producers . . .

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. USKIW: Could the honourable member indicate to me how long it was after a producer vote was held with respect to broilers and turkeys that the government then proceeded to establish it? Just how much time went by?

MR. WATT: Well, Mr. Chairman, I'm not quite clear on the month, Sir, the exact time that it took, but I want to point out to members of the committee that we did permit a referendum and that the regular . . . governing the Board actually were negotiated with the government to the satisfaction of the members of the Board and the associations of both the broiler and turkey people.

The Minister says that we regard them with suspicion. All we are asking for in this bill is that they continue to operate in the same manner as the Conservatives did insofar as the Marketing Bill is concerned.

MR. SPEAKER: Are you ready for the question? The Honourable Member for Roblin.

MR. J. WALLY McKENZIE (Roblin): Mr. Speaker, I'd like to add a few remarks to the amendment that has been submitted by the Honourable Member for Birtle-Russell and voice my opposition to the type of legislation that this government has brought in in the dying days of the session. In reading the Minister's presentation of this bill at reading, I find it very amusing to try and follow his frame of thought. I was absent on that particular day, and in trying to summarize the remarks I find he says there was also an extension, not an extension, and he corrects himself in two other, three other places. But a very simple question I would like to ask the Minister. Have you been in touch with the honey producers of this province; have they asked for this legislation?

MR. SPEAKER: Order, please.

MR. McKENZIE: When I sit down the Minister can answer. I wonder if the livestock producers of this province - has the Minister been in touch with the livestock producers? Because evidence in Ottawa in Bill C-176 came out loud and clear that the people of western Canada don't want this type of legislation at this time; they want it subject to their approval not to the approval of the Minister, not to the approval of government, subject to the approval of producers and I quarrel with the Minister's approach to the philosophy that they are following at this particular time. And no doubt as the Honourable Member for Morris has said, is the chicken and egg war started that whole exercise and now this type of legislation likely will come about by all governments across the country, but I don't think it is the answer and I again ask the Minister to take it easy, don't get excited and let the producers, subject to their approval, and let them guide you as we try to resolve this difficult situation with the markets.

He said in the introduction of his remarks in second reading that the interest of the fur ranchers - oh, it's the wild fur farmer. I wonder if the Minister has had any definite study with a fur marketing type of marketing system. Is that the answer to the problems of the fur people today? I doubt it very much. And I think that if we take it easy and work with these people that possibly we can come up with a much better system than we have in the past. So I again urge the Minister and the government to take a very sincere look at those amendments that were brought in by the Honourable Member for Birtle-Russell, subject to the approval of the producers.

MR. SPEAKER: Are you ready for the question? The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, before we put the question on the amendment I would like to comment on it as well. The amendment provides that before the Lieutenant-Governor-in-Council makes a regulation that a vote be conducted to get the producers' approval. I think this is quite in order; I see nothing with it. I don't see why the government should take issue with this, or is it the intention to go against the producers? Is that what they have in mind? Are you trying to impose something that the producers don't want, that this is why you will not agree to the amendment? Certainly this is not being democratic, and when this government prides itself with having more participatory democracy certainly this is just the opposite that -- (Interjection) -- yeah, that's a joke, becomes a joke if you're not agreeing to this, because this is really in line with participatory democracy where we ask the people to join in and take part in the decision. Now we are going the very opposite way and not accepting this principle. Too, why take the objection at this particular time because we now find that the Federal Government has passed legislation and is it just because to accommodate them? Has it nothing to do with it? Certainly I would like to hear from the Minister on that very point when he closes debate on this very matter.

I certainly feel that the amendment would improve the Act rather than be the opposite, because I for one would like to have the producers involved and give me their advice as to what action should be followed and what their desires are. In the meetings that we had during the committee, or during the committee meetings last winter - I attended some of them - I was not a member of the committee at that time but I realized what many of the producers indicated and certainly it is not one of compulsion. They took very strong opposition to compulsion of any form in this respect and I think this was also brought out in committee the other day that they do not want compulsion in their marketing, especially the livestock people. And this is one of the bright spots in the marketing arena today that livestock prices have held their own and have a good price at the present time, and have had so for quite some time. Mr. Speaker, the thing is this that marketing you have valleys and you have hills, prices rise and prices go down, but it seems to me when you have compulsory marketing you don't have the hills you just have the valleys, and that your prices remain low constantly. This has been the experience. I feel that we need a free hand; we need the freedom that prices can go up occasionally so that producers need not have a low all the time. And this is happening in most cases where you have compulsory marketing. So, Mr. Speaker, I strongly advocate the amendment that it be brought in and that producers have a say when marketing boards are being set up.

MR. SPEAKER presented the motion and after a voice vote declared the motion lost.

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

MR. SPEAKER: Call in the members. Order, please. The question before the House is the amendment by the Honourable Member for Birtle-Russell.

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

YEAS: Messrs. Craik, Ferguson, Froese, Graham, Henderson, G. Johnston, F. Johnston, Jorgenson, McGill, McKellar, McKenzie, Moug, Sherman, Spivak, Watt and Mrs. Trueman.

NAYS: Messrs. Adam, Allard, Barrow, Borowski, Cherniack, Desjardins, Doern, Evans, Gonick, Gottfried, Green, Hanuschak, Jenkins, Johannson, McBryde, Mackling, Malinowski, Miller, Pawley, Peturrson, Schreyer, Shafransky, Toupin, Uskiw, and Walding.

MR. CLERK: Yeas 16; Nays 25.

MR. SPEAKER: In my opinion the Nays have it; I declare the motion lost.

The Honourable Member for Assiniboia.

MR. STEVE PATRICK (Assiniboia): Mr. Speaker, I was paired with the Honourable Minister for Labour. Had I voted, I would have voted for the motion.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I beg to move, seconded by the Honourable Member for Riel, that Section 5 be amended by deleting everything after the words "royal assent."

MR. SPEAKER: I would like to indicate to the honourable member I cannot accept the amendment because I can't fathom its meaning. We're trying to figure where it fits in and doesn't make sense. -- (Interjection) -- Order! That's uncalled for. The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I refer to Section 5 of Bill 94, under the Natural Products Marketing Act. If you'd examine the bill, Sir, you'd find that I'm deleting everything that comes after the words "royal assent," so that Section 5 would read: "This act comes into force on the day it receives royal assent."

MR. SPEAKER: In other words, you're deleting Sections 1, 2 and 3 in respect to retroactivity, is that my understanding?

MR. SPIVAK: Yes, unless -- the Honourable Member from Rhineland indicates that there was an amendment to this section -- is he correct on that? -- (Interjection) -- Well, in any case it's at this point eliminating the retroactivity, Mr. Speaker.

MR. SPEAKER: Order, please. The Clerk will indicate the amendment that was made in committee and maybe that will put us on an even keel.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, if I'm correct, the government moved an amendment which I guess came under Section 5 as well which would then embrace the amendment proposed by the government plus the retroactivity and royal assent portion that's in the act itself. Well, I think I'd like this to be clear because I don't want any misunderstanding, because the purpose of moving this amendment realistically, Mr. Speaker, is to try and get some explanation from the government of the necessity of the retroactivity portion that was asked for in this legislation.

Now I gather that the government moved an amendment which was not an amendment to the present act but which was an addition . . . I'm sorry. Mr. Speaker, based on this amendment, I am actually amending Section 6, or clause 6 of the act -- clause 6 of the act, not clause 5, based on the amended act; and that will make it clear, Mr. Speaker.

Section 5 as printed became Section 6 yesterday in the amended act.

MR. SPEAKER: Let me clarify it so that -- the amendment that was done in committee became Section 5 and therefore the Honourable Leader of the Opposition now wishes to amend Section 6?

MR. SPIVAK: That's right.

MR. SPEAKER: Do we all understand the . . . The Honourable Leader of the Opposition.

MR. SPIVAK: Well, Mr. Speaker, again, there was no explanation as far as I know on the retroactivity and the purpose of introducing this amendment was to try and get some explanation. I would suggest, Mr. Speaker, that there is an explanation. I would suggest, Mr. Speaker, that there is an explanation but I think that explanation should be given, but there is a principle involved here and I have to mention it, Mr. Speaker; it would be a very serious thing if we were to in principle agree to an act that would be retroactive for seven years. I just cannot see the justification.

We have already had one situation in the Minister of Highways' presentation of his particular bill in which, not in a technical way, in a real way, the act undertaken by the government was illegal, yet we had to in this House retroactively okay it. We already had the acknowledgment by the Minister that what he was doing was illegal, but in effect we had to, by our legislation, retroactively, Mr. Speaker, retroactively, Mr. Speaker . . .

MR. SPEAKER: Order, please. The Honourable Minister of Transportation . . . matter of privilege?

HON. JOSEPH P. BOROWSKI (Minister of Public Works and Highways) (Thompson): My point of privilege is that the statement the member is making is incorrect. I said "technically" illegal; there's a difference and as a lawyer he should know it.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, fortunately I do not have to counsel the Minister of Transportation, and I'm not sure that I would really want that onerous duty, but may I say, Mr. Speaker, so it will be clear: that the action by the government was illegal, not technically illegal, it was illegal, and we in this House have to pass an act retroactively making it correct; and there's a principle involved and the First Minister knows it. -- (Interjection) -- Well I wonder if the First Minister can cite a situation where we're retroactively referring to something back seven years ago?

It's very interesting, Mr. Speaker, to refer to the Leader of the New Democratic Party's position at the time that the bill was first introduced in 1964, and as to what he said, and I quote. This is on Page 1376, March 23rd of 1964: "Mr. Speaker, I regret that I've held this bill for some time now before proceeding with the second reading. I might say that at the time the bill was introduced for second reading by the Minister I sort of smelled a rat, to use a phrase, with this piece of legislation." And you know, Mr. Speaker, we've been getting the

(MR. SPIVAK cont'd) impression that we're smelling a rat as far as the legislation is concerned, because notwithstanding all the promises that have been made and sort of, you know, goodwill undertakings, but not substantial undertakings, one really doesn't know what the devil the government's going to do with the legislation it has before it.

My purpose in moving the amendment realistically was to try and determine a reasonable explanation for why this was necessary, which has not been given, and I would be prepared once the explanation is given, on the basis of that, to make a judgment as to whether the motion should be withdrawn or not.

MR. SPEAKER: The Honourable Member for Morris.

MR. JORGENSON: Mr. Speaker, I should like to raise one more point before the Minister replies because he might be able to incorporate that answer into the reply that he's going to make.

With seven years' retroactivity I'm sure there are going to be a number of occasions where people will have violated the law during that seven-year period. Now I wonder if the Minister could explain what's going to happen under those circumstances, because I don't know whether the government are aware of the ridiculous position that they could place themselves in with a clause that has a retroactivity period of seven years. Does it mean now that they're going to search the records to attempt to find out how many people have broken the law during that seven years because of this retroactivity clause; are they going to be prosecuted; are there going to be actions taken because of the fact that they have violated law by virtue of their retroactivity clause?

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. USKIW: . . . the honourable members opposite, I simply want to indicate that this was not done on my instruction, but rather on the recommendation of the Attorney-General's Department which brought it to mind, that the legislation as drafted several years ago by members opposite was very poorly drafted and the intent was not quite clear, or at least ambiguous, and that this is just a matter of clarification. It was their view that the marketing boards that have operated for the last several years may have not had the kind of authority that was intended and that it could be argued in the courts one way or the other, and this is just to clarify it so that we don't run into any difficulty.

MR. SPEAKER: The honourable member may ask a question. The Honourable Leader of the Opposition.

MR. SPIVAK: I wonder if I can ask the member a question. When you say that it would improve the act specifically, you're referring to Sections 1, 2 and 3 of the Bill 94. I wonder if you can indicate in some way where those sections would in fact improve the act over the way in which it was first drafted and passed with respect to the operation of the marketing boards.

MR. SPEAKER: The Honourable Minister.

MR. USKIW: I'm afraid, Mr. Speaker, I don't have the information at hand. I can get it for the honourable member if he wishes, but I don't have it at the present time.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: A supplementary question, or another question to the Minister. Is it not true that Sections 1 and 2 realistically extend the Natural Products Marketing Act over a different category and I don't see how those sections specifically in any way would improve the act.

MR. SPEAKER: Order, please. I would like to indicate to all honourable members that we're into a new procedure now and we can't have it the same as we had it before in committee where the questions and answers could be up and down all day long. I allowed one question hoping it would be just on a matter of clarification. All it was was an extension of the argument. The second question is in the same vein. Therefore I cannot have it carry on.

The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, we have in the past criticized whenever legislation was passed whereby it was made retroactive and now we have this bill having a clause subjecting it to seven years, I think it is, retroactivity and the government is now coming and asking us to protect them, to have it protected. I just wonder under our consumer protection law whether we shouldn't make sure that the producers or consumers, whatever the case may be here, that they are protected as well, because if the law is going to apply now to them retroactively maybe we should rather see to it that they are protected and not just the government. I'm just wondering whether the Minister has checked into this and whether we should not have protection

(MR. FROESE cont'd) the other way round rather than what we are trying to do here. I do not support the matter of retroactivity in bills of this type.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Well, Mr. Speaker, let it be clear that the purpose of the amendments with respect to the retroactive features, they're for the purest of technical reasons. Frankly, Sir, the Member for Rhineland is wrong if he thinks that that's been included in the bill in order to protect the present administration. Frankly, the present administration couldn't care less in that specific regard. The reason it's there is in order to clarify the past operation of the marketing board and to clarify its legal competence to have done any one thing or series of things in the past seven-year period. And you know the alternative, frankly, I would have preferred, which is to simply let sleeping dogs lie and let any individual or group take legal action against the marketing boards. That would have appealed to me more. However, litigation is costly and it does draw out and this was considered to be the better of two alternatives.

The Member for Morris expressed concern as to the fate of individuals under the terms of the retroactive clause or clauses. I can assure my honourable friend that the purpose of the retroactive feature is not to have it relate to individuals but rather to have it relate to the board, and it was a case of anticipating lawsuits against the board and not a case of anticipating litigation by the board against individuals. I can assure him that no prosecution is anticipated or to be countenanced for that period.

MR. SPEAKER put the question and after a voice vote declared the motion lost.

MR. SPEAKER: Is the House ready to move concurrence in the report? The Honourable Minister.

MR. USKIW: Mr. Speaker, I beg to move, seconded by the Honourable Minister of Mines and Natural Resources and Environmental Control, that the House concur in the report of Bill No. 94.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: Does the Honourable Minister wish to move third reading?

MR. USKIW: Is it third reading?

MR. GREEN: On Bill No. 113.

MR. SPEAKER: Report stage of 113 first.

MR. GREEN: Well, have we proceeded -- I'm sorry, Mr. Speaker, have we had third reading on Bill No. 94?

MR. SPEAKER: No. The Honourable Minister of Agriculture.

BILL No. 94 was read a third time and passed.

MR. SPEAKER: Report stage of Bill 113 -- any amendments? The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Chairman, I have an amendment to 113. Unfortunately I haven't got it with me. If you give me two minutes, I can get it.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: If I understand my honourable friends, they would like us to call another bill, 117.

MR. SPEAKER: The report stage of Bill 117 -- any amendments? The Honourable Member for Rupertsland.

MR. JEAN ALLARD (Rupertsland): Mr. Speaker, I move, seconded by the Minister of Transportation, that Bill No. 117, an Act to validate By-law No. 559 of the City of Thompson, be now read a third time and passed. Oh. Seconded by the Member for Crescentwood.

MR. SPEAKER: Well, actually I believe that the first motion should be of concurrence in the report and then third reading. Is that correct?

MR. GREEN: Mr. Speaker, I believe that the practice is that when there is no amendments or amendments contemplated that third reading can proceed normally, which is the way we did it with all of the other bills.

MR. SPEAKER: All right for now. The Honourable Member for Morris.

MR. JORGENSEN: Mr. Speaker, on that point of order, I think perhaps that may be the normal practice when the rules are followed. The House Leader knows that leave was given to introduce those bills without the formal notice being given so we don't know until the bill is called for at the report stage whether or not there are any amendments, so I believe under these circumstances the report stage should be called for.

MR. ALLARD: Mr. Speaker, I move, seconded by the Member for Crescentwood, that

(MR. ALLARD cont'd) the report of the committee be concurred with in Bill 117. MR. SPEAKER presented the motion and after a voice vote declared the motion carried. BILL No. 117 was read a third time and passed.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Bill No. 120, Mr. Speaker.

MR. SPEAKER: The report stage of Bill 120 -- any amendments? The Honourable Leader of the Opposition.

MR. SPIVAK: I believe there is an amendment, and I wonder if we can just wait until . . . -- (Interjection) -- Well, if you can call something else to allow us to . . . just one second, Mr. . . .

MR. SPEAKER: The Honourable Member for Gladstone.

MR. FERGUSON: Mr. Speaker, I have an amendment to 119 (2) of Bill 120.

MR. SPEAKER: The Honourable Member for Morris.

MR. JORGENSEN: If I may help you with that. You might have some difficulty because this was drafted in a hurry. The purpose of this amendment is to remove the words in clause 119, subsection 2, remove the words "sole charge of" and replace them with the words "has the responsibility for the distribution of livestock semen in this province;" in other words the amended clause would read: "The distribution agency has the responsibility for the distribution of frozen livestock semen in the province."

Sir, the purpose of this amendment is to remove the monopoly clause that the distribution agency will have by virtue of this particular clause in the bill. We feel that, and as was pointed out in committee yesterday, to make clear amongst the producers themselves as well as people who have been engaged in the business of artificial insemination throughout the province, that they -- if this clause is left in the bill there's possibility that the types of semen that are wanted by the producers in this province will not be made available to them and for that reason we are moving the amendment to ensure that the best quality and the best opportunity is provided for those who are engaged in the practice of artificial insemination have available to them the best quality that is available on the North American continent.

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. USKIW: Mr. Speaker, . . .

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. LEONARD A. BARKMAN (La Verendrye): I guess he wouldn't really be closing the debate except on the amendment. However, I think this amendment that was just proposed is very reasonable. I think it takes out the sting of trying to say that this is absolutely and the only sole distribution, the type of distribution, and I just wish to let it be known that I think this is the only way that it can be run successfully from my point of view and I do hope that the government can accept this amendment.

I thought it was rather comical last Saturday when there was a write-up in the Winnipeg Free Press that Bill 120 had been passed as to the increase of indemnities for MLAs. However, I think we know by now that Bill 120 has still not passed and I'm sure that if there are going to be any increased indemnities that they will not be because of the contents of Bill 120, and I'm sure all of the MLAs, the members, are quite certain of that. However, I think this is a good amendment and I hope the government can support it.

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. USKIW: Mr. Speaker, the concerns that have been expressed by the two gentlemen who spoke this morning are concerns which we have and are the concerns for which this bill has been brought into being. There has been sufficient reason because of the lack of proper programming in the A. I. industry in Manitoba, the lack of proper servicing of the users of A. I., there is a need for that reason, Mr. Speaker, to bring about some centralization of the operation, and that the intent here is that the producers be given control through the development of a central agency which will be a co-operative owned and operated by the users.

Now, not too many minutes ago, Mr. Speaker, members opposite on another bill argued that producers ought to have control, and now they are arguing in reverse. One of the concerns that has been expressed in committee and in some of the hearings that we had is that the technician which services the farm community is the one in a most advantageous position to sell the product and to convince the farmer or the customer which product is the best of his catalogue; and you know, that is the area where members opposite have expressed some concern and that is whether indeed the farmer has the ability to select or whether he is simply

(MR. USKIW cont'd) taking the advice of the technician. The technicians now are involved with the distribution of semen as representatives of some five or six different distribution companies in Canada, none of which are Manitoba operated, and it's important from our point of view that the user in Manitoba exercises a great deal of influence as to the kind of catalogue of product that is going to be available to the Manitoba user.

Manitoba has been lax in developing this industry; we're at the bottom of the totem pole as compared to the other provinces in Canada in terms of utilization of A.I., really in the cradle stage; and the reason we are there, Mr. Speaker, is that there has been no legislation that could effectively deal with the kind of information that is required by the user, the kind of promotion that is required, the kind of selection of sire that is required, and the intent of this legislation is to do just those things. It is our hope that the producer agency is going to be representative of the producers in Manitoba and that their wishes will be fulfilled by their own control of this agency. So although I appreciate the concerns of members opposite, the bill here is to deal precisely with those concerns.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, since members are required to vote I think it's only fair that we give our position. I think as social creditors we oppose monopolies wherever they are to be brought into being. I rather like the amendment that was proposed in committee last night where it said instead of using the words as the bill states, "sole charge" that we rather inserted "the responsibility of facilitating". This in my opinion would be a great improvement to the bill. Certainly, as I did point out at that time, that as a government and as the Province of Manitoba we should assist wherever possible the industry to improve it, but certainly not that we acquire a monopolistic state of affairs where the government will dictate; and this is exactly what we're doing by this, that the board that will be established will have full powers to -- (Interjection) --

MR. SPEAKER: Order, please. It's not a point of privilege. I think the Honourable Minister should know. The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, there will be an agency appointed and this is going to be appointed by the government, and it will impose its direction through that board, so that we're still talking in terms of a monopoly. This agency will have a monopoly under the bill and will have sole discretion, and -- (Interjection) -- yes, I don't approve of it. I feel that producers should have a greater say and should be able to give direction to the industry in this province and that it should not just come from the top down; that, as again we were talking before of participatory democracy, and again they're overruling that very fact, that we should try and get people involved and that they will help in making the decisions. By just having one agency this means that there is no room for an alternative, that if there is a group that would like to see a different way of improvement brought in that there is no room for them, and this is why I feel that the amendment deserves support and I certainly intend to support it.

MR. SPEAKER put the question and after a voice vote declared the motion lost.

MR. SPEAKER: Any further report stage of this bill? Motion for concurrence of the report.

MR. USKIW: Mr. Speaker, I beg to move, seconded by the Honourable Minister of Transportation, that the report on Bill 120 be concurred in.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. SPEAKER: Third Reading.

MR. GREEN: Mr. Speaker, I move, seconded by the Honourable Minister of Transportation, that Bill No. 120, an Act to amend the Animal Husbandry Act be now read a third time and passed.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried.

MR. FROESE: Yeas and Nays, Mr. Speaker, on this one.

MR. SPEAKER: Does the honourable member have support? Call in the members. Order, please. The question before the House is third reading of Bill 120.

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

YEAS: Messrs. Adam, Allard, Barrow, Borowski, Cherniack, Desjardins, Doern, Evans, Gonick, Gottfried, Green, Hanuschak, Jenkins, Johannson, McBryde, Mackling, Malinowski, Miller, Pawley, Petursson, Shafransky, Schreyer, Toupin, Turnbull, Uskiw, and Walding.

NAYS: Messrs. Barkman, Craik, Ferguson, Froese, Girard, Graham, Henderson,

(STANDING VOTE cont'd) F. Johnston (Sturgeon Creek), G. Johnston (Portage la Prairie), Jorgenson, McGill, McKenzie, McKellar, Moug, Sherman, Spivak, Watt and Mrs. Trueman.

MR. CLERK: Yeas 26; Nays 18.

MR. SPEAKER: The Honourable Member for Assiniboia,

MR. PATRICK: Mr. Speaker, I was paired with the Honourable Minister of Labour; had I voted I would have voted against the bill.

MR. SPEAKER: In my opinion the Ayes have it, I declare the motion carried.

Report stage of Bill 113. The Honourable Member for Birtle-Russell.

MR. GRAHAM: Mr. Speaker, I beg to move, seconded by the Member for Morris, that Section 14 (3) of the Act be amended by deleting the following words at the beginning thereof: "where the fault for the late delivery of parts for farm machinery and equipment is the fault of the vendor and not of the dealer", and substituting therefor the following words: "where the dealer has promptly and properly ordered parts for farm machinery and equipment from the vendor and has executed reasonable procedures to effect preparation and delivery of said parts for farm machinery and equipment".

MR. SPEAKER presented the motion.

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

MR. GRAHAM: Mr. Speaker, the reason for this change is that I believe that the duty of the Board that will be set up is to undertake differences of opinion between the farmer and the dealer or vendor. As this section was presently worded - and I regret that we did not catch it last night in committee - it would indicate that differences between the dealer and the vendor would arise in many cases because of the inability to determine where the fault lay. If the fault lay with the dealer for not ordering at the proper time then the Board quite justifiably can act between the dealer and the farmer; but if the dealer has taken all due care and caution and ordered his parts promptly and the failure for delivery is in the hands of the vendor, then the dealer can quite justifiably carry out the other procedures and supply the farmer with the necessary parts and that. However, he may have difficulty in collecting same from the vendor which may in turn cause the dealer to go to the Board to act on his behalf with the vendor. It could lead to poor relations between the dealer and the vendor. I don't believe that this is the proper function of the Board and I would think that this section as suggested here would probably rectify an inequity that exists at the present time.

MR. SPEAKER: Are you ready for the question? The Honourable Minister of Agriculture.

MR. USKIW: Mr. Speaker, I think the section as it is tries to do the very same thing. I don't know that the change in wording is going to alter the section at all and I'm not sure of the legal draftsmanship of the suggestion of my honourable friend.

MR. SPEAKER put the question and after a voice vote declared the motion lost.

MR. SPEAKER: Report stage of Bill 113 - any further amendments? Motion of concurrence is in order.

MR. USKIW: Mr. Speaker, I beg to move that the report on Bill 113 be concurred in. Seconded by the Minister of Transportation.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried. BILL No. 113 was read a third time and passed.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, we are now at that position on the Order Paper where there are no further bills to call, although I seem to recall Mr. Clerk telling me yesterday that there were two bills which are ready for third reading.

MR. SPEAKER: We covered those earlier. We covered those.

MR. SCHREYER: Oh, they have been passed? Mr. Speaker, I would ask you then to call the resolution standing in my name, the adjournment standing in the name of the Member for Riel, to establish the Standing Committee of Utilities and Natural Resources to sit inter-sessionally. You could call that resolution.

GOVERNMENT RESOLUTIONS

MR. SPEAKER: The Honourable Member for Morris.

MR. JORGENSEN: I wonder if we could just hold fire for a second and the Member for Riel will be here.

(MR. JORGENSEN cont'd)

I wonder if in the meantime I may make a motion by leave of the House. During the course of the sitting of the Agriculture Committee two members who are on that committee, Mr. McGregor and Mr. Einarson had to leave for parliamentary conferences in Halifax and their names were replaced by the Member for Lakeside and the Member for Birtle-Russell. I wonder if I may move, Mr. Speaker, that those names now be replaced again so that the Member for Virden and the Member for Rock Lake will take their proper places back on that committee.

MR. SPEAKER: Agreed? The Honourable First Minister.

MR. SCHREYER: Well, Mr. Speaker, there is some question as to whether that is necessary, it may be redundant, but just to make sure I suggest that we do accept the motion of the Honourable Member for Morris. And in that same connection, Mr. Speaker, I suppose now would be an opportune time to deal with other committee membership changes, so that that being so, with respect to the Agricultural Committee, I move that the Member for Radisson be substituted for my name on the Agricultural Committee; and also that the name of the Member for St. George be substituted for that of the Member for Flin Flon on the Agricultural Committee; and that the name of the Honourable Minister of Tourism and Recreation be substituted for that of the Honourable Minister of Consumer and Corporate Affairs on that same Agricultural Committee.

With respect to the Municipal Affairs Committee, I would move that the Member for Winnipeg Centre be substituted for the Member for St. Vital on the Municipal Affairs Committee; the Member for St. George be substituted for that of the Member for Point Douglas; the Member for Radisson be substituted for that of the Honourable the Attorney-General; the Member for Ste. Rose be substituted for that of the Minister of Education; the Member for The Pas be substituted for that of the Honourable the Minister of Finance; and finally, that the Honourable the Member for La Verendrye be substituted for the Member for St. Boniface on the Municipal Affairs Committee. I believe that takes care of the requests made. I move this, seconded by the Honourable the Minister of Agriculture.

MR. SPEAKER: The Honourable the Member for Morris.

MR. JORGENSEN: While we're at it, I have one further substitution that I wish to make, and that's on the proposed resolution setting up the committee proposed by my honourable friend the First Minister. I should, by leave, ask if the name of Mr. Weir could be replaced by the name of Mr. McGill on that committee.

MR. SPEAKER: Is it agreed? The Honourable First Minister. The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I would move, seconded by the Honourable Member for La Verendrye, that debate be adjourned.

MR. SPEAKER: Order, please. There is no motion before the House; this is done by agreement and by consensus.

MR. FROESE: Mr. Speaker, on a point of order then, I haven't got the sheet before me, I can't make the comparisons. I would like to know just what is happening here; there are so many changes and this is why I am adjourning just so that it will appear on the Order Paper in the afternoon so that we'll know exactly what we're doing.

MR. SPEAKER: Well I'm afraid that the request of the honourable member for the afternoon's Order Paper just is not possible; our machinery doesn't move that quickly. But my understanding, and this has been the practice for some time now, that these announcements were accepted without motion and were agreed to, and I don't see that there is any necessity for any change at the moment. If the honourable member is desirous of knowing the names I'm sure that a list can be supplied to him without any difficulty from the Honourable First Minister. The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, the Honourable Member for Rhineland, if I may say, Sir, cannot have a point of order for the reason that the ratio of membership on the various committees is not being altered here at all; that the ratio of memberships is something that was agreed to by the Committee on Committees that met near the beginning of the session and that the ratio is now being kept constant; we are not changing that. All we are doing is making internal caucus substitutions and that cannot be a matter for comment, can't become a point of order for anyone else.

MR. SPEAKER: The point is well taken. The Honourable Member for Rhineland is speaking to what?

MR. FROESE: I do take exception. I don't agree with the . . .

MR. SPEAKER: Order, please. Order please. I don't know what the honourable member's taking exception to, but there is no point of order and there is no motion before the House. If he wants to raise a point of order, I wish he would name it and then we could discuss it. The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, on the point of order, I just . . .

MR. SPEAKER: What point of order?

MR. FROESE: I just named it. Under Rule 47 I do have a say in the appointment of committees and I think you should . . .

MR. SPEAKER: Order, please. I just indicated that the statement of the Honourable the First Minister was well taken, that there was no further appointment, it was strictly an exchange of the same members; the committees were not being altered at all in respect to the number of members.

MR. FROESE: Mr. Speaker, on the point of order. It was not the same members, it was the Provincial Government . . . to opposition and certainly there is a change.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, out of all of the substitutions that were made they were all internal to the respective caucuses. I don't feel that it would be a point of order or privilege or any point whatsoever for any comment on this side as to whom the official opposition decided to substitute within their own caucus, that is an internal matter; so out of all of the substitutions made only one was transferring a committee membership position from one party to another and that was the transfer of the membership of the Member for St. Boniface on the Committee of Municipal Affairs, where that was dropped, and the Member for La Verendrye was incorporated into that committee. I believe that that is in accordance with the ratios agreed to by the Committee on Committees which met near the beginning of this session. Therefore, Sir, I fail to see what possible point of order there could be.

MR. SPEAKER: On the proposed motion of the Honourable First Minister. Before I allow the Honourable Member for Riel to proceed, I should like to indicate that this resolution creates a slight difficulty for the Chair in that it opens up an area of debate which at the present time is also in respect to our rules partly in an area where it cannot be debated, that is that the report of the Public Utilities Committee still has not been made; so I shall have to trust to the integrity and the judgment of all honourable members when they are debating this question to not refer to items in respect that are still not reported on but they may discuss the motion, the resolution in respect to creating the committee and its work it's going to do in the future. The Honourable Member for Riel.

MR. FROESE: Mr. Speaker, on a point of order.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: I see there is a change in the motion, inserting the word "consider" for the words "hold public hearings with respect to". When was this made and was this agreed to?

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, in speaking to the point of order raised by the Member for Rhineland, I simply make the following observation to him. That yesterday when I introduced this resolution I indicated that I wanted leave to change the last few words in the second last line and to substitute the word "consider".

Honourable members surely understand that the wording of this resolution is ours to begin with and therefore it's perfectly understandable if we ask for leave to substitute one word for another word. If we had simply done so in the first place no leave would have been requested, but it's our own wording that we desire to change. I asked for leave and there was no objection so the change was made.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, it may be the wording of the government, but the truth of the matter is that our rules prevail and in effect if the motion that's on the Order Paper was to be amended it should have been moved properly. When the First Minister suggested leave was given, I suggest that no one understood on this side that leave was given. -- (Interjection) -- Well, I'm sorry, and I suggest to the Honourable Minister of Mines and Natural Resources and to the First Minister this is an -- well, it's a slippery way of attempting to alter this, because to suggest at 12:30 yesterday that in his closing remarks he received leave from this House is mistaken.

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

MR. SPEAKER: Order, please. There can be no point of order on a point of order. The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, again, on the point of order, I suggest that there was no leave given from this House, that there was no understanding at all that this resolution was being changed and to suggest that's our tough luck is mistaken. I'm suggesting that's a very slippery way in which to alter the basic intent of this resolution.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: I think, Sir, that I have a point of privilege at this point, because when the Leader of the Opposition uses a word "slippery" I believe that does constitute a point upon which privilege can be raised. The precise point at time, yesterday, in which I asked for leave to make that change in wording was when I was introducing the resolution, not during the course of my remarks.

MR. GREEN: That's right.

MR. SCHREYER: . . . subsequent to the introduction of the resolution. I remember very clearly, Mr. Speaker, that I asked for leave and there was no objection, leave was granted. My honourable friend the Leader of the Opposition has been around long enough to know at the time when the question as to whether or not leave was granted comes up it has to be dealt with there and then, it cannot be raised 24 hours later; because theoretically one could, in every case where leave is granted, get up 24 hours later and allege that it was granted because of improper or incomplete understanding, and therefore theoretically there could never be such a thing as leave being granted if it was subject to 24-hour subsequent hassling or debate as to whether or not the circumstance was understood.

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

MR. G. JOHNSTON: On the point of order, Mr. Speaker.

MR. SPEAKER: Same point.

MR. G. JOHNSTON: On the same point of order. I think it is customary when anybody moves a resolution or a private member bill, if there's a word that he would like changed, it's common to sit by leave and make the change at the time; but the point I would like to make, Mr. Speaker, is that any member of the House can amend this resolution by amendment to say what they wish included and then a debate can take place and a vote be held.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, a question has arisen as to when leave was requested. The honourable member, the Leader of the Opposition said it was requested in the dying moments of the First Minister's speech. The First Minister says that it was requested when the resolution was read in the usual way, by leave, by request. Mr. Speaker, I'm willing to resign my seat in this House if the honourable member is correct, if he will resign his seat in the House if I am correct.

MR. SPIVAK: Mr. Speaker, I rise on . . .

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: I rise on a point of privilege, Mr. Speaker, on a matter of privilege.

MR. SPEAKER: Well I wonder if we can deal with the point of order first and then we can take up the matter of privilege.

MR. SPIVAK: Well, Mr. Speaker, on the point of order then. I have no intention, I have no intention . . .

MR. SPEAKER: Order. Order, please. I have heard debate from all sides of the House. I don't think we want to belabour the point. The Honourable Member for Rhineland did raise the question first on the point of order. All members have contributed. I thank them for their contribution. I should like to indicate that I would be of the opinion that a matter in respect to leave should not be entertained as a point of order 24 hours later. It just is not -- (Interjection) -- Order, please. Is the honourable member challenging my ruling? That's his privilege. I have not completed it. -- (Interjection) -- Order, please.

I'd like to ask the honourable members to at least give the Chair the courtesy of letting him finish his statement before they want to challenge it. They're all entitled to challenge it, 56 of them, but let's have some procedure which we can all agree with. I have indicated that I do think that we cannot entertain leave retroactively 24 hours later. -- (Interjection) -- There is no question at the moment. The question is that we are going to debate the resolution. The Honourable Leader of the Opposition had a matter of privilege. I'd like to hear that.

MR. SPIVAK: Mr. Speaker, I rise on a matter of privilege; because, Mr. Speaker, in essence, the Minister of Mines and Natural Resources has threatened this side and I suggest, Mr. Speaker, I suggest, Mr. Speaker, that we are not going to be threatened by a Minister who has deceitfully handled the Hydro matters throughout the whole hearings of this session.

MR. SPEAKER: Order, please. I would suggest to the honourable member while he's rising on a matter of privilege he's creating a matter of privilege for another honourable member of this House, and I don't think that that is the way to proceed on a matter of privilege. I'm not going to rule on either matter of privilege because I think both members are offensive in that sense. Therefore, I'm going to leave it up to the two gentlemen themselves to settle their differences in another area if they don't want to settle it properly in this House. The question before us at the present time is resolution . . . The Honourable House Leader.

MR. GREEN: Mr. Speaker, on a matter of privilege. If I have done something offensive in the House I'd be happy to withdraw. If I've done something offensive I want what I have done offensive to be noted, I will withdraw it, and I ask the Leader of the Opposition — I rise on a matter of privilege — he said that I have deceitfully handled a question in the House and I ask him to withdraw that statement.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: On the matter of privilege, I suggest the Minister of Mines and Resources has handled the Hydro matter in this session deceitfully.

MR. SPEAKER: Order, please. Order, please. I asked the Honourable Leader of the Opposition that that should be withdrawn. I gave him the privilege; he does not wish to do so; he leaves me no recourse if he doesn't do that. The Honourable Leader of the Opposition should reconsider what he's going to say to this House, how he's going to proceed in respect to this House. There is ample opportunity for discussion and debate on the question that the honourable member raised in regard to privilege and I'm certain that he can find the words that are necessary so that we can proceed with the normal decorum and the procedure of this House. The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, if it's necessary I will withdraw that, but I again suggest that the government, in my opinion, has handled this matter deceitfully.

MR. SPEAKER: I would suggest that the Honourable Leader of the Opposition is equivocating with me. He withdraws something which is attributed to an honourable member and then he says the same thing is possible of the government. I would suggest that a withdrawal should have no qualifications with it; either one does or does not withdraw what is not correct. The Honourable Leader of the Opposition.

MR. SPIVAK: On this basis, I must then withdraw my statement with respect to the Minister of Mines and Natural Resources.

MR. SPEAKER: The Honourable Member for Riel.

MR. CRAIK: Mr. Speaker, I first ask on a point of order, if you, Mr. Speaker, yesterday at any point during the First Minister's motion asked the House if there was leave. I think it's a legitimate question, Mr. Speaker.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, speaking again to the point as to whether or not leave was requested and granted, I simply make the following two points, Sir. That in the normal course of introducing this resolution I distinctly did ask for leave for the substitution of one word for several words and there was no objection. Now Hansard will show and I suppose this is a very easy point to deal with, Hansard will show — Hansard will show whether or not request was made and whether any objection was raised.

And the second point, Mr. Speaker, if I may, Sir, just as the Member for Portage la Prairie so appropriately pointed out, that it is the most normal procedure in this and any other Assembly, that in the introduction of a resolution by the member who has drafted the resolution and has brought it to the Order Paper, it is the normal course of things to ask from time to time for the substitution of words, when the member moving the resolution is merely asking for the substitution of words, of a wording that he himself has drafted. It is so commonplace, so ordinary, so clearly and well understood that I'm really amazed that any kind of point should be made about it, because it happens frequently.

MR. SPEAKER: I should just like to indicate to the Honourable Member for Riel who asked a question of the Chair, I think I indicated earlier in this session that if anyone had questions in respect to procedure of the Chair they could ask the Speaker in privacy. The Honourable Member for Riel on the resolution.

MR. CRAIK: Mr. Speaker, the present terms of the resolution make a world of difference to the resolution, and the First Minister has said move an amendment which we'll most certainly do, but it's pretty obvious what the outcome will be with the present attitude of the government. If no public hearings are included in the provisions of the motion that has been presented, the resolution that's been presented, we're basically back to square 1.

We've argued this topic for the last two or three months and it's pretty obvious that the problems inherent in the debate is the lack of factual information presented by people who we know can present factual information, and it is expecting very much to expect the members of the Legislature alone to be able to present the type of information that's required to properly assess the question, and of course the provision of public hearings makes it entirely different. It means that we're back to a type of enquiry that was provided two years ago on the same general topic when all types of information were available to the hearings and, by virtue of that, the members of the Legislature and the members of the committee were able to dig out the type of information that should be dug out on a decision of this type.

Now what we're provided with, Mr. Speaker, here, is simply a continuation of what we have had in the Public Utilities Committee. This means, essentially, that we go back to hear the presentations by one man, the chairman of the Manitoba Hydro Board, who has left the province, either at the wishes of the government or by his own wishes, for a period of six weeks at a time when the Legislature sits and at a time when normal decency would say that this person should be available. This whole sequence of flouting, basically flouting the purpose of the Legislative Assembly and the purpose of one of its most important committees, should hang heavily on the necks of the government. The fact that they could see fit to allow the chief person involved to leave the province for a period of six weeks during the crucial period, is one net factor. The further factor is that they could grant what they call an interim licence and then let a 50 million dollar contract on the granting of that licence is even worse; and so we've hammered away to try and get hearings for the people on Lake Winnipeg; to try and get hearings so that we can get the proper technical information before us, and to properly have hearings to find out whether or not there should be a permanent licence granted, although we know that the interim licence is in fact a permanent licence when you let a 50 million dollar contract on an interim licence. And then -- ah well, you know, have it your way -- you let the \$12 million on the first 50, like you're going to take back the 12 when you change your mind. You know, how ridiculous and utterly stupid type of a decision is this? There's a big difference; there's a big difference.

The type of questions we want to ask . . . the First Minister alluded to yesterday; he'd discovered a dredgemaster that endorsed the principle of digging a channel for Lake Winnipeg. Did the dredgemaster also tell the First Minister that a permanent dredge is required in the channel? Did Mr. Cass-Beggs tell the First Minister the present value of operating a fulltime dredge for the next 20 years that's included in the capital costs? Well that'd be interesting to find out, and it's certainly interesting to find out now that the 50 million dollars capital cost includes the price of operating a full-time dredge in the channel for the next 20 years. -- (Interjection) -- No. Now he says it's not included. Well, this is the type of information that we'd like to find out if the government has apprised itself of in making the decisions that have been made.

The handling of this issue has been the most Machiavellian piece of footwork that any government has ever used in the Province of Manitoba, right through to the refusal to report even on the Manitoba Telephone System from its committee. All the way. Every Machiavellian trick that could be pulled out of the master's book has been used by this government to make sure that the issue of water power development in Manitoba did not get discussed in the open forum; and somehow the draftsman that drew up this resolution made a mistake and he said in that that there's going to be public hearings. And the First Minister said, "No dice. We're not having any public hearings; we're going to pull that out of the resolution. There's not going to be any nonsense like that. We're going to let you go back to Public Utilities Committee where there's a motion on the table that has priority over any other motion that was put there by the Minister of Mines and Natural Resources, which says that the report be now received; put the question, get it out of the way, but don't have public hearings." That's what this motion says.

So you manage to choke off the discussion, close off the session, let Mr. Cass-Beggs go on his holiday for six weeks in the face of the most major decision that has been made in water

(MR. CRAIK cont'd) power development in Manitoba in the last fifty years. It's bigger than the Winnipeg River; it's bigger than any steam plant you ever thought about building. It involves also the public treasury; it involves the public treasury because you know potentially that there's \$80 million worth of export sales tied up in the Nelson River power development if you want to utilize them in the United States. All of these questions are important; all of them we've had to pry and prod to get the information out of the government and get it out of the Manitoba Hydro chairman who, on the matter of export power in the initial instance at the hearing, said, "We haven't got anything to do with that because the Federal Government does not look kindly upon the export of power."

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

MR. SCHREYER: It seems to me, Sir, that there is a point of order if a member makes a statement presuming to quote someone else, and I may say, Mr. Speaker, that the quote that the Member for Riel attributes to Mr. Cass-Beggs doesn't even remotely, doesn't even remotely resemble what was said by that person.

MR. SPEAKER: The Honourable Member for Riel.

MR. CRAIK: Mr. Speaker, the information about the American export possibilities came out in the Public Utilities hearing, but it was only after a great deal of prodding at the beginning of the hearing by the members of the Opposition, who were able to get information from the United States, that indicated that there were negotiations going on and that then this excuse, or whatever it was, used about the Federal Government was in fact nothing but -- whatever it was, it certainly wasn't factual. The fact was that the Americans were planning on certain imports and that the Manitoba Hydro had in fact, was carrying on negotiations which would see about half of the present capacity of the total of Manitoba being exported to the United States by 1980. In all of these issues, the water power question, the recreation value, the future of exports to the United States are all keyed in 1970 and 1971, and the government says, "We're not going to talk about it; you guys just mind your own business. We're going to run it. We'll grant an interim licence that allows you to go ahead and do it under the guise that there may or may not be a permanent licence granted at a later date. Water Commission - you have no position in all this. Manitoba Water Commission, you go mind your own business."

The people who were the most vociferous two years ago, the people that stood on their chairs in the Public Utilities Committee, were then pointed to the Manitoba Water Commissioner. Where are they now? Well, they're over trying to find out from Hydro - they're over trying to find out from Manitoba Hydro just whether or not they're going to be able to control Lake Winnipeg. And I've got news for you, Manitoba Hydro doesn't know either. They don't know whether they can control Lake Winnipeg. There's been no model study done. The Minister knows this. There's been no computer study done on natural diversion out of Lake Winnipeg other than pumping that was done by the consultants two years ago. The government knows this. There's no valid computer study unless it's been done in the last months. It certainly wasn't done when that interim licence was let.

What about the questions asked by the people on Lake Winnipeg? The government knows very well that there's a surge of desire on the part of people around Lake Winnipeg to know whether this system is going to work or not. The government doesn't want to hold the hearings. They're not sure it's going to work. They think they can regulate between 811 and 815.

And the First Minister comes in and says, "But the programming board away back when said Lake Winnipeg's an alternative." What the First Minister didn't add was that most of the field work was done after the programming board report was brought in, and that field work and the result of it, in none of the trials that were done on the basis of the field work did Lake Winnipeg ever show up as a reasonable alternative. Never once. And it was after his so-called programming board, and he still comes in here and says that it's based on the original thinking and findings of the programming board, and there wasn't one bit of work other than the analysis put on the Task Force's report by Mr. Cass-Beggs that ever said that Lake Winnipeg was an economic alternative.

A MEMBER: That's right.

MR. CRAIK: That's right. Absolutely right. There's no -- (Interjection) -- I'd be pleased to entertain a question when I'm finished.

Now, the upshot of it all is that the decision that has been made on Lake Winnipeg has been a political decision by the government; it has not been a technical decision by Manitoba Hydro. But Manitoba Hydro has been forced to carry the brunt of that political decision - not

(MR. CRAIK cont'd) based on technical fact, but based on the desire of the government to not get into a hassle on South Indian Lake, and it's being done at a severe cost to the people of Manitoba, a very severe cost. At a time when we're in a deficit budget position now, they've decided to blow the wad and go for a very expensive project on Lake Winnipeg that could present recreation value but isn't even guaranteed of doing that. -- (Interjection) -- Well, Mr. Speaker, the upshot of it all is . . .

MR. SPEAKER: Order, please.

MR. CRAIK: . . . It may very well be too late for even public hearings to rectify what has to be done. Nevertheless, public hearings, as were originally provided for in the motion that was before us, and which everybody thought the Minister was speaking to - the First Minister - thought he was speaking to yesterday, there was a possibility of some restitution being introduced into this topic and this issue and this problem that is before property owners and taxpayers in general, and only the introduction of some form of public hearing is going to allow that the proper democratic process be allowed to work on this. The government at this point has made every move it could possibly make to refrain and restrain any possibility of knowledgeable people being able to make their contribution to this very, very important debate.

These topics, Mr. Speaker, are the things that should be covered and, if we have to be satisfied with what is there, I would like to amend the motion that is there, the resolution, by first of all moving -- I would like to move, seconded by the Honourable Member for Fort Garry, that the resolution be amended by adding after the word "work" in the sixth line, the words "and that sittings begin within one month," and secondly, that the second paragraph in the resolution be amended to read as originally written on the Orders of the Day of Monday, July 26th. I haven't got that latter part written down because I assumed it was there, Mr. Speaker.

MR. SPEAKER: Well, I find the amendment in order but I also find that it has two different topics. If we're going to be able to take proper cognizance of it, it should really be two amendments, and it would be much easier to settle the question. As one, it may be negated with some members still wanting the other half. Take the amendment as is? By leave, agreed? (Agreed)

MR. SPEAKER presented the motion to amend the resolution.

MR. SPEAKER: Are you ready for the question? The Honourable First Minister.

MR. SCHREYER: May I ask the Honourable Member for Riel a question? When he refers to the Nelson River programming board and its reference to Lake Winnipeg regulation, the member, when he indicated today that the reason that Lake Winnipeg regulation was dropped after the programming board had submitted its initial report, did he mean to imply that the reason that Lake Winnipeg regulation was dropped after the initial report in 1965 or '66 was because of technical problems in cost, or was it dropped perhaps because someone got the bright idea that by adding 29.5 feet of water to South Indian Lake you could avoid Lake Winnipeg regulation? What was the real reason?

MR. SPEAKER: The Honourable Member for Riel.

MR. CRAIK: The real reason, Mr. Speaker, was based on the technical grounds that the studies on the diversion of South Indian Lake, that the problems -- no, either at 869, whatever it was, or 854, is still a more feasible alternative -- (Interjection) -- Well, yeah. Thank you. Thank you; thank you very much. The information that was presented after the programming report was done, the questions that were asked at that time were that they knew neither the technical information about the soil conditions, whether it was rock, or whether it was overburdened, or whatever it was, on either Lake Winnipeg or the South Indian diversion. And after the work was done, they came back and said that they had the information on the Churchill diversion, and furthermore, the most recent report, which is the Task Force report, says all the technical information available on the Churchill diversion is known and it's feasible. They did not say the same thing about Lake Winnipeg. And you shouldn't have -- (Interjection) --

MR. SPEAKER: Order, please.

MR. CRAIK: The most recent work, even which Hydro did, in its Task Force report says that all the technical information required on Churchill diversion is available, is known and . . . -- (Interjection) -- No, it says it in the report! That the same thing cannot be said - it doesn't put it in these words but basically it says that the same thing cannot be said about Lake Winnipeg because, number one, there's nobody knows yet for sure whether Lake

(MR. CRAIK cont'd) Winnipeg levels can be controlled. Now it makes sense that if you're going to add another ditch out of Lake Winnipeg you should be able to control the lake. Fine. If you're going to do it purely from a recreation point of view, that's fine, but if Lake Winnipeg is going to be a power lake, a hydro lake, the way it is going to be right now, sponsored by Hydro with the permission of the government, with their licensing and all the rest, if you're going to justify Lake Winnipeg and the cost you're putting in there from a power point of view, there's no guarantee that it will do anything but harm for the residents of Lake Winnipeg.

MR. SPEAKER: The Honourable Minister of Mines and Natural Resources,

MR. GREEN: Mr. Speaker, I was asked a question in the House yesterday by the Honourable Member for Fort Rouge who wanted to know what yesterday's levels, I think, were, or two days' ago levels on Lake Winnipeg, and I did have the occasion in the afternoon, later that afternoon, to advise my honourable friend the Member for Fort Rouge as to what the levels were. I'm going to read them to the House:

The level for the week ending July 3 - 716.09. The level for the week ending July 10 - 716.04. The level for the week ending July 17 - 716.10.

And I would think, Mr. Speaker, that it would be fairly well agreed by all of the members in the House that the first two weeks in July is the height of the vacation season around Lake Winnipeg.

I think I was also asked by the Leader of the Opposition, can I tell him the estimate of the damage? Let's look at the reasonableness of my honourable friend's question. The estimate of the damage - and I think this was Monday - he asked me whether I could give him the estimate of the damage that occurred on Saturday night on Lake Winnipeg - on the weekend, excuse me, Saturday night and Sunday. That makes it better for my honourable friend's position. Well, the storms that he was referring to occurred, as I recall it, on Saturday night. There were no storms on Friday night, Mr. Speaker, I take it that the storms that took place in Manitoba, the heavy wind storms, were predominantly on Saturday night. If there were heavy storms on Friday night and my honourable friend is therefore making his question better, then let's give him the best interpretation on his question because my honourable friend has problems and if he wants to be put into his best position, let's put him in his best position, that there were storms on Friday and Saturday. This is now his contention - I'll accept it even though I don't believe that it's true.

But on Monday morning, he says to the Minister of Mines, "Can you give me an estimate of the damage that occurred on Lake Winnipeg on Saturday night?" On the weekend, excuse me. And on those days, Mr. Speaker, the lake was 716, roughly, point one. Under Lake Winnipeg regulation as contemplated, the level of the lake on those weekends would have been something under 715 feet on each of the dates concerned, and if someone will explain to me how that makes it a worse position for the people of Lake Winnipeg, they will be able to, Mr. Speaker, if someone could explain that to me, they would be able to convert me to Buddhism or Confucianism or any other type of religion which is completely foreign to me and which I'm not about to be converted to. -- (Interjection) -- Well, Mr. Speaker, -- That's right. They would be able -- I agree with the Member for Sturgeon Creek. If they could make me believe that, they could make me a member of my honourable friend's society, the Flat Earth Society.

The fact is, Mr. Speaker, that my honourable friend keeps talking about hearings, as if in fact they weren't taking place, because he would have a pretty good case if the government said that they were going to regulate Lake Winnipeg and people were not going to be able to discuss as to how that regulation would take place; they'd have the government in a very sensitive position and they would hit us that way. And therefore they have chosen to ignore that in December of 1970, the Water Commission indicated that they would hold hearings, that in this House on at least a dozen occasions - and I suppose that this will now make it thirteen which I suppose is an unlucky number but we'll risk it for the purpose of the debate - that they have been told that the Water Commission, the very people that they are attacking, have been looking at the questions since the interim licence was granted, and have said that they are going to hold hearings for the purpose - threefold: for the purpose of advising the public of what the Hydro plan actually involves, what is envisaged by the plan; secondly, for receiving information from the public as to what they say, not about whether or not the lake should be regulated, but the pattern of regulation; and thirdly, for hearing other matters from the residents insofar as what they claim would be damages, or what they claim would be the problems, or what they claim would be any other effect of Lake Winnipeg regulation.

(MR. GREEN cont'd)

It has been announced in this House on at least, I repeat, a dozen occasions - and I'm sure I'm not being hyperbolic in my prediction; it would be at least a dozen times - that this was taking place, and the honourable members, because that announcement helped their position, choose to ignore that announcement. Well, Mr. Speaker, as I've said for the thirteenth time, these type of hearings will take place, and these type of hearings are now being planned by the Water Commission and will be proceeded with by the Water Commission, and I can assure you, Mr. Speaker, that the Water Commission has been very solicitous, has been very solicitous about the interests of the residents of Manitoba, including those of Lake Winnipeg.

Now my honourable friend says that these Lake Winnipeg residents, they're not satisfied with what is happening on Lake Winnipeg. Unfortunately, he has never been able to translate that suggestion with real information on the part of the residents. And I'll tell you why, Mr. Speaker. Because the residents have never really been opposed to the regulation scheme. The residents of Lake Winnipeg, the cottage owners - and if the honourable members will listen then maybe they will have some additional information - have been interested in regulating Lake Winnipeg for years and years because of the problem that has arisen there. The Department of Mines and Natural Resources has always wanted to regulate Lake Winnipeg. When my honourable friend, the Member from Riel, was the Minister, when the Member for Lakeside was the Minister, and for Ministers dating back, I suppose, until the 1920's, they have always wanted to regulate Lake Winnipeg. They were never able to do so because they were never able to get the government to put that kind of money into regulation which would justify the benefits that were achieved. In other words, you'd have to spend \$50 million of money to receive \$2 million in benefit - or \$3 million in benefit. Therefore, no government would go ahead with it. And the only thing that has made Lake Winnipeg regulation possible is the fact that Hydro sees that regulation could be of value to them, and therefore one can add to the resource benefits of Lake Winnipeg regulation all of the Hydro benefits. And therefore there has never been -- my honourable friend has never been able to justify the suggestion that the residents are complaining, with action.

As a matter of fact, there was an attempt to create some type of scare. There was an attempt to herd all of the residents of Lake Winnipeg to the meetings to show how the Manitoba Government was flooding the lake by taking two feet off the top of the highest flood level; by going from 717 to 715, we were flooding the lake. And, Mr. Speaker, the residents came and they listened, and at the next meeting they just didn't bother showing up. And I'll tell you why. Those residents had been to my office and had been discussing -- the Lake Winnipeg Cottage Owners Association have attended at my office on at least six occasions -- well, I withdraw that; I would say at least four, and the other occasions would be by telephone and by written letter. On none of these occasions did they say, "We don't want the government to go ahead with the regulation program." Not on one. Each time, what they said was, "We think that Lake Winnipeg regulation is a good thing but we think that, instead of regulating 711 to 715 and taking two feet off the top of the lake, you should regulate 711 to 713 or 711 to 714." In each case they've tried - and I give them full credit for doing so because I expect them to do so; I would expect people would want that regulation to be used to their best advantage - they have tried to get the government to reduce the top level of the lake to one which is more acceptable to them. But they have never said that they wanted to stay at 717. They have always said, "Bring it down some, or if you're going to go to 715, then we want breakwaters; we want dike protection; we want other things to help us with our problems on Lake Winnipeg." And we've been prepared to listen to those things.

And, Mr. Speaker, the latest communication to my office from those people is a letter from their solicitor who says that he is satisfied, that they are satisfied that the government has every good intention of proceeding with Lake Winnipeg regulation in doing what we are doing, and he also says that they are interested in dealing with this matter without publicity. And my answer to them is that we are not worried about the publicity. We don't want to inhibit publicity and we don't want to inhibit the opportunity for political contributions to this debate. That is not what we are concerned with.

But they, Mr. Speaker, now feel that the publicity on this matter is not to their advantage, so that my honourable friend has never been able to really get to them behind his fear with regard to the project, because his fear with regard to the project is that we are flooding the lake and that we are destroying thousands - "hundreds and thousands" I think his words,

(MR. GREEN cont'd) were, because I went and checked them and if I repeated them wrongly before I will now apologize and repeat what I checked in the record - hundreds and thousands of people - I can see that he used the word "people" and not "cottages" - would be affected by the Lake Winnipeg regulation.

Mr. Speaker, because -- (Interjection) -- yes, I found it and I checked it and I acknowledged that you said "hundreds and thousands of people". Mr. Speaker, I acknowledge, I acknowledge that I incorrectly quoted my honourable friend and I regret having done so, because I thought he said "hundreds and thousands of cottages". He said "hundreds and thousands of people". Yes, I was -- yes, I was mistaken. Yes. That's right. Mr. Speaker, I freely acknowledge that I can be mistaken. It's my honourable friend who thinks that he can never be mistaken. The fact is, Mr. Speaker, that this is his suggestion.

Now let us go back. The problem with the existing opposition with regard to this question is that they refuse to recognize that what is being done is an administrative act of government which they have every right to criticize, which they have every right to launch a political attack on the government--and when I use the word 'political', by the way, I don't use it in the sense that my honourable friend the Member for Riel uses it. He says this is a political decision. Mr. Speaker, I speak for myself - and I speak for myself very carefully - that I have no hesitation in saying that everything that I have done since I have gone into politics has been based on making political decisions. I believe that making political decisions is the highest form of human endeavour that one can make. Making political decisions means making decisions in response to public need. Well, Mr. Speaker, if that is something which my honourable friend considers to be reprehensible, then let him get out of the Legislature, because what he is doing in here is being involved in making political decisions. And the political decision is one which we have to be able to stand up to and say that we have made a decision which we believe is in full response to meeting the needs of the people of Manitoba.

Well, Mr. Speaker, we have taken the responsibility for making that decision. The government has never, has never said that they are not responsible for the actions of that Crown corporation, but we do say that that Crown corporation is in a position where it can make administrative decisions from time to time. It made a decision with regard to Lake Winnipeg regulation, I believe it was in August of 1970. The decision was announced in September of 1970. The decision was announced in September of 1970, and they could have let the contract the following week before the Legislature ever came into session. The letting of the contract had nothing to do, nothing whatever to do with the meetings of the Public Utilities Committee. And my honourable friends have tried to make it appear, and possibly with some success, they've tried to make it appear that what is going on at Public Utilities Committee is to determine whether or not we should regulate Lake Winnipeg. Now that's absolute nonsense. Almost all, virtually all of the important decisions that were made by the Manitoba Hydro, I suppose within the last umpteen number of years, have been administrative decisions which they have come then and reported to the Public Utilities Committee, and which the Committee could then use for whatever purpose they wanted to.

If, at the meeting, the Member for River Heights, or the Leader of the Opposition, or the Member for Riel, felt that the government should be brought down on the basis of what Hydro has decided, they could come back into this House, they could move a want of confidence in the government for permitting Hydro to proceed in the way in which they have proceeded, but the meetings are not the place in which administrative decisions of Manitoba Hydro are made. And that has been pointed out time and time again. The honourable members of the opposite side would like to make it as if that is not the case, but the fact is that it is so. And the Telephone Company, Mr. Speaker, which reported to the same Committee, made numerous administrative decisions of major importance of that nature, during the same year and, if they were found to be objectionable to my honourable friends, they could do whatever they think about it. But it is not the Hydro Committee that makes that decision. The Hydro Committee receives the report or it doesn't receive the report. And then, certainly, the government's action with respect to Hydro is accountable to the public and they can make whatever point of it they want in the Manitoba Legislature.

But my honourable friends insist that they want those administrative decisions of Hydro to be made at the Public Utilities Committee. And really, that is the difference of opinion between us. Our suggestion is that those decisions are not going to be made at Public Utilities Committee. My honourable friends feel they haven't had enough time to review them. What is

(MR. GREEN cont'd) the motion that we are now making? The motion we are making is that members of the Opposition apparently feel they haven't had sufficient time to look at the Hydro decision, so we'll let them look some more. Let's look to see whether they've had enough time. I believe that the Manitoba Public Utilities Committee met this year on four occasions; that the Chairman of the Hydro appeared, I believe, three times, spoke at length, answered questions; and, Mr. Speaker, how did the hearings end? The Member for Riel moved that they adjourn. -- (Interjection) -- That is exactly what happened. With Mr. Cass-Beggs giving evidence and them asking questions, the Member for Riel moved that they adjourn. -- (Interjection) -- What difference does that make?

MR. SPEAKER: Order, please.

MR. GREEN: What difference does that make?

MR. SPEAKER: Order, please. Order. I did suggest, when the debate was going to proceed in this resolution, that I would have to rely on the integrity of the members of the House not to mention matters in respect to what took place in the Committee, as it is one of our rules of procedure that until a committee has reported these matters are not utilized in debate. Therefore, I would again respectfully remind the Honourable Minister of Mines and Natural Resources that he use his integrity to stay away from that area.

The Honourable Minister of Mines.

MR. GREEN: Mr. Speaker, the honourable members wish to deal with the Manitoba Water Commission in a manner which is disparaging of those people on the Commission. I tried to indicate, in the best way that I can, that the members of the Manitoba Water Commission have been ever so careful and ever so critical of every move which they feel is being made, or would be made, or could be made, which would in any way adversely affect the people of Lake Winnipeg. They don't consider Lake Winnipeg regulation as such, to be such a move. Nor has anybody considered it in the past, nor was it considered by the Member for Lakeside who described the decision when it was announced as being "dead right". Nor did any member of the Opposition between the period of September until D. L. Campbell said - well, Mr. Speaker, that is a fact. There was never any criticism of the regulation program until D. L. Campbell said that he thinks that South Indian Lake at levels of 854 should be proceeded with first. And that's an opinion which is worthy of respect and attention, and I'm sure that it was given respect and attention, but the decision to proceed was the other way.

My honourable friend the Leader of the Opposition, in support of his position at various times in this House, has suggested that Mr. Campbell is supported by Dr. Kuiper, a hydraulics engineer . . . a very - I use the words of David Cass-Beggs, he said that he is an eminent authority in this area -- (Interjection) -- and so did Mr. Cass-Beggs, so did Mr. Cass-Beggs. -- (Interjection) -- Mr. Speaker, . . .

MR. SPEAKER: Order, please.

MR. GREEN: . . . I could tell you that if my honourable friend thinks - and you know, you have to go one way or the other. If you are saying that you can eliminate Lake Winnipeg regulation and you still want a Hydro project in Manitoba, you still want the basis of Hydro to proceed, then you have to say that you're going to either the 854 on South Indian Lake or 869, one of the two. You have to go to 854. -- (Interjection) -- Mr. Speaker, I have a letter from Dr. Kuiper - it came in even before the program was announced - saying that he hears that we are intending to flood South Indian Lake to a level of 850 feet and that he is very much objecting to that kind of program. So if my honourable friend says that Dr. Kuiper supports his position, I can say that Dr. Kuiper would be, from my knowledge of him and my discussions with him, manifold times more against any program to flood South Indian Lake than to regulate Lake Winnipeg; and Dr. Kuiper has expressed himself to an interviewer of the Winnipeg Free Press that they should proceed with Lake Winnipeg regulation. -- (Interjection) --

Mr. Speaker, my honourable friend, the Member for Riel, says that we are going to flood it anyway. The fact is that, again, Mr. Cass-Beggs when he was questioned with regard to Hydro - and he said why do you choose Lake Winnipeg regulation prior to South Indian Lake - is because Hydro has committed itself to the government and the government has asked for a commitment from Hydro. That's one of the reasons - and just one - that you are proceeding with Lake Winnipeg regulation first. It's to see whether you can come down still further on South Indian Lake. That was said to see whether, given the time, that you proceed with Lake Winnipeg regulation first, that there are ways and means, if you will look for them, of coming down from even 850 on South Indian Lake. That has been the commitment of Manitoba Hydro;

(MR. GREEN cont'd) that has been the commitment that the Water Commission has requested, and that is the commitment that we have requested. And that's one of the reasons - it's not the sole reason; a strong condition to this reason is that proceeding in that sequence as against the other sequence would not be significantly or even scientifically measurably more costly than proceeding in the other direction.

As a matter of fact, if one uses the normal amount of error that is permitted in scientific discussions then the Chairman of Hydro has demonstrated that one could even show that Lake Winnipeg regulation first, with the South Indian Lake second, could be a least expensive procedure, but because the difference in cost is so insignificant he does not make a point of that. He does not make -- (Interjection) -- Well, Mr. Chairman, the Member for Riel says it's the way we keep books. We had an opportunity of watching you keep books -- (Interjection) -- and the people had an opportunity -- they balanced, eh? They didn't balance on June 25th of 1969. The balance was the other way. And of course, the honourable member will say well, the reason they balanced the other way is that the people of Manitoba don't know what they're talking about. Well we think that the people of Manitoba knew what they were talking about and we let them judge, we let them judge how good your bookkeeping was; and in several years' time if the Honourable First Minister's commitment holds forward, which I see no reason why it won't given the last assessment of bookkeeping that took place on April 5th of 1971, there was another bookkeeping audit done by -- and there will be an audit, you know, the last bookkeeping in Riel showed a very small surplus balance -- a very small black balance. And there will be another bookkeeping -- (Interjection) -- there was an adjoining constituency? -- (Interjection) -- That's right, that's right.

The honourable member knows that in order to keep books more carefully next time, he has to join with the member for -- the Leader of the Liberal Party in the House, I'm not even sure -- but the Leader of the Liberal Party outside of the House, he has to join with him, and he is a good bookkeeper, too. He figures that they have to have, Mr. Speaker, two sets of books, they figure that they have to have two sets of books to make them come out right. We'll welcome the audit of the books when that audit takes place and at that audit the honourable member will be able to make his point.

Mr. Speaker, I merely want to say that the regulations require, not because I think that it was correct to do it -- when I say 'correct' - not because I think it is the way it should be but because the regulations require -- the project to proceed with Lake Winnipeg regulation was advertised, people were invited to make their objections to the program if they had objections. To my recollection there was no objection from the Lake Winnipeg Resident Properties Association. There were, on a program which the honourable member has said is the most terrible kind of procedure followed by the government, as I recall it, there were in the neighbourhood of 11 letters received in response to the advertisement with regard to the regulation of Lake Winnipeg.

And if my honourable friends are really suggesting that anything other than the difference of opinion on the board has been the inspiration for these recent discussions, I suggest that it really tends to stretch the credibility of the people of the Province of Manitoba, that they would believe that anything other than the difference of opinion on the Hydro Board was what did it. Mr. Speaker, I for one don't apologize for a difference of opinion on a Board. I think it would be possible for the government to appoint boards like the previous administration used to appoint them, where we could be sure that there would be no differences of opinion on the board. And I suppose from the arguments that my honourable friends are now making, they would say that that's the correct thing to do.

A MEMBER: Who's on the Water Commission . . .

MR. GREEN: Mr. Speaker, on the Water Commission, we have the political hacks, long-standing New Democrats, never known to our membership, of Dr. Cass Booy of the Engineering Department of the University of Manitoba, one of the best people in that area; Professor Lansdown? -- (Interjection) -- the honourable friend refers to it as the South Indian Action Committee-- None of these people, other than the Member for St. George, Mr. Uruski who is an MLA, Mr. Kawchuk a New Democrat, was in this House, and the other person, I really have to apologize for not being able to remember all the names of the Water Commission. But maybe my not being able to remember the names, Mr. Speaker, proves that they weren't New Democratic Party hacks, as my honourable friend would like you to believe.

Mr. Speaker, I repeat -- All right, I'll continue my remarks . . .

MR. SPEAKER: The hour being 12:30, the House is adjourned until 2:30 p.m. this afternoon. (Tuesday)