

THE LEGISLATIVE ASSEMBLY OF MANITOBA

2:30 o'clock, Thursday, July 13, 1972

Opening Prayer by Mr. Speaker.

MR. SPEAKER: Before we proceed I should like to direct the attention of the honourable members to the gallery where there are members of the Trout Festival. We have with us the Queen Mermaid Elaine MacCarthy of Lynn Lake. Princess Barbara Ann Smith of Yorkton, and Princess Rose Marie Lavalee of Cranberry Portage. They are accompanied by Eva Krassilowsky from Flin Flon as their chaperone.

On behalf of all the honourable members of the Legislative Assembly I welcome you here today.

Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees; Ministerial Statements and Tabling of Reports; Notices of Motion; Introduction of Bills.

ORAL QUESTION PERIOD

MR. SPEAKER: The Honourable Member for Morris.

MR. WARNER H. JORGENSEN (Morris): I rise on a question of privilege. My question of privilege is simply an error that I note in today's Votes and Proceedings. Last night I moved that the name of Mr. Blake be substituted for that of Mr. McKenzie on the Standing Committee on Industrial Relations and in today's Votes and Proceedings it is listed as the Standing Committee on Economic Development. I would like to have that changed so the record is clear.

MR. SPEAKER: (Agreed) The Honourable Leader of the Opposition.

MR. SIDNEY SPIVAK, Q.C. (Leader of the Opposition) (River Heights): Yes, Mr. Speaker my question will relate to the Standing Committee in Economic Development and it will be to the House Leader or the First Minister. Will the committee, the Standing Committee on Economic Development meet shortly to be able to hear the information from Dr. Briant so that the questions that have been asked and unanswered in this House, can be answered by him with respect to Tantalum.

MR. SPEAKER: The Honourable House Leader.

HON. RUSSELL PAULLEY (Minister of Labour) (Transcona): Mr. Speaker, it seems to me that the Honourable First Minister answered the Leader of the Opposition yesterday. I might say however that some representations have been made to me as to the possibility of the committee meeting inbetween sessions and consideration is being given to those requests.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I wonder if the Minister of Industry and Commerce has any answers to the questions that were asked yesterday, the day before and the day before that remained unanswered with respect to Tantalum.

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

HON. LEONARD S. EVANS (Minister of Industry and Commerce) (Brandon East): Mr. Speaker, as indicated, I believe yesterday, many of the questions were repetitive in nature. We have endeavoured to provide answers to the questions asked as quickly as possible, and as accurately and as efficiently as possible, and when I have further information to report I will be up on my feet reporting to the House.

MR. SPIVAK: Yes, Mr. Speaker, my question is to the Minister of Industry and Commerce. I wonder if he's in a position to indicate how much of the cash reserve of Tantalum were used for development cost for the Goldrim properties in Australia.

MR. EVANS: Mr. Speaker, I have made a comment on that previous; I don't know whether I need to make further comment.

MR. SPEAKER: The Honourable Member for Riel.

MR. DONALD W. CRAIK (Riel): Mr. Speaker, I would like to direct a question to the Minister of Mines and Resources. Can he indicate why we have not received Volume 1 of the transcripts from the Manitoba Water Commission meetings.

MR. SPEAKER: The Honourable Minister of . . .

MR. EVANS: Mr. Speaker, as I have indicated on previous occasions in this House I'm as anxious as any member to obtain the reports of the Manitoba Water Commission. However, I can advise my honourable friend from Riel that Volume 1, which is the report of the Manitoba Water Commission, is now in the hands of the Queen's Printer and if all goes well we hope that

(MR. EVANS cont'd) it will be printed and available for public distribution in approximately two weeks, maybe three weeks, but it's dependent upon the Queen's Printer and the ability, technical ability, of that organization to produce it. I'd like to have it tomorrow morning if it was available but that is the circumstances.

MR. CRAIK: Mr. Speaker, can I direct a subsequent question to the Minister? Can he advise whether he's familiar with the contents of Volume 1, and whether or not there are not some statements in that that is very damaging to the government's position in Hydro Power Development.

MR. SPEAKER: The question is argumentative. The Honourable Minister of Industry and Commerce.

MR. EVANS: I agree with your ruling, Mr. Speaker, but I would like to take the opportunity to answer a question posed by the Honourable Member from Birtle-Russell yesterday on the operations at the Shellmouth Dam with respect to the volume of water presently being discharged. I'm advised, Mr. Speaker, by the officials of the Water Control Branch that the discharge at the Shellmouth Dam was maintained by 150 CFS during the period June 27th to July 12th, 1972 and on July 12th it was reduced to 50 CFS. The discharge will remain at this level, at 50 CFS, until the end of October unless heavy rains cause the inflow into the reservoir to increase.

Mr. Speaker, I was asked a supplementary question: Is the volume presently being discharged by the Shellmouth Dam sufficient to meet the needs of the communities downstream? I am advised by the engineers in the branch that the 50 CFS outflow from Shellmouth is more than sufficient to meet the needs of the communities downstream along the Assiniboine River.

MR. SPEAKER: The Honourable Member for Riel.

MR. CRAIK: Mr. Speaker, I'd like to rephrase my question to the Minister of Mines and Resources. Can he indicate whether he has read the contents of Volume 1 referred to.

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

MR. CRAIK: Mr. Speaker, I'd like to ask a supplementary question then. Can the Minister advise whether the transcripts which we have received are direct transcript or whether there has been editing?

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

MR. EVANS: Mr. Speaker, to make it quite clear with respect to the transcripts I saw the transcripts about the same time the honourable member saw them, that is I brought into the House the day that they were received in my office - in printed form - I had not seen them before.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. HARRY J. ENNS (Lakeside): Thank you, Mr. Speaker, I direct a question to the Honourable the Minister of Universities and Colleges. Mr. Speaker, notwithstanding the response the Minister gave me yesterday, can the Minister tell me today whether or not the Provincial Government is participating in a press conference tomorrow announcing the decision to proceed with the Seven Oaks Hospital Development.

MR. SPEAKER: The Honourable Minister of Universities and Colleges.

HON. SAUL A. MILLER (Minister of Colleges and Universities)(Seven Oaks): Not to my knowledge, Mr. Speaker.

MR. SPEAKER: The Honourable Leader of the Liberal Party.

MR. I. H. (IZZY) ASPER (Leader of the Liberal Party)(Wolseley): Mr. Speaker, my question is to the Minister of Universities and Colleges Affairs. Can the Minister advise the House whether the financing of the Northern Manitoba Post Secondary Education night school program has been transferred from the Planning and Research Division of his department to the University Grants Commission?

MR. MILLER: Mr. Speaker, this was covered during my estimates. The member will find them in Hansard if he reads the Hansard going back to those dates. I would tell him the program, a pilot program which was started and ran for two years, and was proved successful and turned over to the University Grants Commission because the programs are now run by the universities.

MR. ASPER: Mr. Speaker, to the same Minister. Can the Minister advise whether the move of the program from Planning and Research to the Grants Commission was due in part to an internal conflict between the administrators of the program?

MR. MILLER: Mr. Speaker, the assumption is entirely incorrect, it was a ministerial

(MR. MILLER cont'd) decision. It was a pilot program that worked out well, and it's the sensible way to do it when a pilot program has proved itself out, you then transfer it to become a normal program.

MR. ASPER: Can the Minister confirm whether the co-ordinator of the program has resigned and will he advise whether a replacement has been hired if that is the case.

MR. MILLER: Mr. Speaker, the co-ordinator was up north didn't resign; he was taken on for a two year period only, the term expired.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. R. (BUD) SHERMAN (Fort Garry): Thank you, Mr. Speaker. My question is to the Honourable the Attorney-General, and I would like to ask him whether he has received any indication that American interests controlling the National Hockey League will attempt to restrain Bobby Hull, a Canadian, from applying his trade in Manitoba next winter.

MR. SPEAKER: The Honourable Attorney-General.

HON. A. H. MACKLING, Q.C. (Attorney-General)(St. James): I have received no formal notice other than the rumours that have been made public in the media that there may be some difficulties ensuing. I don't know whether it's a matter of restraint of trade that any individual citizen can bring in the courts through the normal action.

MR. SHERMAN: A supplementary, Mr. Speaker, would the same conditions and the same situation apply with respect to the possible restraint imposed against Hull for playing for Canada against Russia in the international series.

MR. MACKLING: I'm sorry, the honourable member's question I didn't quite understand, I wonder if he would repeat it.

MR. SHERMAN: I'll re-phrase it, Mr. Speaker. Has the Attorney-General received any indication that interests controlling the National Hockey League will restrain Hull from playing for Canada against Russia?

MR. MACKLING: No, Mr. Speaker, again only what I am given to understand is the concern evidenced by some in respect to this that has been reported in the media. And again I say that I'm not sure whether this matter is one where governmental action is appropriate or action on the part of those persons most closely concerned with the development of this sport confrontation.

MR. SHERMAN: A final supplementary, Mr. Speaker. Would the Manitoba Human Rights Commission be likely to intercede in a situation of this kind?

MR. MACKLING: Well, Mr. Speaker, if it is a violation of any section of our Human Rights Act I think it would be appropriate. I doubt whether it falls under the ambit of the act.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed I have information that we have two former MLAs in our lodge to the left of me, Mr. Jim Mills and Mr. Fred Groves. On behalf of the honourable members of the Assembly I welcome you here.

The Honourable Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Mr. Speaker, I would like to address a question to the Honourable Attorney-General. Could he provide explanatory notes to the amendments on Bill 110, The Statute Law Amendments Act, because I think it's essential that we have them?

MR. SPEAKER: The Honourable Attorney-General.

MR. MACKLING: Mr. Speaker, during the course of the second reading on this bill, I indicated that the explanatory notes had been prepared for every member of the House and I had an assurance that a copy of the explanatory notes were distributed in the House. Now if the honourable member was not in his seat when the distribution took place it could well be that it's either in his desk or someone, his neighbour perhaps, might have appropriated his copy - and that wouldn't be a deliberate act I'm sure, but every member did receive a copy on his desk.

MR. SPEAKER: The Honourable Member for Rock Lake.

MR. HENRY J. EINARSON (Rock Lake): Mr. Speaker, I direct this question to the Minister of Municipal Affairs. My question pertains to the Senior Citizens Home at Cartwright. Could the Minister indicate whether this project has received board approval?

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

HON. HOWARD R. PAWLEY (Minister of Municipal Affairs)(Transcona): Yes, the board of the Housing Corporation has approved the purchase of land for the Senior Citizens Development at Cartwright for I believe it is 12 units.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, my question is to the First Minister. I wonder if he could indicate to the House whether any of the brokerage firms who do the underwriting for the province were consulted with respect to the purchase by the government of 25 percent of Tantalum.

MR. SPEAKER: The Honourable Minister of Finance.

HON. SAUL CHERNIACK, Q.C. (Minister of Finance)(St. Johns): Mr. Speaker, may I rise to respond to the question by saying that we are in close contact with our brokerage firms, very close and constant, and that as of this morning for example we had meetings with the lead partner of the syndicate which is in charge of our American borrowing. This question was not raised and indeed would not have to be raised, because the credit and the prestige and the standing of the Province of Manitoba is sufficiently high that we have the confidence of all investors, and any suggestions to the contrary are not even damaging because they are not believable.

MR. SPIVAK: Mr. Speaker, I'll then address a question to the Minister of Finance. My question is, were the brokerage firms who do the underwriting in the province, were any of them consulted by the government to be able to give them the benefit of their expertise before the purchase was made of 25 percent of Tantalum.

MR. SPEAKER: The question is repetitive.

MR. SPIVAK: No, Mr. Speaker.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, on a point of order. The question was asked of the First Minister, the Minister of Finance replied. His reply indicated a misunderstanding on a part of the question. The purpose of the question was . . .

MR. SPEAKER: Order please. That is not a point of order. The honourable member received a reply; if he's not satisfied with it, I'm sorry, the rules don't call for satisfaction they only call for reply or non reply.

MR. SPEAKER: The Honourable Leader of the Liberal Party.

MR. ASPER: Mr. Speaker, to the Minister of Education. When will the Minister table in the House the inspectoral report that he commissioned on education and financing in the Midland school division?

MR. SPEAKER: The Honourable Minister of Education.

HON. BEN HANUSCHAK (Minister of Education)(Burrows): Never, Mr. Speaker.

MR. ASPER: Mr. Speaker, to the same Minister. Can the Minister in any event explain the purpose and the cost of the report and advise whether it represents a move by the province to exercise greater control of education programs at the local level?

MR. HANUSCHAK: Mr. Speaker, whatever transpired in the Midland school division was in the course of regular administrative duties and functions of my department.

MR. ASPER: To the same Minister, Mr. Speaker. Can he confirm that the commissioning of this report has resulted in a protest to him by the executive of the Superintendents Association in the province?

MR. HANUSCHAK: Mr. Speaker, from day to day there are various reports reaching my office from school inspectors, from others within my department, some of the reports with which some people agree and others disagree.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: Mr. Speaker, I direct the question to the Minister of Universities and Colleges. I wonder, Mr. Speaker, if the Minister could tell me, are there any specific programs at our universities for which funds were approved by University Grants Commission that the government is holding back on or delaying payment of same pending further discussions at the Prairie Economic Council re possible duplication etc.

MR. SPEAKER: The Honourable Minister of Universities and Colleges.

MR. MILLER: Mr. Speaker, there are no funds being held back for the reasons indicated by the member. I'd have to be given more information as to what the member's really wanting to find out.

MR. ENNS: A supplementary question then, Mr. Speaker. If there are no actual funds being held back, are there any actual programs that have gained approval of the University Grants Commission being delayed for the same reason as I expect . . .

MR. MILLER: Mr. Speaker, again no funds are being held back pending the meeting of the Prairie Economic Council, and if the member wishes to give me information as to the specific program that he thinks funds are being held back from, I'll look into it. I am not aware of any funds being held back.

MR. ENNS: A supplementary question, Mr. Speaker, I recognize the Minister doesn't have to answer my question if he doesn't choose to . . .

MR. SPEAKER: Question please.

MR. ENNS: I'll ask the question once more. Are there any programs which were granted approval by the University Grants Commission that are being in any way delayed or blocked as a result of the possible further discussions by the government at the Prairie Economic Council.

MR. MILLER: Well, I could repeat exactly what I said as the member has repeated his question three times. I'll answer this way - I'm not aware of any funds being held back from any approved program, because once the program is approved the university gets the money, they spend it. The money is granted to them for programs approved and they spend it; if they are not spending it that's simply within their own authority to do so.

MR. SPEAKER: The Honourable Leader of the Liberal Party.

MR. ASPER: Mr. Speaker, to the Minister of Education, because he's so communicative. Can the Minister advise the House of the purpose and the cost of a program instituted by the department known as Confluent Education?

MR. SPEAKER: The Honourable Minister of Education.

MR. HANUSCHAK: Insofar as the purpose of the program is concerned, Mr. Speaker, it's part of a development, an expansion, an enrichment of the native education program which we are developing in the Province of Manitoba. And going beyond this, it's also designed to develop a two-way appreciation between the white community and our native community and vice versa. Insofar as the cost of the program is concerned, Mr. Speaker, I cannot recall the figure offhand. I'll take that under advisement.

MR. ASPER: Mr. Speaker, to the same Minister - will he advise the House whether the program is being administered in Minnedosa and that it involves teachers in only three or four centers of the province - is that the scope of the program?

MR. HANUSCHAK: It's a pilot project, a demonstration project, Mr. Speaker, and it is conducted not only in Minnedosa which is in the Rolling River School Division, but also in Frontier School Division and in Kelsey.

MR. ASPER: A supplementary, Mr. Speaker. Will the Minister advise the House what is the purpose of certain trips that have been made in connection with this program to and from California - that would be between Manitoba and California?

MR. HANUSCHAK: I believe the honourable member has been in this House long enough to know which questions are proper to be asked before Orders of the Day and which by way of Order for Return.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I have a question for the Honourable the Minister of Universities. Do the members of the senate of the University of Manitoba other than the student members approve of increasing the number of students to be elected to the senate from 6 to 26 or from 8 to 26, no from 6 to 28?

MR. SPEAKER: The Honourable Minister of Universities and Colleges.

MR. MILLER: Mr. Speaker, the request was made by the senate of the University of Manitoba and by the Board of Governors of the University of Manitoba.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, my question is to the Minister of Finance. It relates to a statement by the Finance Minister of Ontario with respect to the Federal Minister's discussions with him which I believe were similar or followed the pattern of discussions with the Minister of Finance of Manitoba - with respect to asking the government to stop or at least restrain offshore borrowing. I believe there were comments made as well by various officials from the Maritime governments. I wonder if the Minister of Finance can indicate whether he has corresponded or been in contact with the Minister of Finance in Ontario or the other Ministers of Finance in the Maritime area to determine whether there will be a course of action taken by the Ministers with respect to the restraints asked by the Federal Minister of Finance with respect to offshore borrowing.

MR. SPEAKER: The Honourable Minister of Finance.

MR. CHERNIACK: Mr. Speaker, I have already reported to this House in connection with my meeting with the Honourable Mr. Turner. I indicated then, and I gave figures that supported my contention which the Federal Minister of Finance accepted, and that is that Manitoba was certainly not amongst those provinces which he could have included in the group that were borrowing extensively on the foreign market to the detriment of the value of the

(MR. CHERNIACK cont'd) Canadian dollar. He made it absolutely clear and I think he made it public although I'm not certain about that; certainly I did, with his knowledge.

As to my communications with others, I have discussed the matter with one of the other Ministers of Finance - I don't know that I'm free to reveal with whom it was - and the indication was that he felt that they will conduct themselves as responsible Canadians in the light that they felt was a responsibility. May I repeat that I was not the only one of the Ministers of Finance who indicated to the Federal Minister that the desire which we shared should be supported by the kind of action that is now carried on by the Bank of Canada in assisting the Federal Government. And I think I reported to the House, I suggested that there should be a method by which the Bank of Canada and the Federal Government should be involved in borrowing so that there could be a more - I'm trying to remember the word used by the Federal Minister, he had a word related to, how to relate the borrowing across the provinces in order to create some form of order amongst them. I think that answers the question.

MR. SPIVAK: Mr. Speaker, my question on this is to the Minister of Finance. Was there an indication given to him by the Federal Minister that if the provinces who he held responsible with respect to the borrowing were not to discontinue their offshore borrowing, that there was a possibility that the Federal Government would take very direct action rather than the job only effect of conversation?

MR. CHERNIACK: Mr. Speaker, the exact converse is true, and I would also wonder at the extent to which the Federal Government could control the autonomous right of the provinces to borrow where and as they please, but certainly the Minister indicated that it was a request for a voluntary restraint and no threat of any kind was implied or stated.

MR. SPEAKER: The Honourable Minister of Education.

MR. HANUSCHAK: Mr. Speaker, if I may - the question last put to me by the Honourable Leader of the Liberal Party, although I would still indicate that I do feel that it's a proper matter for an Order for Return, but it is related to a previous question that he put to me and perhaps a word or two in explanation is warranted. The Confluent Education Program, or experimentation in it, is conducted across the North American Continent and there is very close co-operation and liaison interprovincially and also internationally in research work in education at the ministerial level and at staff level. And this is one experiment, Mr. Speaker, that is also underway in the State of California dealing with the Indian and the Mexican community there and hence there is close liaison - exchange of notes, and in fact the manner in which this experiment is conducted in the Province of Manitoba is closely related to the one in California, and it is conducted in such a way as to avoid duplication and thus enable us to benefit from the experience of the educators in California and vice versa.

MR. SPEAKER: The Honourable Member for Thompson.

JOSEPH P. BOROWSKI (Thompson): Mr. Speaker, I have a question for the Minister of Health. Could he indicate why it takes up to two weeks to have bodies returned to isolated areas after a post mortem has been done here in the City of Winnipeg?

MR. SPEAKER: The Honourable Minister of Health and Social Development.

HON. RENE E. TOUPIN (Minister of Health)(Springfield): No, Mr. Speaker, not unless I get the details of the case.

MR. BOROWSKI: I wonder if it's the policy of the department - I assume it is the proper department - to put bodies in ordinary cardboard boxes when they ship them out, and in one case it was left at the airport for ten days because of improper marking at Norway House.

MR. TOUPIN: Well again, Mr. Speaker, not having been given advance notice on the case in question I cannot comment on this. I would appreciate the Honourable Member for Thompson to be more specific personally, and I could obtain the reasons why it took so long.

MR. BOROWSKI: I have a question for the Attorney-General, Mr. Speaker. Is the Attorney-General now in a position to advise the House as to whether any investigation is planned by his department being initiated on behalf of another department on the allegations that drugs have been issued by the Mount Carmel Clinic without a doctor's prescription, and in view of the fact that previous investigation by the College of Physicians and Surgeons dealt only with the conduct of the Mount Carmel's Medical Director.

MR. SPEAKER: The Honourable Attorney-General.

MR. MACKLING: Well, Mr. Speaker, I think these questions were asked earlier. I indicated to the House then that I had referred the questions raised to the department, I believe the department has been made aware of the investigation conducted by the College of Physicians

(MR. MACKLING cont'd) and Surgeons and I haven't received a report back as to whether the opinion of the attorneys is that any charges ought to be laid.

MR. BOROWSKI: Mr. Speaker, I have a question for the Minister of Health. Could he indicate how the case at Brandon is progressing, where a guard was attacked over last weekend? A guard was attacked by one of the prisoners last weekend.

MR. SPEAKER: The Honourable Minister of Health and Social Development.

MR. TOUPIN: No, Mr. Speaker, I haven't got the specifics on that case.

MR. SPEAKER: The Honourable Leader of the Liberal Party.

MR. ASPER: Mr. Speaker, I have a question to the Minister of Health. Has he now completed his investigation into the case in his department where confidential medical information on a woman patient was given out to attorneys for the Mount Carmel defense in the investigation of the drug case?

MR. SPEAKER: The Honourable Minister of Health and Social Development.

MR. TOUPIN: Mr. Speaker, not having received the information that I called for, I cannot accept the assumption made by the Leader of the Liberal Party.

MR. ASPER: To the Minister of Health, Mr. Speaker - has the Minister of Health conducted and received a report from people in his department as to how information relating to the medical affairs of an individual came into the hands of, from one source or another, the defense lawyers of the Mount Carmel Clinic.

MR. SPEAKER: Order please. Order please, the question is repetitive, an answer has been given. Would the Honourable Leader of the Liberal Party state his point of order.

MR. ASPER: The point of order is that the Minister made an undertaking to this House. I simply asked . . .

MR. SPEAKER: Order please. In due course it probably will be undertaken. The Honourable First Minister.

HON. EDWARD SCHREYER (Premier)(Rossmere): Mr. Speaker, on the point of order, the Minister just two minutes ago indicated to the Member for Wolseley that he has not yet received the report, so therefore what possible point of order could the Member for Wolseley have? Well, Mr. Speaker, unless it's a problem of accoustics, I on this side heard the Minister say very clearly, not having yet received the report I cannot accept the assumption - the question of my honourable friend.

MR. SPEAKER: The Honourable Member for Thompson.

MR. BOROWSKI: Mr. Speaker, I have a further question for the Minister of Health. I wonder if he could report further to the House regarding the statements made by this informer that there were three drug pushers on his payroll.

MR. SPEAKER: The Honourable Minister of Health.

MR. TOUPIN: Mr. Speaker, a similar question was asked by the Honourable Member for Thompson I believe at the beginning of the week. I hadn't had the opportunity to speak or receive correspondence from the informer pertaining to the case the Honourable Member is making reference to, so I am not in a position to comment.

MR. SPEAKER: Orders of the Day - Orders for Return. The Honourable Leader of the Liberal Party.

ORDERS OF THE DAY

MR. ASPER: Mr. Speaker, I move that an Order of the House do issue for a return showing the following information:

1. The number of aircraft presently owned by the Manitoba Government or any of its Boards Commissions or Agencies;
2. Where each of the above is located;
3. The purchase price and purchase date of each aircraft;
4. The name of the company or individual from whom each was purchased and whether each was new or used when purchased;
5. In the case of used aircraft so purchased, information on the number of flying hours each had on its log at the time of purchase;
6. A list of those aircraft which were purchased by tender and those which were purchased through other means;
7. A description of the type of each aircraft (make, single-engine, twin-engine, fixed-wing, helicopter, etc.);

8. A log of all flights of such aircraft and the names of passengers and their positions and/or occupations, carried thereon during the 12-month period ended June 30, 1972;
9. A list of all Manitoba Government Air Services offices throughout the province as of June 30, 1972.

MR. SPEAKER: Would the member indicate his seconder.

MR. ASPER: I beg you pardon?

MR. SPEAKER: Would the honourable member indicate who seconded the motion?

MR. ASPER: Seconded by the Honourable Member from Portage la Prairie.

MR. SPEAKER: Thank you.

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

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, I merely want to indicate to the Leader of the Liberal Party that we will accept the Order for Return really without any caveat or condition, other than to express to the Member for Wolseley the point that with respect to question No. 8, it is not clear whether he wishes the actual log or whether he would be content with the information which would be a listing of the information from the log. And I should also advise my honourable friend that there will be quite a bit of detail that would have to be amassed here and I suppose - it's all manageable, I just want him to be aware that it will take a good time.

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

MR. PAULLEY: Mr. Speaker, if I may just briefly give an indication of what is suggested at this particular moment in time for procedure for the balance of the week. This evening as members will remember there will be the meeting of the Industrial Relations Committee at 8 o'clock to continue hearing briefs. It will be intended to have a meeting called of the House tomorrow morning at 10 o'clock. There is the possibility of the calling of the committee on Law Amendments and maybe one or two others at 2:30 or thereabouts on Friday afternoon. I'm sorry I can't give any indication as of this particular time as to whether or not we will be meeting Friday night or on Saturday. It all will depend on the conduct and procedures within the House. It is my thought at the present time, Sir, that after we meet tomorrow morning at 10:00 o'clock, depending on how the business of the House is proceeded with, you may be requested to leave the Chair in the morning until recalled some time afterwards. I'm sorry I cannot be more precise but I'm sure that honourable members will realize the difficulty of being precise at this stage in the proceedings of the session.

So, Mr. Speaker, I wonder . . .

MR. SPEAKER: The Honourable Member for Thompson.

MR. BOROWSKI: I wonder, Mr. Speaker, if the Minister could give us some indication tonight since the Minister of Tourism and the Member for Churchill and myself have to be in Thompson for the big miners' day affair for three days. Could he give us some indication tonight? We don't like to miss the votes that will be taken in case there is a sitting on Saturday.

MR. PAULLEY: Mr. Speaker, I'm very sorry that I'm not able to, as I indicated a moment or two ago. There is a meeting of the Industrial Relations Committee tonight, and of course while I realize and appreciate the desire of involvement of honourable members in external affairs functions, I have my responsibility to the conduct of this House, and that is the only thing I can say to my honourable friend and he'll have to act accordingly.

I wonder, Mr. Speaker, the Honourable Member for Rhineland indicated that he would speak on 109, but he's away at the present moment - I'm wondering if the Honourable Member for Emerson . . . oh. I wonder if the Honourable Member for Rhineland is within hearing distance and would he like to make the contribution that we're most anxious to hear from him, in respect, Mr. Speaker, of Bill 109. I'm sure it will be a worthwhile contribution.

MR. SPEAKER: Proposed motion, the Honourable Minister of Finance. Bill 109. The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, Bill 109 is the City of Winnipeg Act with numerous amendments before us. I wish to thank the Minister of Finance for giving us the explanatory notes which certainly do assist us. I would like to say at the outset that part of the bill - I've certainly not completed my work, but not wanting to delay the proceedings of the House I will make my contribution now, but I'd like to put a caveat on whatever I have to say on the bill as such that if I find something later on which I couldn't agree with I'd certainly want to have those reservations stand.

In general I think the amendments are good. I think they're taking care of a number of

(MR. FROESE cont'd) things that need to be done and I in general don't have too much to say or take exception to. The matter of the financial arrangement, the reviews and the changes that are being made, I think are to the good; that the Community Committees shall review capital and current budgets, certainly this is democratic. It may in certain respects delay proceedings but on the overall I think this gives the local people more rights, more jurisdiction and certainly they can indicate to the members of council what they would like to see done and whether provision is made for the things that they have requested.

I also see that the members of the Policy Committee is increased by one to eleven now, and making provision for a deputy mayor. I think this is a good provision too, because I feel that the deputy mayor should certainly be in on the committee and should be knowledgeable as to what goes on. If something should happen that the mayor can't be present, then certainly he would be called on to sit in, and if he wasn't conversant with what was going on before I think this could prove embarrassing many a time, and certainly this addition will augur well for the executive policy committee.

The identifiable costs - and maybe the Minister on introducing the bill did touch on it. Hansard is late and therefore we are unable to check back on many of the things that we would like to do. But if the Minister has anything further to elaborate on the identifiable costs section, I would like him to do so. That's in Section 27 (1).

I know there is an amendment made to exclude the members of Executive Policy Committee from appointment on a subcommittee. Maybe this is a valid point. I haven't heard the arguments on this particular matter, but I also at the same time wondered why the limitation was being put on. Perhaps the Minister can also in closing debate comment on that very matter.

The matter of the Executive Policy Committee comes into consideration again in another section where I think reports or recommendations are to be submitted, and I just wondered why in some cases they shouldn't be submitted to Council. Is there something secretive about this, or what are the reasons for this? Because as you know, Mr. Speaker, we've set up the Commissioner system and I personally really didn't like the kind of system that we brought in, naming the Commissioners. And certainly we know that the Commissioners' Committee, including the Mayor who's ex officio on it, are a very powerful group; and sometimes I wondered when the Council first got going, and also probably it still may be the case, just how much work does the City Council really do and how much power do the Commissioners exercise? I rather have the feeling that the Commissioners are the ones that are dealing daily with all the subject matters; they are most likely to formulate policies and have them presented for acceptance, and in this way I just wonder how much power the elected people really exercise; whether the Commissioners are not running the show and that those matters that are really not so important are referred to council to be dealt with.

This was the big concern I had last year when the bill was introduced and when the system was brought in. I notice that there is tighter control being put on, and the Chief Commissioner in my opinion is being given more power in certain cases, especially where powers are being delegated by a Commissioner, this now by any of the Commissioners, this now is subject to the Chief Commissioner, so that the Chief Commissioner really has full control and probably too much control. I'm just wondering about this. This is Section 54 (3) about the delegation of powers when other Commissioners desire to make appointments or delegate powers to certain people, that it's subject to the Chief Commissioner now.

There is one matter having to do with the auditing. We are deleting certain words from certain sections which no longer require the auditor to check or examine every account and requisition for payment. Does this mean now, Mr. Speaker, that we are just going to have spot checks, that complete audits will not be made? That in many cases we will just have spot audits too, that not everything necessarily will be examined? Is that the purpose of the change that we are making in the act? I think this is something that I certainly would like to have clarification on.

There were some other sections that I examined, others I didn't examine as closely. One has to do with the matter of making clear that personal property taxing is permissive within the city. I discussed the item with the Minister briefly yesterday and, upon checking the act, I can see the point that he made in the discussion that we had. Certainly I approve of what is being done here. This particular provision doesn't mean that council has to tax personal property, and there are a number of exclusions in the act itself. I think the exclusions are very large indeed. When I first saw the item in the newspaper about this I figured well, are

(MR. FROESE cont'd) we giving the City of Winnipeg the right to tax personal property such as has been done in the States about personal items? But I find in the exemptions that this is definitely not the case and therefore that provision is very restrictive.

On the whole matter of providing the revenue for the City of Winnipeg, we heard the Leader of the Liberal Party speak yesterday and the way I heard him, and if I heard him correctly, he would be willing to share certain tax fields with the City of Winnipeg. I certainly wouldn't go that far or I wouldn't want to do that. I think we have the tax fields set out and I wouldn't want to share any of those areas with the City, because what could happen very readily then is that the city might tax very heavily and the province would get the blame, and for that reason I think it much fairer if the tax fields are left to the individual government concerned. There is no reason why if needed we could not as a province tax to a greater extent in certain areas and provide grants. This can be done, this has been done and is being done in fact this year. And I would like to see this particular area probably enlarged, because as stated on other occasions certainly as far as educational costs are concerned I'd like to see them taken off, especially on farmlands, and transferred to the Consolidated Revenue Fund so that all the money would come in that way. But I would certainly take exception to some of the suggestions made by the Leader of the Liberal Party yesterday in connection with this whole matter.

The suggestion or the amendments where we are going to change or repeal a certain section, when it comes to the matter of the city borrowing, I notice Section 10 is being removed from that particular clause or section, and we still require the Municipal Board to give their approval. I think this is quite in order. If we are not going to have money by-laws submitted to the people in general to approve, if you're going to deny them that right certainly it doesn't hurt to have some regulatory body set up who at least will check from an independent point of view on matters of this type. And I certainly take the position, I would rather see it the other way round; I would still go for money by-laws to be voted on by the people as was the case originally by the City of Winnipeg, and I never really subscribed to having that changed when the new act was brought in. But since it has been changed, I certainly wouldn't want to relieve it any further and that I feel it's quite proper that the Municipal Board does have to give their approval.

There are a number of other sections that I had marked out and that I could have commented on, but I don't want to take the time to do so. And then there is also quite a number of sections that I haven't really checked out, because on so many occasions it would indicate that this is the recommendation of either City Council or of the Law Society Committee recommendations, and I haven't had the time to check them out, Mr. Speaker, so that I cannot really make sensible comments on them, whether I approve of them or not, and this is why I am placing a caveat on the overall approval, giving approval to the bill on second reading. As I see it, I think it's a good bill and I could give approval to most of the provisions that are contained therein, but as I said, I wouldn't want to make a complete commitment without having fully examined all the sections. Thank you.

MR. SPEAKER: Pleasure of the House to adopt the motion? The Honourable Minister of Finance shall be closing debate. The Honourable Minister.

MR. CHERNIACK: Mr. Speaker, I want to thank the Honourable Member for Rhineland. When he is asked if he can speak at a certain time he is usually co-operative, and when he says he will he does. And he also does his homework even though he carries the whole party on his shoulders, at least as he said before, he doesn't have any problems with his caucus. But he does do his homework and one can note from the comments he made today that he did do his homework, and I don't know when he did it, but he certainly didn't have much time from the time he adjourned debate yesterday. And he's asked some very pertinent questions. I don't want to deal with all the questions he asked, because some of them are detailed matters which could be dealt with in committee; I'm sure he'll raise them in committee and I'll try to respond in relation to them. He makes a caveat, and I think that's fair and I think that we all do. And I think that I should indicate that the government is not insistent that everything in the bill is absolutely right, and we ourselves have the knowledge that the Reviewing Committee can be helpful to government and may in itself expose certain problems which could be further remedied and clarified. He mentioned certain questions though that I think are a little more important that I'd like to respond to before I deal with the comments made by the others. And may I say again, Mr. Speaker, in recognizing that the fact that the honourable member did his homework, I also recognize the fact that he did it himself and didn't have it done for him, and that was helpful to him no doubt, because he understands those matters with which he dealt.

(MR. CHERNIACK cont'd)

He asked about the exclusion of committee members from being on the Executive Policy Committee and I would remind him that last year we explained that our reasoning was that the Executive Policy Committee is a sort of a check and balance against committee work. One of the dangers that we thought existed in many municipal councils was that the members of a committee become somehow vested with a real interest in what their committee is doing, and then they can often start bargaining back and forth - I'll make a concession for your committee and you accept the thinking in our committee. And we felt that it was important that the Executive Policy Committee which actually insists that all the recommendations from the committees should be made up of a group of people who don't have a prior knowledge and a prior briefing and a prior lobby on all problems so that they can look objectively at everything that comes in and set priorities on behalf of council - and recommend priorities I mean, on behalf of council with that outside view. So we felt that out of the 10 people, one would be the Mayor and three would be the chairmen of the committees and they could present all the arguments, and that the other six should really be people who represent the council generally and therefore can give the overview that would create a check and a balance and level off any strong arguments that are too strong and too unbalanced. And that's our reason there. The reason for the inclusion of the Deputy Mayor is, frankly, that the Mayor is away a good deal and the Deputy Mayor should be knowledgeable of what's going on. He could take his place and come to the meetings but if he were a member of the committee he would attend committee meetings and would therefore be able to fit in the place as chairman much more readily with the knowledge of it.

The question of submission to council of committee reports - and I think that it was recognized that there are occasions that committee reports should be sent back to committee or should be sent to another committee for review to see how the other committees' responsibilities are affected by that, and that's why it was felt it shouldn't be necessary to send all matters to committee. Which brings me to the question asked by the honourable member, what does City Council do and what do Commissioners do? And I can tell the honourable member that in my humble opinion based on newspaper reports, reviews of city council agendas and one meeting which I attended at which time I was able to consider all the material presented to the council, is that I received the impression that council is getting too involved in many details and we're not really dealing with matters of principle and policy. And rather than set policies I found that they were getting bogged down on many occasions on detailed matters which in my opinion, and may I say in the opinion of other councillors, were not really important enough to be dealt with at the council level and could have been cleared through committees. Now there have been suggestions made that City Council ought to meet not more often than every two months, except on special occasions, and when they do meet they should meet for two days and go right through the whole agenda rather than meet as I believe they do every two weeks - but that's their decision, they have the power to make those decisions. But I'm bringing this up because I believe that there is a feeling taking place as a result of some six months of experience, that council should rearrange the procedures it has - and it has full power to do so - in order to enable members of council to deal with policy issues and matters of principle and not with detail, and of course that is the desirable use of a Board of Commissioners to deal with detail. Right now, frankly, it is again my opinion that council deals with details and doesn't let the Commissioners actually get on with the work they should be doing, but that's a matter for them to review as they go along.

The item dealing with the Chief Commissioner supervising the budgets, we thought it should be clear that the Chief Commissioner should be responsible directly for those departments in the municipal government which serve the other committees; that it would be wrong for, say, the budget committee to be under the Commissioner of Finance, because the budget committee has to again create an overview of all the requirements of all the departments and shouldn't be under any one specific Commissioner but rather should be, should report direct to the chief who too is responsible for the overall operation, and that's the purpose there.

The question about the auditor, yes, we're informed that there's a great deal of duplication of work, because if the accounting department does something and the auditor walks behind him checking everything he does then really it is a very expensive procedure and that the auditor should be enabled to have complete power as he has to investigate anything, to take all

. . . .
And let me now interrupt myself to respond a little more directly to the Honourable the Leader of the Liberal party who was talking about the auditor not having powers. I don't think

(MR. CHERNIACK cont'd) he's read the original act, because the auditor has tremendous powers. He has the right to walk into any department and see any files and see any account and do anything that he thinks is necessary for him to give an honest report. And I reject out of hand completely the suggestions made by the Leader of the Liberal Party that the auditor is hamstrung in any way, as I did reject the thought that the provincial auditor is. Again, if the Leader of the Liberal Party read the original bill or the original act he would see no doubt that the auditor can only be discharged by a two-third vote of the members of council, and that would have to be done in the open after notice and in such a way that he would know that his independence is secured unless two-thirds of the council feel that he has done an inadequate job. And in the end they are the ones who have to decide just as in the legislature here in the Parliament of Canada a majority and a substantial majority can make that decision.

Finally, one point mentioned by the honourable member dealing with personal property and his fear about the taxation of personal property, I want to summarize only the existing law. It starts out by saying all personal property is liable to taxation subject to the following exemptions. Apparently there is an interpretation made that if the words say all personal property is liable to taxation, therefore it means that personal properties shall be taxed. My interpretation is not that at all, it means that it can be taxed, but because there was this other interpretation made we thought we'd better spell that the city council has the power to tax but need not. That is the point of the amendment.

But the important question that the honourable member raised was are they going to tax personal property, therefore the exemption is the important aspect, and I'll summarize them for you rather than refer him to the section of the act. It's all produce from land occupied as a farm or garden - all farm stock, implements etc. used by farmers. All grains, cereals, flour, live or dead stock, cordwood in store or warehouses, and it goes - it's lengthier than that - household effects and furniture, books and wearing apparel, public libraries, libraries of the court, ships and steamboats, minerals, pipeline of a pipeline company taxed under section 162, railway, roadway and superstructure thereon. The limitations are very great and I'm told but I haven't checked it, but I'm told that they are very similar to what the Municipal Act has had for quite a while and that there's not much change there. So I hope I've reassured the honourable member in that respect.

Now, Mr. Speaker, I want to deal with other comments that were made by other members of the House who of course I thank for having done some work in preparing their comments with whom I do not necessarily agree, but may I say I welcome the Member for Rhineland's outright statement that he will support the bill at second reading. I expect all members will because the criticism I've heard is about the act and what is not in the bill, and I have not heard any criticism of what is actually in the bill. I'm sort of expecting that honourable members will vote in favour of second reading, but if they don't that's the chance I take, if I fail to convince them.

Now the Member for Sturgeon Creek in his usual strong, effective, stentorian, bellicose - that's my word - manner delivered himself of a speech which was interesting to hear but was so confused with his sense of - what's the word? I was interrupted, so I lost the word I was seeking for - having not found it, I couldn't really lose it, but I should say the Honourable Member for Charleswood interrupted me. His style this time was so much unlike the manner of the Member for Sturgeon Creek that it was a pleasure for a change to hear the manner in which, and the problems raised by the honourable member which I do wish to deal with.

Now the Member for Sturgeon Creek, I tried to write as quickly as I could some of the comments he made; I gather he said that the official delegation never met with the Minister; if he said that it's untrue. I don't know how he knows that, but if he said it I have to tell it's untrue. I must tell him that there have been at various levels on various occasions considerable opportunities to discuss the proposed amendments with the City of Winnipeg. And I have a sort of a chronological list, sort of, of certain occasions that we either met or tried to meet. Let me say that on April 11th, I wrote to the City of Winnipeg and I forwarded to him the City draft amendments - I forwarded to the city draft amendments to the City of Winnipeg Act dealing with subdivision control and neighbourhood improvement areas. The letter requested specific comments on those amendments. No reply was received until June 15, 1972 at which time the letter requested the province to proceed with the subdivision control and neighbourhood improvement provisions. So the letter was sent by me on April 11th, the reply came on June 15, 1972.

(MR. CHERNIACK cont'd)

Now there were several meetings that were held to discuss these provisions, they included meetings with the Director of Planning, the Assistant Director of Planning, the Registrar General of the Land Titles office, the City Solicitor and the Board of Commissioners; Manitoba Housing and Renewal Corporation were involved. There were extensive discussions on that portion, and the honourable member I believe said that he endorses and approves of them in any event. But I want to indicate clearly that there was a great deal of discussion with city officials at different levels on the subject. On April 20, 1972 the City of Winnipeg represented by the chairman of the Finance Committee and accompanied by the City Solicitor attended upon the Deputy Minister for Urban Affairs, the legal consultant Professor Hefferon who members will recall has had a great deal to do with the drafting of the bill and with the Attorney-General solicitor assigned to our department. The city delegation submitted a report which contained recommendations for amendments to the City of Winnipeg Act. That report and those amendments had not yet been approved by the council itself, but yet they came as early as they could which was April 20th, in order to discuss it and they discussed each of the 41 recommendations. The city's representatives explained the city's reasons for each of these amendments.

On the same day the City Solicitor met with the two solicitors acting for the province to discuss technical amendments to the City of Winnipeg Act and received proposed amendments from the City Solicitor and reviewed them. On May 11, 1972 - and this now relates to a very large issue to which I may refer again because it was referred to several times. The Law Reform Commission - and let this be clear - on May 11, 1972 three copies of the Law Reform Commission report were delivered to the City of Winnipeg. The letter accompanying the copies set out those of the commissions's recommendations which were being drafted as amendments to the act; and set out those recommendations which were considered by the provincial advisers as being unworkable; and set out those recommendations which required scrutiny by the city. And it was made clear then that certain items were so obvious we were going to go ahead with them; certain needed discussions with the city in order to get the city's comments on whether or not one should really make a change which might appear on the surface and be recommended by the Law Reform Committee as being advisable, but the city by it's experience might well have had some problems in relation thereto. Others we suggested were not really workable or practical. That was sent on May 11th. May 18th, a letter - well a letter dated May 18, 1972 was received by the province from the City Clerk advising that the Law Reform Commission report had been considered by the Committee on Finance and the report had been forwarded to the subcommittee on legislation. Mr. Speaker, that was a letter dated May 18, 1972. No communication of any kind was received from the city dealing with the letter or the proposed amendments - to date. And I think that it's important that we stop for a moment and review some of the speeches made by the Member for Sturgeon Creek, the Leader of the Liberal Party, about the Law Reform Commission getting - violent, reading that report. At the same time these honourable members were talking about involvement with the City, dealing with the city, liason with the city; doing things without the city's concurrence, doing things without consultation with the city and they are the ones who attack this government for not bringing in certain amendments suggested by the Law Reform Commission at a time where even today, even today we have not heard from the City of Winnipeg on these various suggestions of the Law Reform Committee where we felt we ought to have a response. Now I'm not blaming the city, Mr. Speaker, I am not blaming the council, because council has had a busy time, they meet frequently, they meet extensively and they meet to deal with many problems and they have I suppose in their own sense of priorities felt that these matters were not urgent. And are they urgent, Mr. Speaker? We people who have lived in the City of Winnipeg and the suburban areas outside of the former city have lived with these kind of matters that are referred to the Law Reform Commission for years, for decades, and for those younger people present here all their lives. And what suffering was there?

MR. SPEAKER: Order, please. The Honourable Member for Sturgeon Creek,

MR. FRANK JOHNSTON (Sturgeon Creek): Will the Honourable Minister answer a question then. If that is the area of thinking the Minister has now, what was the big rush to pass 36 last year?

MR. SPEAKER: The Honourable Minister of Finance.

MR. CHERNIACK: If the Honourable Member for Sturgeon Creek cannot differentiate between a by-law or the Winnipeg Charter that was 40 years old, that had some archaic both

(MR. CHERNIACK cont'd) language and thought which was not acted upon by the city for all those years, if he can't distinguish that from the dramatic change that we brought in under Bill 36, then the honourable member I think really is so blinded by the blood in front of his eyes that he cannot even understand one of the most dramatic changes that has taken place on this North American continent. He should know, he should know that the legislation that we brought in last year is being considered a model and is being studied by many other jurisdictions on this continent, and indeed outside, and he may not agree with it. But to compare the two is stupidity, Mr. Speaker. To talk about not having passed it last year that's fine, he can debate that, but to do it in relation to the law reform commission report is just complete ignorance, or as I say complete blindness by the red that appears in front of his eyes whenever you mention Bill 36.

Now did the honourable member wish to ask a question?

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Mr. Speaker, if the honourable member will accept a question on this. Why then, if you are writing new legislation in a new city would you not now consider to have everything not archaic as you mention it?

MR. CHERNIACK: Mr. Speaker, I am sure in addition to being ignorant - and I used the word stupid - that he's also deaf, Mr. Speaker, because I told him exactly that I sent the Law Reform Report on May 11th to the city, I indicated the province's view that certain sections should be removed, they're automatic, that other sections, and most of them are the seize and search provisions, the health provisions, and we said to them these are recommendations, we would like to have the city's view on them. We had the courtesy, which the Honourable Member for Sturgeon Creek may not have had, the courtesy to say to the city, you have lived with this this long, you must have some experience with it, these are the recommendations what are your comments. And, Mr. Speaker, I make no apology for not pushing the city to get a response to proposed changes that we have lived with for so many years and that none of us were aware of because they weren't being used. And they were archaic and yet we had the courtesy of waiting for the city, and we are still waiting to meet with the city to discuss these matters in order that after next session hopefully the city will be ready to talk to us about the suggested changes and we'll bring them in.

But what's all that rush about if the honourable member is so concerned about the interests of the City Council, if he's so concerned that they be consulted. The fact is they were consulted. But you know, Mr. Speaker, I suspect that whoever is his informant may not have known that, and that's possible; because certainly he had an informant and certainly he would not just ask any man on the street for information, he must have asked somebody in whom he had confidence. Well let him check it out. I gave him the information. As far as I know, the information I have given is correct. I know the date we sent the letter, I am advised by my department that no response was received and therefore that is an explanation. To me it is one that makes sense and one which could have been criticized had we proceeded without notice to the City of Winnipeg.

By letter dated April 27th, 1972 the city recommended a further amendment to the City of Winnipeg Act by defining the word "resident". By letter dated May 5, 1972 the city delivered to the Deputy Minister a list of amendments respecting local improvements, and may I say that all except one were accepted by our advisors. By letter dated May 17th, 1972 the draft amendments to the City of Winnipeg Act were delivered to the City Clerk. How long ago is that? That's almost two months ago I believe; May 17, 1972 the draft amendments were delivered - almost two months.

The amendments were prepared in several parts so as to clearly indicate those amendments which were proposed by the province, those of the city's recommendations which were being implemented, those recommendations of the Law Reform Commission which were being implemented. The letter advised the city that the province had drafted amendments for those city recommendations which the province proposed to accept; the city's recommendations which had not been drafted as amendments and which the province was not planning to introduce, and in that letter we set a date of May 26th within which we asked for comments on the amendments. So May 17th we sent the material, we asked for a reply by May 26th. Well on June 5th the Cabinet Committee on Urban Affairs met with the Chairman of the Committee on Environment with a member of the City Legal Department and we discussed certain amendments which the Committee of Environment were suggesting; we accepted some of their

(MR. CHERNIACK cont'd.) recommendations and they are in as amendments. That's the Committee on Environment, on its own, came and we discussed it.

By letter of June 13th - now that's about four weeks after my first letter - I sent a letter to the city referring to that previous letter of May 17th wherein I request comments by May 26th and indicated that subject to urgent requests from the city for further amendments, I had then to proceed with the draft bill, and I did. Well by letter dated June 23rd, 1972 the city commented on the proposed amendments, and it requested that the reference to boards and commissions be deleted from the proposed definition of the word "supervise" because they didn't want to wipe out the authority of the Boards and Commissions. I make that point because that's somewhat different to the violent reaction of the Member for Sturgeon Creek on that definition of the word "supervise". They also requested the amendment adding the Deputy Mayor to the Executive Policy Committee and as honourable members know, we accepted that even at that late date. They also requested that the amendment prohibiting the Budget Bureau from being transferred from the supervision of the Chief Commissioner be deleted.

I want to say that throughout all of this, there were discussions frequently between the Deputy Minister and the solicitor assigned to the Urban Affairs Committee by the Attorney-General with city staff, with the board of commissioners, with the legal people there in order to at least understand the different points of view. I believe that we have given the city a great deal of opportunity, which doesn't mean that by next year the city will not have come along with further suggestions, further proposals. I don't know a year when the City of Winnipeg Charter in the past was not amended, and in all that time - even when the Conservatives were in government - those archaic 30, 40 year old sections were not deleted. --(Interjection)-- Well the Honourable Member for Inkster questions my statement so I will have to tell him, check the records, see if I'm wrong.

Mr. Chairman, the Leader of the Liberal Party did comment, oh with equal violence, equal indignation on civil liberties and civil rights, a man who has practised law in this city for a number of years, who must have been working with the City of Winnipeg Act, who never, as far as I know, raised the question until last year when he came before the Municipal Committee to deal with this Act. He read, he read it; you know the Act has been in existence for many years but he finally read it. And with indignation he came last year and we said, hold your horses, it's waited that long, we will refer it to Law Reform Commission and we did. When we got the report we did the responsible thing, we sent it to the city. We're waiting for their response. That I think is responsible, and that I believe is right.

Now the honourable the Leader of the Liberal Party who has a great deal of municipal experience I know as solicitor for some suburban municipality I believe, I don't want to stack his great experience against mine or other members of government, but with his great experience, has come along and stated the city is abandoned in practice and in law by the province. Well, Mr. Speaker, some of us who have lived through the lifetime of municipal councils and the Metropolitan Corporation of Greater Winnipeg, know what it is to be abandoned, know what it is to have to try and knock on the door of the Provincial Government to discuss a matter.

I remember that in Metro Council we would sit and think and scheme how do we get to the door of a Minister in the Provincial Government. How are we able to present a point of view in a manner which will be listened to without going on the public arena and inviting the newspapers to report with indignation, without having to write letters and to wait for replies. I know that's happened. I don't know how Charleswood had access to the Province of Manitoba in the past, or St. James-Assiniboia had access to the province in the past, but usually in my experience, and I don't know about those areas, in my experience someone would say well you know the honourable mister so and so, how about your phoning him and seeing that he arrange a meeting. And to the shame of the Metropolitan Corporation of Greater Winnipeg I know that there were occasions when a member of council who was prominent in the Conservative Party was delegated to get to see the premier in order to get something discussed. Not because of his competence in any other field but because he was a known member of the Conservative Party. And that happened, and that happened, because I was there and can report it. And the Honourable Member for Charleswood seems to accept the fact that it happened.

You see, Mr. Speaker, the Honourable Member for Charleswood said he would sooner send a member of the NDP to the government than go himself. Is that correct? --(Interjection)-- A question? Yes.

MR. SPEAKER: The Honourable Member for Charleswood.

MR. ARTHUR MOUG (Charleswood): I wonder if the Minister could acknowledge whether the Vice-President of the Charleswood constituency for the New Democratic Party came in and dealt with this government of today over phones in the municipality and was shunned at every door of every Minister? Would you agree with that?

MR. SPEAKER: Order, please. I should indicate questions . . .

MR. CHERNIACK: Not within the knowledge of the . . .

MR. SPEAKER: . . . are not pertinent that are not of clarification, they open up a new area. The Honourable Minister of Finance.

MR. CHERNIACK: Throughout last year's debate on Bill 36, throughout the administration of the Ministry for Urban Affairs, both when it was in my charge and that of the Honourable the Member for Inkster, there had been constant efforts made by the province to meet with the city on a regular basis and in order to discuss any and all problems that the city had. And it wasn't done publicly and it wasn't done with a great roar or signal of trumpets; it was done by phone call, by letters and by actual meetings, and if anybody wants to check the expenditures of the province at the Fort Garry Hotel they may well find a couple of luncheons there where we asked the Executive Policy Committee to come, have lunch at a time when they were free and we were available, in order to discuss issues and problems - not specific burning issues but general issues and problems in addition to burning issues. We have not only made the effort, we've succeeded to a large extent in establishing an ongoing liaison to the extent now where only in the last few days the city had a problem dealing - not a problem, a proposal involving one of the other departments of government, the letter came to me and I think within a matter of a day or two it was already on the desk of the Minister involved in order to be dealt with. I think that they are getting action. And let me say at this stage that I resent it very much when the Mayor of the City of Winnipeg or his Executive Policy Committee deemed it a proper way to communicate with me by sending a fake telegram delivered by a City of Winnipeg policeman to inform me of something that I had already dealt with the same day. I think that that was not a healthy way; that I think we have established healthy relations and although I resented that being done I still feel that we have a good ongoing relationship with people in the city dealing with problems that arise.

Now both the enthusiastic Member for Sturgeon Creek and the Leader of the Liberal Party talked about the community committee will be stripped of any substantial input, the genuine power is being removed. The honourable, yes - well, Mr. Speaker, you know I don't think that the Honourable Member for Sturgeon Creek ever really understood what was proposed in relation to the use and function and the liaison with the community and the electors that the community committee concept involved. Let me tell him that they are not stripped and they are not sidewalk superintendents; they are the architects and the builders; they participate in the conceptualization of the overall structure and at the council level they are the actual builders of the city and they supervise what goes on at the community committee level. But more important than that, they are the liaison between the council and the community and they are able to hear, to listen to reports to and from the community itself. They are not stripped of powers, they are clothed, not only with a right of examining the fabric of the society but measuring the local needs and participating in the making of policy to meet the needs of the whole of the community and then followed by direct observance of the program.

And let's not pretend that last year when we discussed the purpose and function of the community committees we always made it clear that there was one legal authority centered in the City of Winnipeg; that there was one employer, there was one negotiator, there was one body responsible for the delivery of services and somehow or other we got hung up on the word supervision. There is no change in intent, there is no change in program, there is a discussion on the definition of the word "supervise". Because it's inconceivable that the legal authority of the City of Winnipeg to hire, to fire, to negotiate, to directly work for us is not that again of the City of Winnipeg. If they delegate it they are still responsible for it. And somehow or other again there came to be some interpretation that would suggest that "supervise" in this context meant the dictionary definition that related to control, whereas it is clear I believe in all the debates we have that the word "supervise" in the context of the bill and the intent of the bill was the dictionary definition which is now being proposed as an amendment in order to clarify. That is, to watch, observe and make qualitative assessment of. That was the intent and it doesn't change in any way the intent from last year.

Now, both members that I referred to made some reference to fiscal base. The Member

(MR. CHERNIACK cont'd.) for the Liberal Party, the Leader, said, we're not ready, the City is not ready to meet the challenge of the future. And he's right. There is a real fiscal burden on the real property tax base. And to this day in spite of a number of invitations - and again I say it without accusation - the City Council has not been in a position and has not been available to start discussing fiscal capacity, fiscal needs, budget requirements, because they've been busy, and because this too has been something going on all along, but we didn't wait. Members of this House know very well we didn't wait. We did substantial shifting of the burden off the real property tax, we did substantial inputs of provincial revenue money into the cost of education. We also did some substantial changes in the revenue of the City of Winnipeg, which I've had occasion to describe in the past. So we didn't wait, we found sources of revenue and methods to lift the burden off the real property taxpayer. We did it; though we have not yet, not yet, had a meeting with city representatives to discuss fiscal capacity and other budgetary requirements. And I'm not saying that accusingly, we have not had time - at least the City Council has not had time to do it.

But you know it's all very well to talk the way the Leader of the Liberal Party did, it's all very well to say, give them fiscal room; share the costs. Well we are cost-sharing; we're cost-sharing in education, we're cost-sharing in welfare, we're cost-sharing in health, to a very substantial degree; so cost-sharing is what has been going on. But we want to start talking about fiscal capacity, tax room. Does the City of Winnipeg want the right to income tax? I don't know. Do they want the right to impose a sales tax? I don't know. Do they want the right to increase their licences? I don't know. Do they want the right to increase business tax - and again the Leader of the Liberal Party in his apparent ignorance thought that this was something new, that the business tax rates were set in the act as if we had introduced something. This has been traditional, it's in the Municipal Act, it's been in the Metro Act all along, and it can be changed - the City only has to ask.

We don't know what the City thinks about fiscal capacity and tax room. Should we do it for them? Which member opposite would say that we should do it for them without consultation, without discussion? And should we raise income taxes for City of Winnipeg dwellers and not for those outside of the City of Winnipeg, or should we increase sales taxes for them so that there's competition between them and Selkirk, and them and Morris, and them and Portage la Prairie? Is that what should be done, without consultation? Settle down gentlemen of the Opposition who think that way, and think in terms of a rational approach and a rational discussion; and that is what we've been inviting all along.

Now there is talk - oh, I should inform the Honourable Member for Sturgeon Creek that when he uses the consolidated act which he has in loose-leaf form, it's not the official legislation of the city, for the official legislation one has to look at the statutes. And he referred to some section which speaks of 48 councillors, and I have to tell him that it's an error in print. The original bill was passed referring to 50 councillors. I'm told that the revised statutes, which is a red bound volume, which is the official act, refers to 50 councillors, but this consolidated version that he and I were referring to does say 48. I've drawn it to the attention of the Minister responsible and it will be corrected. So there is not that contradiction that he thought there was. And I certainly don't blame him for thinking it was because it's there in black and white.

He approves the subdivision control and I'm glad he does because he studied it and he does have information about it.

He speaks of the election of the mayor at large, and the reason I have written down here is that it would bring out a large turnout. --(Interjection)-- No? Oh, I'm glad. I'm glad he didn't. I have it written down; it must be one of the newspapers, Free Press, that gave that as a reason. --(Interjection)-- Pardon? --(Interjection)-- Oh, it did, but that isn't the reason for it?

Well, Mr. Speaker, we've had considerable debate last year on this question and we will have considerable debate again. Let me inform honourable members that I do not know the reasons given by council for their motion that they passed recently, and until we have an opportunity to talk to them and see what the history has been, see how it develops, see the effectiveness of the mayor elected popularly and the mayor elected from amongst his peers, who does represent a constituency and was elected as designed in the original bill; till we do that we really shouldn't be rushing ahead again. The honourable member will say, "Don't rush. Take your time. Do things right." And if there is no rush we shouldn't be bulldozed into rushing ahead.

(MR. CHERNIACK cont'd.)

Now the Municipal Board, the Member for Sturgeon Creek referred to it that it is used as a tool to carry out the provincial will. I suppose it doesn't bother him at all that he is casting a reflection on the board. I suppose he's not one bit concerned about the people on the Municipal Board who do the job that was assigned to them, I presume to the best of their ability, I presume with integrity, I presume with a sense of independence. But the Member for Sturgeon Creek doesn't hesitate for one moment to say, they are the tools of the Provincial Government. Well, he has his style and he can keep his style, if he is prepared to talk in that manner. I don't share that and I don't share it because I've had a little experience. My experience is that I have never, as Minister of Urban Affairs or in any other capacity, never discussed a Municipal Board matter with a member of a Municipal Board. Now, of course, maybe I'm exceptional. Maybe other governments have done that. Maybe the Member for Sturgeon Creek is so suspicious about what goes on in government because he has other kinds of experience; but I can say that as far as I am concerned, and I believe I can speak for the Member for Inkster, that the Municipal Board did not receive direction. So how are they tools? They are tools - well, the honourable member is amused by the way I twist things, but the fact is he is the one, he is the one who cast reflection on the Municipal Board. He is the one who called them a tool, and I can speak for the time that I was personally involved, and speak for their integrity, and speak for the fact that never has pressure been put on them to my knowledge or in my presence. So it's not true.

But I do understand that the Municipal Board has made the practice, in previous years and under previous governments as they did now, that when the City of Winnipeg, or Metro or whatever suburb, would present a proposed capital budget and request for authority, showing that half the money would be received from the provincial source, the Municipal Board would say, "Are you assured that you're getting that half money from the provincial source?" And until you could show that you are, they held up the item. Now my understanding is that if the application was for 100 percent funding, the Municipal Board would have proceeded with it on the basis of its normal instructions. But in the case of my own experience with the latest request by the City of Winnipeg, the holdup was that the City of Winnipeg had not complied with the regular procedure and had not asked the Province of Manitoba to indicate whether or not it would accept the share of cost which the City had stated would be paid. And until they got that indication the board would not approve those particular items but it approved others. The Municipal Board was not used as a tool, and the question of the use of the Municipal Board is still a matter - where you heard the Member for Rhineland speak on it - many members here have had experience with the Municipal Board and have deemed it advisable that there should be that kind of restraint, review restraint, and I'm not aware of any refusal that the City of Winnipeg has had. Delay, yes. What's wrong with some delay in making important decisions as long as it's not unreasonable? And to that extent I would accept it and I would think that it is something workable but something that has to be reviewed from time to time.

The Member for Charleswood made some very important comments dealing with a tax impact, and he did mention the section of the act, I think Section 257, which does give the City power to remit taxes - I forget the exact wording but I think he's right about that section. That section, Mr. Speaker, which says that "Except for local improvement charges, a council may by by-law cancel in whole or in part any taxes or any debit or moneys owing to the City." That section was drawn to the attention of the City of Winnipeg at the time when there was a newspaper report of the fear that people in the Charleswood area and other farmers in the City of Winnipeg, that they had that they would not get the remission that the Metro Corporation provided for them. And at that time it was drawn to the attention of the City of Winnipeg, because the City of Winnipeg does have the right, did have the right, could have carried out the right and still can make the proper adjustment; and the Honourable Member for Charleswood recognized it but he spoke about a serious problem, and you know, I fully agree. When he talked about the assessment problem, that is another problem. The problem of the assessment of land in the outer perimeter, the outer area of Winnipeg is a serious one. We made a proposal to the reeves of the additional zone area. We said to them, we will be prepared to pass legislation to roll back the difference between the use for agricultural purposes and the assessment so that when you sell, at that time, when you make a gain, if you make a gain based on the desire to buy your land not for farm purposes but for development subdivision and for speculation, at that time you pay the difference between what you would have paid and what you did pay, providing it is not so much as to cut into the value of your land as agricultural. I believe that that

(MR. CHERNIACK cont'd.) is the nature of the proposal we made. They rejected it. They had a right to reject it, but at least we made a proposal and we brought forward the formula. So we don't really feel that we haven't made an effort.

Now the other effort, and I know I've asked the Member for Charleswood several times in the course of this session, what does he think about whether or not the areas of Charleswood and Headingley and other areas beyond the Perimeter ought to remain in the City of Winnipeg. And I still don't think that I got an answer from him. --(Interjection)-- Oh. The Member for Inkster, I'm glad he corrected me, because - the Member for Charleswood said it. I don't think the Member for Assiniboia answered me. I don't believe he said, he gave an opinion. Well, he's not saying that he did so I assume he didn't. That's my memory, that he didn't, but my memory was faulty with the Member for Charleswood.

But the fact is, I think it ought to be reviewed, and shall I tell honourable members something? I asked the City informally, I asked them formally to review it and they're still reviewing it, but informally I spoke to some councillors who I thought had some influence in council, I asked them about it, and you know I had a response, and I'm not quoting anybody because this was so informal, I had a response which made me think that some people within the City of Winnipeg structure would like the boundaries of the City of Winnipeg to be so wide and so extensive that they could control more and more in order to prevent sprawl and in order to prevent development other than within the City of Winnipeg. And I don't really think that that is right. But again, I don't think we should force our will without consultation. The result is that we are meeting - well, we're planning to meet with the area, I forget their formal name, but it's the Reeves of the suburban areas around the City of Winnipeg, it's the people who are affected in that area and the City of Winnipeg, so we can discuss a rational approach to what you do about green belt control, what you do about zoning, what you do to prevent proliferation of growth and how to confine it. And may I say, Mr. Speaker, again speaking for myself and not for government, I don't think that there's a great rush for the City of Winnipeg to grow. I think that some people have an idea that growth is a great thing, that if the City of Winnipeg grows from 500,000 to 600,000 in the next two years it's a great thing.

I think that one of the great values of the City of Winnipeg - and I'm speaking of the new City of Winnipeg - is the slow growth pattern which has permitted adjustment, permitted development at an orderly rate, and that there should not be a rush to build buildings, to expand the population, to try and get the people from outside areas of Manitoba to come running in to live in the City of Winnipeg. There are many, I know, many people who enjoy rural life, and I wouldn't like to try and force them economically or persuade them to come rushing into the City of Winnipeg in a hurry. So I say that the question of boundaries, which does affect the tax matter, is something that we really have to study and we want to. We want to, Mr. Speaker, we've invited others to do so. They're not ready and I don't criticize them because the fact is that they are working hard. But that's what we want to do. Meanwhile, Section 257 of the act gives the power to the city to do it. If they don't do it, don't blame the province. It's their responsibility; they should do it; as Metro did it while Metro was around. Metro had the power to cancel out the taxation for its levy; it did it. The City of Winnipeg has the same right.

I should mention to the Honourable Member for Charleswood that what I've been able to see about Charleswood is that the growth pattern there is tremendous. I think it's greater than possibly any other area in Winnipeg. I honestly would like him not to say anything about it here but to go home and think about what the municipality of Charleswood would have to face in the next year, the next five years, by way of demands for services to a growing community, provision of sewers, provision of water, provision of all the amenities, garbage collection, police, fire protection. Don't tell us; just think yourself about the future growth in Charleswood and what it will cost all those people who pay taxes in the City of Winnipeg outside of the area of the former Municipality of Charleswood.

Well, Mr. Chairman, I know I've spoken a little too lengthily maybe because I get a little exercise, as other members do on occasion. I do have a list of proposals made by the City of Winnipeg for amendments which we did not proceed with. I can review them, although I think probably they will be at the committee bringing their proposals in. I think it would save time if I postponed that item until we actually meet in committee in order to be able to hear both points of view. There is not much point in my saying they asked for a change to section so and so, and we thought it wasn't desirable for whatever reason. Possibly by way of a dialogue in committee we could explore it more fully. I think in the main that this bill has to be acceptable mainly because as I said earlier, the criticism of it is not what it contains but what it doesn't contain. Therefore, Mr. Chairman, I solicit the support of all members to have this bill proceed into committee and be dealt with at that level.

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

MR. SPEAKER: The Honourable Member for Radisson.

MR. HARRY SHAFRANSKY (Radisson): Mr. Speaker, by leave I would like to make some changes in the Standing Committee on Municipal Affairs. The Member for - put the name of the Member for Gimli in substitution for the Member for Flin Flon, and the Honourable Minister of Highways in substitution for the Member for Radisson; the Honourable Minister of Finance and Urban Affairs for the Member for Osborne; also add the name of the Member for Assiniboia which inadvertently had been omitted when the list was first prepared. There is a total composition of the Municipal Affairs Committee of 17, there were only 16 listed.

MR. DEPUTY SPEAKER: (Agreed) The Honourable First Minister.

MR. SCHREYER: ... notice the Member for Fort Garry, and therefore I would ask you to call Bill 108.

MR. DEPUTY SPEAKER: The proposed motion of the Honourable Minister of Colleges and Universities. The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Speaker, Bill 108 of course comes as no surprise to us or to anybody in this Chamber, because just a few weeks ago the First Minister announced that a merger would be forthcoming, would be developed among four of the major health institutions in Winnipeg, namely, the Winnipeg General Hospital, the Winnipeg Children's Hospital, the Manitoba Rehabilitation Hospital and the Manitoba Cancer Treatment and Research Centre. And this legislation now gives reality and actuality to that announcement by the First Minister, so we were prepared for it and we approach it from the point of view of an interesting but a somewhat controversial government experiment in the health sciences and health services field.

Mr. Speaker, there are two or three things about the legislation that I want to say, and basically I want to make the preamble statement that the jury is still out on the kind of compact, centralized health sciences centre envisioned in this legislation, and the jury may be out on it for some time. It is yet to be demonstrated in my opinion that this kind of centralization implicit in this legislation is either a good thing for the professions involved in the health sciences field; for the patients involved, the public, the consumers; and most important of all, for those people in our community and in our society who work in a voluntary capacity and who have developed and written a long and a noble tradition of voluntary service in the health sciences and health services field. So we'll be watching it with a particularly critical and a particularly conscientious eye in the weeks and months ahead, Mr. Speaker, and we would hope that the Minister will be doing the same thing - and we can assure the Minister that we will be dogging his heels at every turn to make sure that the kind of direction that he's taking here in this legislation achieves the goals that he feels so confident about.

The bill got a lofty send-off or a lofty launching from the Minister last evening, Mr. Speaker, and one can only hope in the interests of those who consume the health services made available here in Winnipeg and in Manitoba by our professional people in the field that those attainments, those objectives which the Minister outlined, really and truly are possible, really and truly will be realized. In his remarks last night the Minister pronounced the ceremonial blessing and cut the ceremonial ribbon and in fact, Mr. Speaker, smashed the figurative bottle of champagne against the prow and this legislation like a ship being launched, now slips down the way. One can only hope that the whole project and the whole concept and the whole centre doesn't capsize, doesn't capsize, Mr. Speaker, when it's put to the test of health services consumption.

Last evening the Minister in opening debate on second reading said that this legislation will create a single board that will supervise and oversee the administration of four health units, that is the Winnipeg General Hospital, the Winnipeg Children's Hospital, the Rehab Hospital and the Cancer Treatment and Research Centre. He said that it represents a more systematic approach to planning and administration. He says that it involves and implies integrated plans rather than competitive plans, and he said, Sir, that it will provide a more effective and efficient service to the people of Manitoba. That's a paraphrase essentially of what the Minister said about the legislation, at least what he said in terms of what he felt the legislation promised, and the potential of the legislation - and I can assure him that all of us on this side of the House earnestly hope that his hopes and his ambitions in this respect come true. But we cannot simply accept the kind of health sciences centre proposed in the legislation and the kind of concept in terms of delivery of health sciences implicit in this legislation at face value, Mr. Speaker, without raising one or two constructively critical perspectives that we think the Minister and his colleagues and the First Minister must keep in mind in this field.

(MR. SHERMAN cont'd)

In the first place, on a philosophical level, the legislation really reflects a trend that we are by experience somewhat suspicious of, Mr. Speaker. We don't necessarily altogether deplore the trend implicit in this bill, but it does represent a direction that we have learned through experience, deserves some suspicion and some careful scrutiny, and that is the trend towards centralization. We don't believe that centralization necessarily is always a good thing, and I think that the concept from which the government and the Minister in particular approached this legislation, and put it together is the philosophical position that says the reverse. I feel that the Minister has started here from the concept that centralization is a good thing in itself, and therefore in order to achieve the kinds of objectives that he would like to see, in other words more efficient and better professional health service for Manitobans, we centralize, because that's the solution when you have this kind of diffuse society and diffuse apparatus of services that exists at the present time.

I don't accept the philosophical argument on face value that centralization is going to solve the problems necessarily, but I say as I said at the outset of my remarks, Mr. Speaker, that the jury is out on this question and the jury is this opposition; and the jury is the people of Manitoba, and in time we'll know whether centralization in this case has achieved the necessary results, the desired results. But certainly one can't answer in the affirmative at this point, and I find it difficult to share the enthusiasm of the Minister for the objectives that he feels are at hand as a consequence of this legislation. I want the same objectives but I don't share his enthusiasm that this is the route through which we will obtain them. What happens in the kind of apparatus being put together here, is that you get a hugeness, Mr. Speaker, that can be equated in human terms all too often with a remoteness. And we have had in the past examples of - not necessarily in the health sciences field, but in our society at large, in Canadian society at large - of a remoteness through huge bureaucratic top-heavy apparatus that has led to an alienation, an alienation and a demoralization on the part of the general public. And if we have an alienation and a demoralization and a cynicism on the part of the general public where their health services are concerned that is a problem, a situation that can be extremely serious and critical for our society and is devoutly to be avoided in my view. I fear that the kind of centralization conceptualized here is that kind of development that can lead to a remoteness and a feeling of removal on the part of the consumer, on the part of the public from the institution itself with which the public wants to identify. In this case the institution is some form, some facet, some expression of medical service, whether it be a hospital, whether it be a rehabilitation centre, whether it be a treatment institution of some kind, whether it be a doctor. The institution is medical service, and if the public feels removed and remote and distant from that medical service then half the battle that medicine is supposed to perform for people is already lost because the confidence in the communication so necessary to proper and vital medical service is absent right at the outset.

So I ask the Minister whether the centralization that is involved in this kind of legislation is necessarily a good thing, and I think a strong case can be made for the opposite. The trouble with centralization and the trouble with the kind of hugeness that is reflected in the consolidation of the sort that is involved in this bill, is that it leads to as I have said, a loss of a sense of communication, but it leads also to a loss of independence on the part of those individual units that have been consolidated. It leads to a loss of autonomy on the part of those individual units that have been consolidated and it leads to a loss of identity, and I'm not so much concerned with the individual units themselves when I speak of those losses, Mr. Speaker, but I am concerned with the people who work for them and in particular, those who work for them in a voluntary capacity and do what is generally referred to as a labour of love.

We have here in this legislation four particular centres of excellence that have been developed in Manitoba and in Winnipeg, which are now at the administrative level, being consolidated really into one huge massive apparatus - gone will be the individual administrative identity of the Winnipeg General Hospital - gone will be that individual unique identity of the Winnipeg Childrens Hospital, gone will be that individual identity of the Rehab Centre and similarly the individual identity of the Cancer Treatment Centre.

Now there are some obvious advantages in terms of streamlining of office work and clerical work to be achieved through consolidation and unification, but there are obvious disadvantages, Mr. Speaker, and I would hope that the Minister and the First Minister and the government in general have not lost sight of some of the more recent lessons we have had in Canada in this vein. I think we need look no further than the unification program introduced

(MR. SHERMAN cont'd) in the Armed Forces in the past few years to identify some of the difficulties that cannot be surmounted easily and quickly if in fact, they can be surmounted at all in these areas that I've talked about, namely the areas of morale and identity and autonomy.

The individual unit involved in the consolidation here are units that have looked in the past for the most part to selfless service on the part of volunteer boards and affiliated guilds, and those volunteers have been motivated by a sense of pride in the identity they have with that individual medical institution, whether it's the General Hospital or the Children's Hospital or whatever. They have been encouraged by the kind of response that they have had from the administrators of those institutions and they have been heartened by the kind of responsibility of leadership that's been given them by the administrators of those institutions. The result has been that in a competitively healthy manner, the guilds and volunteer boards and other agencies and workers associated with those individual institutions have striven to achieve heights for the respective institutions with which they have been associated that I don't think could be equalled in a different working framework.

They are achievements that have been achievements of the heart and the spirit. They have not been pursued, and they have not been accomplished for monetary gain; they have not been pursued and they have not been accomplished for social prestige; they have not been pursued and they have not been accomplished as a result of any particular vested interest; they have been pursued, and accomplished through the heart and the spirit of the individual volunteers who have found that the kind of thing that they can do in society, from which they derive a sense of contribution, is work for institutions of this kind, give of their time and their efforts and their talents freely for institutions of this kind and compete healthfully with each other, and among each other, to achieve the best and the most successful records. That's the kind of motivation that money can't buy and it's a kind of motivation that government, no governor, government by any party can not achieve through legislation or through will. It's a kind of motivation that is very precious, Mr. Speaker, and that is to be encouraged and nourished wherever possible and is to be protected against the dangers of bureaucracy and the dangers of governmentalization which I think tend to discourage people all too often from giving freely of their time. I think when institutions become bureaucratized and too heavily governmentalized there is a cynicism that sets in that discourages people from giving freely of their time and their talents and their efforts and their energies. There's an attitude of on well it's a government proposition now and it's a huge amorphous kind of board that runs this centre. We have no identity, we have no place in it we really don't have the heart or the feeling or the spirit anymore to do the kind of work that we used to do in that environment because that environment no longer exists. We'll go and give our time somewhere else, to some other organizations, to some other agency. I know there's a section in the bill that says that the volunteers associated with the institutions going into this consolidation will be encouraged to continue, but, Sir, that at this point represents mere lip service to an ideal in my view and is no guarantee that concrete efforts will be made to maintain the kind of atmosphere that volunteer work flourishes in. On the contrary, I'm afraid that when we move into these areas of concentrated centralization and sort of over government control the disenchantment of the volunteer worker is inevitable and I would think that the Minister and his colleagues are going to have their hands full if they expect that the motivation and the morale of volunteer workers can be maintained under this kind of mechanism and this kind of apparatus, at any where near the level that it has flourished and existed in the past where these institutions operated relatively independently. Most of our health services institutions as I've said, Mr. Speaker, have survived and prospered as a consequence of volunteer work over the years and the Minister has got to be concerned with the retention and the maintenance of the kind of atmosphere that will continue to motivate people to do volunteer work.

There are other sections in the legislation that equally demand careful scrutiny and attention both from us and from the public and from the Minister, Mr. Speaker. There's sections pertaining specifically to the four institutions that I've mentioned which raised the question as to whether the capital construction desired by some of those institutions can now go ahead. Whether the building programs that the Winnipeg General Hospital and the Manitoba Cancer Treatment and the Research Foundation Centre in particular have desired and have been waiting for for sometime can now go ahead, and whether those institutions can fulfill their desires to develop the facilities and the capacities that they've got to the degree to which the public now demands the services offered therein.

(MR. SHERMAN cont'd)

Mr. Speaker, another section deals with individual standing committees of the board that will have specific responsibilities and it opens up a whole further area of concern. And that is the concern that I have and that many members of the public have and that certainly the members of the existing Board of Directors of the Winnipeg Children's Hospital have as to the continuation of a high level of interest and professionalism in the field of child health care. There is a deep concern and it's been expressed publicly and through the press, and I know the Minister is aware of it, that in the kind of consolidation and merger that's taking place here in this legislation, the requirements and the needs in the Child Health Care field will be subordinated and will be downgraded, and will be pigeonholed in a relative sense compared to those things that will be done at the level of the adult services to be provided.

It was not long ago that the chairman of the Winnipeg Children's Hospital spoke to the press and was reported in the press as having made an urgent appeal to the government and to the Minister for some assurance that the requirements and the objectives in the field of child health care would be protected in any kind of consolidation that was going to take place, and in a report which I saw that I think was carried in the Winnipeg Tribune, that board chairman went on to say that she was somewhat disappointed in the fact that she had not received any such assurance and she was still extremely anxious with respect to the fate of the Children's Hospital and the whole field of child health care if the legislation that we now have before us was enacted. That board chairman pointed out that in her view and the view of some of her colleagues on the board, a grave danger exists that the special requirements of children, the special requirements in the field of child health care, will not receive the proper emphasis and the proper attention that they had been getting in the past under any such merger as is enacted here. She feels that the only solution would be a separate board or at least some kind of separate administrative unit that would make sure that child health care needs, services and requirements were continually maintained at an equal level of importance and emphasis on the agenda of the administration of this new Health Sciences Centre. She called in fact for a Child Health Council and she felt it could serve as a part of the new super-board of directors for this entire new Centre.

Those safeguards have not been forthcoming in a satisfactory manner, Mr. Speaker. There is a section in the bill, and no doubt the Minister will refer to it when he closes debate, that says that standing committees of the board will be set up to deal with specific subjects, specific fields, one of which is community health care and related research, and the other of which is child health care and related research. The only difficulty is, Mr. Speaker, that that section - and I can't deal with it specifically I know - that section is ambiguous in its present wording, and I would ask the Minister to have another look at it. The section does not guarantee or ensure that either one of those standing committees will specifically be charged with the responsibility for looking after child health care, because the wording of the section is ambivalent and ambiguous, but more than that, the section really only represents a kind of a tokenism, a kind of a lip service to the demands that I've referred to, those demands of the chairman of the Winnipeg Children's Hospital board, Mrs. Mary Grierson, as reported in the press a few weeks ago and to which I referred a few minutes ago. It seems to me that what's happened here is that in response to the things that Mrs. Grierson has said, the government has inserted a section in the bill which purportedly will take care of the problem, but it doesn't nail down the kind of specific responsibilities that the whole board, the whole administrative setup for this new Health Sciences Centre is going to have for acting on the needs and requirements of the Children's Hospital unit, for acting on the needs and requirements for services and developments in the child health care field. Even if the section was clear - and as I say the way it's presently worded it isn't clear - even if it were clear, Mr. Speaker, it would not have any teeth in it. The bill as presently written does not say that the administrative apparatus for this new centre has to be responsive or has to act on needs and requirements in the child health care field that are reported to it at a regular prescribed scheduled time. It writes the whole thing off as a subject that can be pigeonholed with a standing committee, and presumably that standing committee can sit as often or as infrequently as it likes and can sweep as many problems as it likes under the table.

So the worry and the concern of the people in the child health care field has not been met by the legislation, and I think it's incumbent upon the Minister to address himself to that question, because surely the goals and the objectives which he specified last night are goals and

(MR. SHERMAN cont'd) . . . objectives which he would wish to be applied to the whole spectrum of consumerism in the field of Manitoba health services. The Minister is not just concerned with services in the adult health field and he's not just concerned with services in the cancer treatment field, he's no more restricted or restricted in his view on that subject than Mrs. Grierson is or than I am or than anybody in this Chamber is. He is interested in delivering efficiently and effectively the best health care services that he can to the whole spectrum of Manitoba society. I know that, and I'm sure that the chairman of the Winnipeg Children's Hospital knows that. The trouble is that philosophy and abstract ideals are one thing, the facts are another; and the fact is that the way the legislation is presently worded, under a centralized apparatus such as will be established by this bill, there is a very definite danger that certain fields of interest and professionalism that have received devout attention from volunteers in the past will be subordinated and will be given second best or third best treatment under the kind of mechanism we have here.

And, Mr. Speaker, the legislation does not answer those fears, does not solve that problem; and so this is an area that I think the Minister and the government must address themselves to before they ask for the support of the opposition on this particular bill. Otherwise, Mr. Speaker, the legislation is an interesting experiment, as I have said. We'll be watching it and watching the Minister's application of it very keenly in the months ahead. We believe that if he can solve the problem of equal treatment and equal attention for all sectors of the community and answer the worries and the concerns of those interested in child health care, for example, and if he can devise a system that will enable Manitobans somehow not to feel removed and remote from this huge apparatus that's being established in the health care field, and if he can devise a system whereby he can somehow maintain the morale necessary to get the best from the best volunteers who've always worked in this field in the past, then he'll have something here. But, Mr. Speaker, that's a tall order.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MRS. INEZ TRUEMAN (Fort Rouge): Mr. Speaker, I move, seconded by the Member from Rock Lake, that the debate be adjourned.

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

MR. SPEAKER: The Honourable House Leader.

MR. PAULLEY: Mr. Speaker, I understand that the Honourable Member for Thompson, who has the adjournment on Bill 70, the six month hoist, expressed earlier today the possibility of his absence for a day or two. I'm prepared to accommodate my honourable friend, to call Bill 70, if he has enough time to do so between now and 5:30, and if that meets with the agreement of my honourable friend, and I do want to accommodate him, knowing his interest in this, I'm prepared, Mr. Speaker, to ask you to call the amendment to Bill 70.

MR. SPEAKER: The Honourable Member for Thompson.

MR. BOROWSKI: Mr. Speaker, I'm not looking forward to speaking on this bill again because it's an unpleasant and distasteful bill to deal with and I'm put in a position where once again I have to take a few strips off the New Babelonian government for bringing in this bill.

I want to first of all say I'm going to reluctantly vote for the hoist. I say reluctantly because I really would prefer if we dealt with the bill; a clean kill defeated and no government would have the courage to attempt to impose their skid row morality on Manitoba again for perhaps four years. The hoist will kill it for this year but I think it will probably be brought back next year, and I certainly don't want to put the House through the same heart-rending decision that some of us have to make here in dealing with it.

Before I start, Mr. Speaker, I would like to read a couple of news items, and this is from the "Morality in Media", April 1971 issue "Man and Wife" ruled obscene. Tampa Florida. Late in January Judge Hodges held a film "Man and Wife" to be obscene and made permanent an order prohibiting anyone in Hillsbury County from showing it in a place where the public is permitted. Judge Hodges said there must be real concern to protect our citizens from exposure to the pollution of filth, indecency, pornography and obscenity, which defile and desecrate and add to the increasing bestiality of the moral aspects of our society and rob it of dignity, refinement, and sensitive capacity for civilized enrichment."

The second quote is from Washington, "A Clerk in downtown Washington, D. C.'s adult book store was sentenced early in March to one year in prison and a \$3,000 fine by Superior Court Judge Charles Hallock. Noting that businessmen and citizens are complaining about the filth and corruption of the downtown area, the Judge said, 'Sir, in my view you are a polluter

(MR. BOROWSKI cont'd) of the morality and decency of the city, now making your living in the sale of filth'. The sentence was the harshest ever imposed in a misdemeanour obscenity case in Washington. "

Mr. Speaker, if I wanted or if anyone wanted to capitalize in one or two sentences the description or the character of this government I think they could perhaps use this quote "You are the polluters of morality and decency of the city". I think this will be the effect of this bill.

Mr. Speaker, we've heard a variety of arguments by various members of this House giving their reasons or rationale why they're going to take certain positions for or against. I think the most feeble, weak and pathetic defence was put up by the Minister defending this bill and I can understand why, Mr. Speaker, because he finds pornography as abhorrent as the rest of us. Unfortunately he is a member of Cabinet and when the Cabinet makes a decision he has to bring it in whether he likes it or not, and that probably accounts for his weak defence of this indefensible bill.

Everyone that spoke in this House, Mr. Speaker, said they didn't like pornography, in one way or the other, yet, Mr. Speaker, there is a chance that the bill will pass, and it will probably be the first time in history that a bill will have passed in this House that nobody likes, nobody liked the end result. That will be a unique experience for the Legislature where a bill that nobody wants is going to get passed in this Legislature.

Another interesting item, Mr. Speaker, of all those that spoke not a single member could find one item or one iota of redemption in pornography, nothing redeeming in pornography, at least I haven't heard anyone say that there really is something good. We could talk about alcohol; we know it kills people on the highway; we know it causes various other problems in society, but there are some good benefits from it. We know the harm cigarettes do, Mr. Speaker, but we also know there is some good. DDT for example, we know that as bad as it is, as dangerous as it is, there are benefits, and in countries where they have malaria, and some other diseases I don't recall, DDT is essential in these hot countries in order to control the disease. It is certainly not necessary here, but as bad and as dangerous as DDT is there is some defence to be put up for it. Mr. Speaker, not a single member in this House put up a defence that there was some ounce, some drop of good in pornography. It was largely based, if they can call their defence in the name of civil rights, that nobody is going to tell me, or nobody is going to tell someone else what they should read. The Minister to add insult to injury quoted a letter from a priest, Mr. Speaker. Well I've had occasion to check the credentials of this greenhorn - and I don't say this disrespectfully, he was just ordained last year - and according to the letter, the priest I believe supports the concept of the bill and is prepared to offer his service to be one of the members of this classification board. Mr. Speaker, no doubt this priest whom I have never met, is a student of Teilhard de Chardin which is the manufacture of the new theology of a Christian. In our church we call them heretics - and there are, let's face it, and the Catholic Church is going through a tremendous turmoil. There are priests that in fact perform homosexual marriages, there are all kinds, and it's unfortunate that the Minister should bring in one of the priests which is defying the church, and does not speak for the church, to bring him in here as credentials on behalf of the Catholic Church.

MR. SPEAKER: Order please. The Honourable Minister on a point of order. Will he state the point.

HON. LAURENT L. DESJARDINS (Minister of Tourism, Recreation and Cultural Affairs) (St. Boniface): Mr. Speaker, at no time did I mention that this priest was speaking for anybody else but himself. I accept the responsibility. I asked this priest a question. I certainly resent the accusation that is made today that this priest is not a member of good standing of the church. He is presently teaching in Loyola and he's teaching at St. Paul's College. Like anybody else, he has expressed his concern, and I think it is most unfair for the member to accuse somebody that he doesn't even know, that's not here, and to say that he's not a member in good standing with the church. If he wants to attack anybody he should attack me and not somebody that's not here to defend himself.

MR. SPEAKER: The Honourable Member for Thompson.

MR. BOROWSKI: Mr. Speaker, I never suggested he wasn't in good standing. The Minister certainly knows the procedure followed in the Catholic Church, whether it's a good procedure or not, that is the procedure that's followed, and I simply tell him after checking with the bishop over the lunch hour, that he does not speak for anyone, no priest, no parish, no diocese. Certainly he does not speak for the Catholic Church in Manitoba. Let that be

(MR. BOROWSKI cont'd) clear, and let the records show he spoke as an individual, and whether it's right or not, again, Mr. Speaker, in the church, not only the Catholic Church, the priest is not an individual, he just can't come out, just as a Cabinet Minister, there are certain restraints, he cannot come out and take a position that is contrary to the known church position and this is contrary to the church position. I simply mention it in passing so nobody will get the idea that he is speaking for the church. I would have preferred that the Minister had checked with other priests, not just Catholic priests, there's Rabbis, there's Anglican priests, we have got all kinds of faiths in Manitoba, some who have been in the business of ministering for 40, 50 years, and some of them as long as 60 years, to get their ideas about the problems associated with this "pornocopial", I can call it, they certainly have to deal with it every day. I would have preferred if the Minister had brought some credentials from some chiefs of police. Our own Chief of Police, who is in my estimation a man that knows something about police work, and knows something about pornography and its effect, and its consequences in society. We had none of those credentials brought in, Mr. Speaker, to bolster the Minister's defence of that indefensible bill.

I would like to, Mr. Speaker, make a couple more quotations taken from the same morality and media clip, and this is another expert, Mr. Speaker, "Smut Films Linked to Crimes - San Francisco. Lieutenant Raymond White of the San Francisco Police Department Sex Crime Detail told a reporter recently that attacks on women are occurring increasingly in areas around dirty movie houses. Furthermore, rape attacks are becoming more brutal, bizarre and bestial in character, mirroring the way-out animalism shown in the theatres. In at least four cases methods of attack almost exactly followed the situations depicted in current shows."

And a second news release is from New York. "Dr. Lawrence J. Hatterer, psychiatrist at New York Hospital Payne Whitney Clinic, cited as one of the environmental influences that lead to homosexuality the one billion dollar hard core homosexual pornography industry and the proliferation of homosexual movies. 'For the vulnerable male', he said, 'it is very stimulating and may be the thing that pushes him over the line.'" Well, Mr. Speaker, these are people who are neither Catholic, nor those who have some particular line to peddle, or any gain to be made. These are people that deal with these situations daily and are giving their lifelong expert opinion, and I prefer to quote them than some obscure priest.

Mr. Speaker, just this week there was a news item on the CBC National News where two homosexuals got married, and apparently that is legal. They are asking for their right to adopt children. Isn't that an incredible situation? You know, and the Minister certainly knows, do you know the laws in this province to try and adopt a child. And here we have a situation, and can you blame anybody when you see governments in Ottawa and here taking the type of attitude they are taking, that homosexuals have the nerve now to apply to adopt a child. What kind of an environment, and what kind of a child would you have that would come out of a home like that, if I can dignify it by calling it a home?

The Minister made a statement that it's not the government's role to legislate honesty or goodness. Now, Mr. Speaker, that's a pretty incredible statement. You know if you punish dishonesty, you're obviously legislating honesty; and if you punish badness, you are legislating goodness. We had two cases here in the last week, one I think was Ben Moss Jewellers selling diamonds, and he was charged for saying that the diamond was worth \$400, 00 and in fact it was worth \$300, 00. We are punishing dishonesty, so you are really legislating honesty in reverse. We had the case of the feedlot operator at Dauphin who was charged for misleading "untrue, deceptive or misleading material". Mr. Speaker, we passed the Consumers Act protecting the people about dishonesty and badness, and all the rest of it, and the Minister gets up and says you can't legislate it; but we are legislating it every day. He's part of the government. I know they don't use those same words you can't call it legislating honesty and goodness, but we are doing that. We have done it from the beginning of time and we will continue to do it until the last day.

The Minister continued in his presentation to harp on Christianity and religion and tried to base his argument on that and accuse us of being inconsistent. Mr. Speaker, I don't recall in my entire presentation of every using Christianity or religion to build my case. I did mention it in Bill 81 because somebody objected to paying dues, but in all the time I talked about pornography not once did I refer to religion or Christianity. I think I quoted a Rabbi Lilwelt where he was concerned about certain shows on television creating a disrespect, and something else, building it in children, but I never built, and I don't intend to, to base my argument

(MR. BOROWSKI cont'd) on religion or on Christianity, and as I said before it would be foolish to cast pearls before swine.

He brought in another red herring by suggesting that the only way we can really resolve the problem, democratically, and I don't know what their version of democracy is, it's do your own thing - what does that mean? - that we'd have to set up a Catholic board, a Jewish board, a Protestant board. Mr. Speaker, nobody in this Chamber or outside this Chamber ever suggested that. He's trying to make out a situation that somehow we are trying to divide and split and set up all kinds of boards; all we said is we want you to continue with the same board that we have - we didn't put it in there. It was there, we inherited it from the previous government. We have had it for three years and it's up to this Minister and the government to put in a cross-section of people on that board like we do on our License Suspension Appeal Board, like we put on other boards, we want a License Suspension Appeal Board and a Motor Transport Board; we want labour on there; we want business on there; we want somebody from the Indian community there. We try to get a cross-section and if they make a decision that you will get a license to haul goods from Dauphin to some place else, it's accepted. If we say we take your license away for six months, the board makes that decision, we accept it. We don't say - we don't think that they are incompetent. But who's going to decide; somebody has to decide. We can do the same thing on this board and if it's not working, Mr. Speaker, it's because the government chose not to make it work for their own reasons, and I don't know what they are.

He also suggested if people don't like movies that really it's up to the parents and the church. Well, Mr. Speaker, if we are going to go back to the wild old west of carrying a gun at your hip - and this is the type of philosophy he's peddling - then why do we have laws in beer parlours, and in various other institutions? Can't we turn around and say, "look I'm a parent and if I want to take my 14 year old daughter to a beer parlour, what business is it of the Attorney-General?" But the Attorney-General says, "It is my business and I'm closing you down for three days buddy". So if the Minister wants to promote that, I suggest he should get together with his colleagues and remove the restrictions that are there in other areas, and I'm mentioning the beer parlours because it's one of the areas that we are having some difficulty with.

But the other barren argument used was, who would decide what is dirty? You know I heard two intelligent people on the government side saying how do you define dirt? Well, Mr. Speaker, let's look at the bill and find out how hypocritical that statement is.

Section 24 (1) any peace officer or inspector on instruction of the board may order the removal from all public places of any advertisement relating to any film or slide if the advertisement is of an immoral, obscene, or indecent nature, or depicts any murder, robbery or criminal assault, or the killing of any person. That's strange, Mr. Speaker, but somehow they can't decide on a film what's dirty, or immoral, or obscene, but yet this board will be able to make a decision where advertising is concerned. What kind of a board is it? Have they got a two-compartment mind that you press a button they know exactly what should go in here, and you press another button and they say we really don't know what's dirty. That's a pretty incredible statement to make for a Minister, especially when he's got this section here which I understand is largely a new section.

HON. RUSSELL DOERN (Minister of Public Works) (Elmwood): Will the honourable member submit to a question?

MR. BOROWSKI: No. I'm sorry, I'd like to but I'm not sure I can finish in the time allotted to me. If I have time at the end I'll do it.

Mr. Speaker, we have in our society a system called the jury system. A person is brought into court on whatever charge, common people are picked off the street - they do it in Thompson - they are no great experts in anything and they say, "you John Q. Public and Mary Public, you're going to be the jury". We put that jury in a box, and they may be there a day, they may be there a week, depending on the case. This jury listens to the evidence, often it's contradictory and there's lying involved - if a man's life is involved, obviously he's going to lie, witnesses may lie. Eloquent lawyers there, and there are a few in Manitoba, out there trying to bamboozle the jury with their eloquence and their double-talk, to try and get them to find that person innocent. So, Mr. Speaker, when it's all over that jury of 12 common people decide he is guilty and he goes to the gas chamber, or the gallows. Does anybody here suggest, Mr. Speaker, that those stupid twelve people don't know what they're doing, really shouldn't be able to make that kind of a decision, and really is it right for them to send a person to his

(MR. BOROWSKI cont'd) death? We accept it. I haven't heard anybody suggest, let's get rid of the jury system. It's not a perfect system, there are innocent people, Mr. Speaker, that occasionally are incarcerated or are even executed by the state. There is no way of avoiding that. But by and large the system has worked pretty darn good and I haven't heard anybody suggest that we do away with it.

The Minister suggested that to show how it's impossible to make a decision he cited a case of one judge found the Stewardesses okay and threw the case out, and another judge in Saskatchewan found him guilty. This he used as a rationale, or a basis, to suggest, look, how can you decide, even the judges can't decide. Well, Mr. Speaker, that happens every day. Are we going to abolish the judges because they make different decisions? We have in Manitoba, Mr. Speaker, since I've changed the rules taken away some of this discrepancy that was going on in the speeding. We've put on so many dollars per mile, but even there we have a great discrepancy, for example a magistrate in Thompson, one in Swan River and one in Winnipeg. Judges are human like anybody else. They have their hang-ups. We know one magistrate, whom I commend, in this province, Lawrie Mitchell, and if you come in front of that magistrate he'll throw the book at you every time if you are guilty of a liquor driving offense. You know, I've got clippings that high of his decisions. There are other magistrates that take a casual attitude like this government towards pornography. Well, Mr. Speaker, if we are going to turn around and say because this is happening that somehow we are going to have to scrap the system, you know, what are we going to be left with? And this is the attitude that this government is taking because one judge made one decision and another judge made another decision, somehow the system's not working, and, Mr. Speaker, that is the best system we have and if the government has a better system, I suggest that they bring it in. In the meantime let's use what we have and try and improve it as much as we can.

Mr. Speaker, another statement was made here - the Minister's not in here - one of our moral cavemen that had the audacity to suggest that those of us who wanted restrictions, wanted censorship, were fascistic. That's a pretty tough statement; it doesn't bother me; I've been called by that the previous government. I believe the previous Attorney-General called me that one time. That doesn't bother me. But, Mr. Speaker, talk about intolerant, they tell us we're intolerant, but the minute we bring in some suggestions, we are being fascistic because we want to impose our morality.

Mr. Speaker, if we are to judge the people of Manitoba and this Chamber by that statement then I would suggest he is condemning 56 percent of Canadians, because a Press survey was taken I think by Star Weekly about a month and a half ago - 56 percent were in favour of censorship and I think 44 percent were against censorship. That's a spread of 12 percent. It's not very much but, Mr. Speaker, that is their decision not mine. That is the opinion of the people of Canada. In Manitoba, being western and the west has always been a little more pure than the east and I think you'll agree with that, I would suggest that the figure would be much higher yet the Minister suggests to those of us who are saying, let's hold on to censorship, that we are being fascistic.

Mr. Speaker, I'd like to read a letter and I think he'd have to include this letter as those who are being fascistic, May 5, 1971 from the City of Transcona. It's addressed to the Attorney-General and there's a copy to the Minister of Labour. "Council of the City of Transcona has reviewed the reprint of Friday, April 23, 1971 of the article which recently appeared in the issue of The Manitoban and I have been requested by council to advise your office that our council is very much opposed to such articles being printed and especially within the confines of a campus supported to a large extent by public funds. It is sincerely hoped that this article receives the full consideration of your department. Yours truly, G. Isbell, City Clerk". I suppose these people are fascistic too because they're taking precisely the same attitude as we are.

I have even a greater authority to quote here, Mr. Speaker, and that is the Winnipeg Tribune in an editorial dealing with the same subject. I don't have the date on it, I imagine it was probably the first part of May. The editorial goes as follows: "How filthy can The Manitoban get? University papers have traditionally been accorded more lenient tolerance than extended to other journals. This tolerance has been based on the assumption that dissent, irreverence to their elder and mischievous challenge to the establishment were a natural part of getting an education and growing up. But this tolerance can be abused. This latest issue of The Manitoban is a sorry example how permissiveness can be debased into license. Joe

(MR. BOROWSKI cont'd) Borowski is profoundly right in his condemnation of the loathsome filth printed in the student newspaper. What's more he performed a public service in drawing the issue to the attention of MLAs and the rest of the community. Parents have a right to know what their sons and daughters are being exposed to in the official publication of the University of Manitoba students' union. Parents should also know that students are forced to help subsidize the publication of this filth through compulsory dues." Another sore item, "The degrading and mindless pornography printed in The Manitoban is completely without justification. We defy anyone to prove that this filth has any literary merit as claimed by the editor of The Manitoban for what is valid social satire." Probably the Member for Crescentwood could find a great deal of redemption in it. "When copies of The Manitoban containing this dirt arrived in our Tribune office the editor seriously considered reprinting the text in order that parents might know the kind of gutter drainings being inflicted on their sons and daughters. But even the title of the so-called play was even in our judgment too much to reproduce in a responsible newspaper, but we still think the public should be made aware of the depths to which the student publication has fallen. Fathers and mothers should know that degeneracy can command a special section of The Manitoban so we have taken an unusual step in drawing it to the public attention in what we hope is a responsible manner. Copies of the special section of The Manitoban will be made available by The Tribune for distribution to mature and responsible persons who consider it their duty to learn what is happening in The Manitoban. Adults may get a copy at the desk of the main floor of the Tribune Building. At the same time we're prepared to provide copies for responsible officials of service clubs, parent-teacher associations and similar organizations for distribution to their membership. Our whole purpose in taking this action is to give parents and the public a chance to judge for themselves and take whatever individual or collective action they think appropriate." I wonder, Mr. Speaker, how many members in the Cabinet on that side who are pushing this smut bill are going to suggest that the people who run the Tribune are a narrow-minded bunch of fascists? --(Interjection)-- Well, I see the Member for Crescentwood thinks they are. That's not surprising.

Mr. Speaker, I have several other quotations, but first of all, I'd like to condemn the government as the editorial condemns the students' paper for following their morally scorched earth policy of pandering and catering and condoning and encouraging the garbage and filth that's being brought into Manitoba. --(Interjection)-- Pure rubbish, right.

In defence of all this, Mr. Speaker, the Minister of Finance gave us a sad story about his parents in Russia who were put in jail, I believe he said, because they had a certain book. Mr. Speaker, that government that he's a part of put people in jail in this province for having certain books and he makes it out like it's some heinous crime. Furthermore, things haven't changed in Russia. It's true, they still treat the Jews like dogs there and the Jews are leaving as fast as they can get out of that place. That doesn't stop this government or the NDP who have been continually agitating for friendly relations, more trade, brotherly love. In fact the Minister of Education went to Russia to exchange ideas, maybe we could learn something. Well with the type of educational system they have, Mr. Speaker, I don't think they can learn very much. They teach the same evolutionary nonsense in Russia as they teach here. But the Minister made a big thing out of it, that because something happened 60 years ago for the rest of his life he's going to oppose any type of restraint or censorship. That's pretty ridiculous, Mr. Speaker, coming from an intelligent Minister. And all of this, Mr. Speaker, is done in the name of civil rights and personal liberty, personal contract. You know, Mr. Speaker, that back at the turn of the century, I really believe it was the turn of the century, when they had kids - five, six year-old kids - working in mines and in cotton plantations. At that time when they were trying to stop this type of thing, you know that the employers were saying, and some of the mothers too, they fought against the law because they said, you know, we have to have our kids working because we'll starve. The employer fought it on the basis that it's their civil liberties, interference with the contracts and what is decided and agreed to between the parent and the child and employer, the government had no right to interfere. They're using a similar argument now in committee about several other aspects, some of which I agree with. But, Mr. Speaker, on the basis of pure civil rights, they defended slavery and child labour and the Ministers certainly know about it. They have read the history of it and they're using the same ridiculous and basically bad principle and argument in order to support their stand on this bill.

Mr. Speaker, these smut-thirsty Bolsheviks have the indecency to defend evil, smut

(MR. BOROWSKI cont'd) peddlers on the same false principle. Mr. Speaker, -- (Interjection)-- Well you want to talk about the Students' Union? I understand right now, Mr. Speaker, that when you go to University you have to pay \$30 a year which is compulsory. Where is their civil rights bill that they are so proud of? Students' Unions get \$420,000, it's almost half a million dollars in student fees. It's compulsory. And this is the government that brought in a bill saying that the smut peddlers can show whatever they want, can show whatever they want because it's their civil rights. I mean nobody can tell them what they can show. And who is going to make that decision, Mr. Speaker? They were telling us that there was nobody to make a decision but, Mr. Speaker, you know who's going to make the decision today? They have given the right, the Supreme Court right, to one theatre owner. If he's a Catholic, he will say "no dirty movies". If he's a smut pusher like some of the Ministers, he's going to allow every dirty film to be in there. That's right, Mr. Speaker, we don't trust twelve people or five people on the Censor Board to decide what is dirty but the bill is going to say that one theatre owner, one theatre owner is going to decide what is obscene and what is not obscene. At the University, Mr. Speaker, they don't even make that distinction. They're showing all the dirty movies, all the restricted movies without censorship and without any restrictions. This government knows it, this government knows that the movies shown downtown where you are liable for a fine, which incidentally has never been used, you're liable to a fine if you let a kid under 18 into the theatre, they take that same movie to the University - and the Minister knows that, Mr. Speaker, - and they spit on the law and this government doesn't do a thing about it. They're great civil libertarians, the champions of the smut peddlers, the dirt pushers.

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: I did indicate to my honourable friend from Thompson that I would call Bill 70 in order to give him an opportunity of making his contribution. I think that I fulfilled that obligation and the honourable member knew -- first of all earlier this afternoon, Mr. Speaker, the member indicated to me that he would like to absent himself for a day or two from the House and I think that I accommodated him as the House Leader. It's now 5:30, the normal time of adjournment and I'm wondering whether my honourable friend would give back that courtesy to me and terminate his contribution very very briefly in order that we honour each other's positions.

MR. BOROWSKI: I'll leave it to the House, I have about 10 minutes, I don't like to impose on the House, Mr. Speaker, I have about 5 to 10 minutes, if I have leave I'll complete it; if I don't have I'll wait till Monday to complete it.

MR. SPEAKER: Order, please.

MR. PAULLEY: Well, Mr. Speaker.

MR. SPEAKER: Order. May I suggest the honourable member has already spoken for 35 minutes, he has only give minutes left in any event.

MR. PAULLEY: Well, Mr. Speaker, then I would suggest that we give my honourable friend the Member for Thompson that five minutes, providing we of course have unanimous consent. I want to accommodate my honourable friend and allow him to go up north where the air is pure.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, there is an alternative which I think all honourable members would agree to including the Member for Thompson. Since it is clear that certain honourable members will wish to speak and they too will not be able to be here tomorrow, that we will not call this bill till Monday; it can stay over in the name of the Honourable the Member for Thompson.

MR. PAULLEY: For five minutes?

MR. SCHREYER: Well for 5 or -- and if the House decides to give leave for another five minutes. So if we could just allow it to stand in the name of the honourable member and call it on Monday.

MR. PAULLEY: Or give him the five minutes. Whichever it is. It will only be for five minutes even on Monday.

It seems to me that there is an inclination to allow the debate to stand for five minutes in the name of the Honourable Member for Thompson, but I again want to repeat, my honourable friend from Thompson asked me if I would call this in order that he may absent himself from the service of the House for Monday, but now he's coming back to speak for five minutes,

(MR. PAULLEY cont'd) the onus is on him and not me as the Leader of the House. And I want that clearly understood, it will only be for five minutes because I will not give leave for any longer a period of time.

MR. BOROWSKI: Mr. Speaker, the Premier's suggestion is acceptable, not the House Leader's.

MR. PAULLEY: That is that you have the five minutes? --(Interjection)-- Let's get this clarified. Is there leave to give my honourable friend five minutes to complete his remarks today?

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, on a point of order. I think we should leave the time open so that they can speak next time because I want to call for yeas and nays and that would take quite some time after the . . .

MR. PAULLEY: Mr. Speaker, apparently the desire of my honourable friend for Thompson cannot be accommodated as I was prepared to accommodate so he was not here on Monday; the resolution will be up on Monday and my honourable friend will only have five minutes to speak on Monday. Now that apparently is the disposition of the House. I don't agree with it, I don't agree with it but that is the disposition, that is the disposition of the House.

Mr. Speaker, may I remind honourable members of the Assembly and in particular those members of the Industrial Relations Committee that that committee will be meeting at 8 o'clock this evening. The next session of the House will be called for tomorrow morning at 10 o'clock, at which time there is the possibility that Bill No. 70 will be called by the House Leader who is charged with the responsibility of the conduct of the House.

Therefore, Mr. Speaker, I move, seconded by the Honourable Minister of Finance that the House do now adjourn and stand adjourned until 10 o'clock tomorrow morning and the Honourable Member for Thompson will pick up Bill 70 at that time.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried and the House adjourned until 10 o'clock tomorrow (Friday) morning.