

THE LEGISLATIVE ASSEMBLY OF MANITOBA

10:00 o'clock, Friday, March 23, 1973

Opening Prayer by Mr. Speaker.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed I should like to direct the attention to the gallery where we have three guests of the Honourable Minister of Health, Mr. T.H. Sinclair who's Command Chairman; F.J.A. Orchard, Committee Chairman; and E.C. Hodgert, Executive Secretary. On behalf of all the honourable members we welcome you here today.

We also have 8 students of Grade 10 standing of the North Western Youth from Thunder Bay, Ontario. These students are under the direction of Rev. Morley. They are our guests.

We also have 45 students of Grade 11 and 12 standing of the Miles Macdonell School. These students are under the direction of Mr. Peters. This school is located in the constituency of Kildonan, my own constituency.

We also have 50 students of Grade 5 standing of the St. Alphonsus School. These students are under the direction of Sister Loretta and Mrs. Burns. This school is also located in my constituency of Kildonan.

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

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

The Honourable Minister of Tourism and Recreation.

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

HON. LAURENT DESJARDINS (Minister of Tourism Recreation and Cultural Affairs) (St. Boniface): Mr. Speaker, I just wish to say that I have copies for each member of the 1973 Vacation Handbook and I would like to have the page distribute them. I think that the members could use them when they visit Manitoba.

MR. SPEAKER: Notices of Motion. The Honourable Minister of Health have a Notice of Motion?

HON. BEN HANUSCHAK (Minister of Education)(Burrows): No, Mr. Speaker, I was about to rise on Ministerial Statements.

MR. HANUSCHAK: If honourable members will bear with me, I'll have copies within a couple of minutes.

MR. SPEAKER: Is it agreed? Very well.

MR. HANUSCHAK: Before the Orders of the Day, Mr. Speaker, I should like to make an announcement regarding increases in financial support to school divisions and remote school districts which will take effect in 1973.

First, the provincial share of the total cost of the Foundation Program will be increased from 75 to 80 percent. The effect of this change will be to reduce the rate required to be imposed on the balanced assessment of farm and residential property from 8.4 mills in 1972 to 3.5 mills in 1973 - a reduction of 4.9 mills. The rate on other property will remain at 33.9 mills.

In 1971 the government instituted a per pupil grant of \$18, in addition to all other grants payable unto the foundation program. Effective January 1, 1973 this grant will be increased to \$50 per pupil and will result in an increased cost to the foundation program of an estimated \$7,450,000.00. (applause) In addition to the foregoing changes the government is also instituting a system of equalization grants based upon the balanced assessment per pupil in each division and graduated in inverse proportion to that assessment. In order that those divisions with more limited access to revenues through local taxation and real property may receive correspondingly increased grants, the actual scale of grants be as follows: A division with a balanced assessment range of \$10,850 or more will receive an equalization grant of \$3.00 per student; a division with a balanced assessment range between \$9,600 and \$10,850 will receive \$6.00 per student; a division with a balanced assessment range between \$8,350 and \$9,600 will receive \$9.00 per student; a division with a balanced assessment range between \$7,100 and \$8,350 will receive \$12.00 per student; a division with a balanced assessment range between \$5,850 and \$7,100 will receive \$15.00 per student; and one with assessment range between \$5,850 and \$4,600 will receive \$18.00 per student; and a division with a balanced assessment less than \$4,600 will receive \$21.00 per student, the maximum equalization grant. The estimated cost to the

MINISTERIAL STATEMENTS AND TABLING OF REPORTS

(MR. HANUSCHAK cont'd). . . . Foundation Program of this latter innovative program is \$2, 072, 000.00. The net effect of these three changes is to increase the provincial contribution toward the cost of public school education by some \$14 million in the current year. These increases in the grants will place substantial additional amounts of money in the hands of school divisions and will undoubtedly provide substantive property tax relief in 1973.

I may add, Mr. Speaker, that letters are being sent today to all school divisions, remote districts and municipalities advising them of these changes, and that the Public Schools Finance Board is also advising the school authorities as to the amounts of additional revenue each can expect to receive as a result. (Applause)

MR. SPEAKER: The Honourable Member for Riel.

MR. DONALD W. CRAIK (Riel): Mr. Speaker, I'd like to thank the Minister for his statement and it will take us some time to go over the details of it and find out just what the full impact of it is with regard to the operation of the public school system. I would point out two items that I think are of concern. One is that we seem to keep working on a patchwork type of approach to the financing in the public school system rather than to keep up the level of the foundation grant to a point where all the different approaches may or may not be necessary.

Secondly, you do make a comment that will the injection of \$14 million into the public school system that it will undoubtedly provide substantive property tax relief in 1973. I would question very seriously, Mr. Speaker, whether this is going to at \$14 million provide any substantive relief, I suspect it will about keep up with the growth of the cost in the public school system.

On a positive note, the scaled grants that you list on the bottom of Page 1 based on assessment per student in the different school divisions is welcome. It has been an issue that has been raised many times by the Member for Emerson and were he here in his seat I am sure he would gladly stand up and say that this is a good move as far as he's concerned, and it will be good for those rural constituencies in particular that suffer from low assessment. Thank you, Mr. Speaker.

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

MR. I. H. (Izzy) ASPER (Wolseley): Mr. Speaker, on behalf of the Liberal Party I thank the Minister for his statement and add the wholehearted approval of our party for the steps that have been taken. The only remarks I would make is that if there is a criticism, and it certainly is the function of the Opposition parties to criticize, it is only that it is a \$14 million drop in the bucket in solving a very serious problem. We certainly approve the concept of scaling grants. . . --(Interjections)--

MR. SPEAKER: Order, please.

MR. ASPER: Mr. Speaker, the position we take is that approximately 70, or probably a little higher this year, \$70 million will be raised by taxing homes, property, to pay for the cost of education. It is a policy commitment of the Liberal Party that this type of financing of education school tax be removed. If this is the government's answer to contribute another \$14 million to the program when the requirement is \$70 million and when the capacity of the government exists financially to have made a far more meaningful stride toward that objective, then while we welcome any contribution the government makes to solving the problem, we must certainly leave it on the record that this is not a satisfactory nor a complete solution.

MR. SPEAKER: The honourable member have leave? Sorry. Any other Ministerial Statements or Tabling of Reports? Notices of Motion; Introduction of Bills. The Honourable Member for Osborne.

MR. IAN TURNBULL (Osborne): Mr. Speaker, may I have leave to have this matter stand.

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

POINT OF PRIVILEGE - HYDRO ADVERTISING

MR. SIDNEY SPIVAK, Q.C. (Leader of the Opposition)(River Heights): Mr. Speaker, I rise on a matter of the privileges of the House, and I'm sorry that the First Minister is not in his seat but this is the first occasion and the proper occasion in which this matter should be raised. I rise, Mr. Speaker, because the First Minister on March 8th deceived this House in a reply to a question concerning advertising by Manitoba Hydro.

Mr. Speaker, I will now refer to the statements made in the House, they're on Page 381

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(MR. SPIVAK cont'd). . . . of Hansard. The question was asked by the Honourable Member for Portage la Prairie, and he stated: "Mr. Speaker, I direct my question to the First Minister in his capacity as Minister for Utilities. In view of the fact that Mr. Bateman, the Chairman of Manitoba Hydro, has issued a power shortage warning if certain developments don't proceed by 1975 on the Nelson system, could he tell us why the Manitoba Hydro is taking full page ads encouraging the use of electricity for heating of homes, which is the most high usage use of electricity."

Mr. Speaker, the Honourable First Minister: "Mr. Schreyer: There are a number of inaccuracies in my honourable friend's question and I will have to deal with them in my answer. No. 1, the ad that my honourable friend refers to is a full page ad, I admit, but it is run by I believe 10, 11 or 12 private wholesale electrical distributors. Manitoba Hydro has nothing to do with that; it is not the sponsor of the ad. No. 2, and there were some interjections, Mr. Speaker, Mr. Speaker asked for order. "Mr. Schreyer: No.2, Mr. Speaker, Manitoba Hydro has adopted the policy for the past approximately one year, slightly less than that, to discontinue its former practice of advertising, promoting the consumption of electrical heating, winter heating of homes; and No. 3, I am not the Minister of Utilities."

On the next page, Mr. Speaker in Hansard in reference to a question by the Honourable Member from Rupertsland, Mr. Schreyer stated, and I quote: "No. 1, we have requested that Manitoba Hydro take under policy advisement the desirability of discontinuing the promotion of electrical heating, and that has been done after consideration by Manitoba Hydro."

Mr. Speaker, today on CBC it was acknowledged that Manitoba Hydro officially informed the corporation that they are in fact co-sponsoring the Hydro ads now being placed, full page, by the electrical distributors, that in effect they are paying a substantial portion of those ads, have been and are continuing to pay for them. Mr. Speaker, that is directly contrary to the information that was furnished by the Honourable First Minister.

Mr. Speaker, this is not the only occasion in which we have had to deal with this.

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

MR. SPEAKER: The Honourable Minister of Labour state his point of order.

HON. RUSSELL PAULLEY (Minister of Labour)(Transcona): Yes, Mr. Speaker. The point of order is basically that contained in our rules. That when a matter of privilege arises it shall be taken into consideration immediately. My honourable friend is using Hansard to go back to March 8th and I would in all respect suggest to you that that portion should have been taken up, and if the Honourable Leader of the Opposition, if the Leader of the Opposition is referring to the most recent event, that's all right as far as I'm concerned, but the reference back to March 8th and the matter that my honourable friend raising of the Premier deceiving the House, I do not - I think should have taken place at that time.

MR. SPEAKER: Order, please. Would the Honourable Member for Rupertsland contain himself, he'll have an opportunity to speak, too. The Honourable Member for Morris on the same point of order.

MR. WARNER H. JORGENSEN (Morris): Mr. Speaker, on the point of order. The Minister of Labour as usual is incorrect and is attempting to deceive the House on the rules. The Leader of the Opposition stated very clearly that the information that Hydro was sharing the costs of these ads came to us this morning and this is the first occasion that we've had to raise it. Notwithstanding what had gone on before, the First Minister replied on March 8th to a question asked by the Member for Portage la Prairie. We assume in this House that when Ministers reply to questions they give honest and correct answers. We did not know until this morning that the answer that was given by the First Minister was not in accordance with the facts according to the statement made by Hydro this morning, so this, Sir, is the first occasion that it could have been raised because it is the first time we knew that Hydro was indeed sharing the cost of those ads.

MR. SPEAKER: The Honourable House Leader.

HON. SIDNEY GREEN, Q.C. (Minister of Mines, Resources and Environmental Management)(Inkster): Mr. Speaker, on the point of privilege that is raised by the honourable member . . .

MR. SPEAKER: Order, please. Is the honourable member speaking on the point of order raised by the Minister of Labour in regard to the matter of privilege?

MR. GREEN: On the matter of privilege that was raised by the Honourable member, the

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(MR. GREEN cont'd). . . . leader -- Well, Mr. Speaker --(Interjection)-- well then I rise on another --Mr. Speaker, then I rise on another point of order.

MR. SPEAKER: Order, please. Let's have some semblance of order. The honourable gentleman sit down for a moment.

MR. GREEN: Then I rise on another point of order.

MR. SPEAKER: Very well, you may rise, but I am rising at the moment so would the honourable gentleman sit down for a moment so we can get together.

I have entertained a point of order on a matter of privilege because the point of order takes precedence. In regard to the point of order that was raised by the Honourable Minister of Labour and spoken to by the Honourable Member for Morris, I would say in my opinion that the point of order does not at the moment have relevance. That the matter of privilege may be debated, and I will listen to further arguments on the matter of privilege.

The Honourable Leader of the Opposition at the moment.

MR. SPIVAK: Mr. Speaker, this is not the first occasion in which . . .

MR. GREEN: Mr. Chairman, that's my point of order.

MR. SPEAKER: The Honourable House Leader on his point of order.

MR. GREEN: Mr. Speaker, the honourable member made a position which I certainly think has no validity, and which I'd be very anxious to deal with on its merits, but in the course of having made his position of what he suggests is a deliberate deception of the House and has done nothing to substantiate it, he is now on that point of privilege going to say, and started to say and I am correct in interrupting him in flight, that this is not a first occasion, that other things have happened, etc. etc. etc. And I suggest, Mr. Speaker, with the greatest of respect that that has no relevance to the matter of privilege that he is raising, and the House is not expected to debate what he now says "other occasions" in discussing his material point of privilege, and I would ask the honourable member to stick to the point which can be very easily handled in that context, and if he starts to go into "this is not the first occasion", then he is not sticking to a point of privilege that he has raised.

MR. SPEAKER: I would suggest that that point of order does have validity. The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I will bow to your wishes. Certainly I intended to follow your recommendation and my assumption was that when you indicated that the point of order was not relevant to the matter that I would have been allowed to continue. However, Mr. Speaker, I can basically finish my point of privilege by suggesting to the House, and through you to the House, Mr. Speaker, that this very minor matter with respect to the information to be furnished to the House clearly demonstrates the problem of deception with respect to Hydro generally.

MR. SPEAKER: The Honourable House Leader wish to speak to that . . .

MR. GREEN: On the matter of privilege, the honourable member would have a position for deception only if he could show two things: (1) That the honourable member that he is referring to, who is not here, and I regret it, when he made the remarks knew them to be incorrect, that is the only basis for the suggestion of deliberate deception. And secondly, Mr. Speaker, that the remarks that he is now making are correct. Neither of those two things having been established. I suggest that there is no point of privilege, but I suggest that there is a point of clarification. That the Honourable First Minister will look at what the honourable member now says, he will review -- if he were here he would certainly be saying what I am saying -- what the honourable member has said and then he will clarify, Mr. Speaker, to the House.

But I think it should be precisely put, Mr. Speaker, that no member can be accused of deceiving the House in a deliberate fashion, which is the implication, although the studiously avoided suggestion of the Leader of the Opposition, because he said that the First Minister has deceived the House. Now the word "deception", Mr. Speaker, implies the knowledge that you are making a wrong statement and making the wrong statement. Both those two things are lacking, there has been no suggestion that the First Minister knew he was making a wrong statement. Secondly, no proof that the statement is wrong. The honourable member says that the CBC announced something. Well I expect, Mr. Chairman, that in due course we're going to be discussing whether what is announced on a television program is taken to be fact, that in due course we are going to be into that. Neither of those things having happened I would

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(MR. GREEN cont'd). . . . suggest with the greatest of respect, Mr. Speaker, that no prima facie case that the Honourable First Minister has deceived the House has even approached being made and that the proper course of action was to wait for the First Minister to return to the House so that clarification, if any, can be made. If any is needed, can be made.

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

MR. GORDON E. JOHNSTON (Portage la Prairie): Mr. Speaker, I rise on the matter of privilege raised by the Official Leader of the Opposition. On March 8th when I posed my question to the First Minister and I received his answer I thereupon apologized for making the statement I now withdraw that apology.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. HARRY J. ENNS (Lakeside): Mr. Speaker, just in some conclusion on the same point of privilege, Mr. Speaker, I suggest to you that when the Manitoba chairman described the overexpenditure on Lake Winnipeg and Jenpeg works at being 50 . . .

MR. SPEAKER: Order, please.

MR. ENNS: . . . the First Minister described . . .

MR. SPEAKER: Order, please. Order, please. ORDER. Would the Honourable Member for Lakeside sit down. He knows the rules of this House very well. He's introducing extraneous material which has no relevance to the matter of privilege. I do think that honourable members should contain themselves and give some thought to what they are going to express in this House. If they wish that I should adjudicate on every little matter that is in their mind which is not necessary to the conduct of this House it makes my role very difficult. I would hope that I would get the co-operation of all the honourable members.

I would also say that when the Speaker rises -- it's in Beauchesne -- in order to preserve order, every member should have the courtesy to sit down and wait until the Speaker is done, whether it's myself or any other speaker or the chairman of committees, this is the procedure we follow. I do believe that democracy works only if we are courteous towards each other; if we're not then we may as well forget about rules and do what we like. The Honourable Member for Morris.

MR. JORGENSON: Mr. Speaker, I should like to reply to the comments made by the House Leader. If one was to accept the proposition now being offered by the House Leader we would then have to challenge every statement that is made on that side of the House. Because, Sir, when replies to questions are given in this House the whole purpose of this exercise is to get information from the government, and when we ask questions, Sir, we expect those answers are honest answers. Well, Sir, then if it is found out later that the information that is given by a particular minister is not in accordance with the facts then we have a legitimate question of privilege to raise. And I don't think, Sir, that the House Leader is interpreting correctly the purpose of a question of privilege when he says that we have to prove, we have to prove that the answer to a particular question was inadvertent or was misleading or was not in accordance to the facts. We are raising the question of privilege, which I think is a legitimate one, we expect if the First Minister is going to reply either that he is going to apologize for having inadvertently misled the House or otherwise. And once that has been dealt with then we have dealt with the . . .

MR. SPEAKER: Order, please.

MR. JORGENSON: . . . situation in the manner it should be dealt with.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Chairman, I don't disagree at all with my honourable friend. I didn't say it's not a matter of privilege; I said that the charge of deception has not been properly set out because the honourable member, the Leader of the Opposition accused the First Minister of deception. All I said was that in order to prove deception you have to prove two things one, that the person who said it knew at the time that he was making a misstatement; and secondly, you have to prove that indeed it was a misstatement. Both of those things had not been proved. I am not saying that the honourable member was not right in rising on a matter of privilege, in saying that on a blank date the Honourable the First Minister said this which we now believe to be incorrect and demanding a clarification. Mr. Speaker, if that would have been said I would have not risen on a point of order, I would not have criticized the honourable member for making his remarks. Indeed I would have said it was a service to the House for him to have got up and asked for a clarification of a previous misstatement. When

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(MR. GREEN cont'd). . . . the honourable member transfers that statement into a charge of deception then -- the Leader of the Opposition -- then it is incumbent upon me to give my views to the Speaker and to the House as to what constitutes deception. And I repeat, deception means two things: One, that the person making the statement knew it was incorrect; secondly, that the statement was in fact incorrect. None of those two things have been shown; therefore the course that the Honourable Member for Morris now takes, that the First Minister should be asked to clarify is a reasonable course, a like course alleged by the Leader of the Opposition, and the First Minister is here and can clarify.

MR. SPEAKER: The Honourable Member for Riel or the First Minister. The First Minister.

MR. SCHREYER: Mr. Speaker, I understand that the problem arises from some accusation by the Leader of the Opposition that there was a deliberate attempt to mislead. I believe that the subject matter of the question having to do with advertising and Manitoba Hydro really arises from two sources - one of the questions asked by the Honourable Member for Rupertsland approximately a week or ten days ago with respect to Hydro advertising and also the Member from Portage la Prairie.

Like most things, Mr. Speaker, there are a number of details involved here, all of which I was not aware of at the time. My information is, and my answer stands essentially as I gave it to the Member for Rupertsland and the Member for Portage la Prairie some days ago, that Manitoba Hydro does not any longer engage in any direct advertising for the promotion of electrical heating for example, and in fact there has been a reduction in the budget used for promotional advertising - promotional energy consumption advertising. However, there is also I'm advised a long - standing program sometimes referred to as the co-operative advertising program which involves Hydro and the electrical distributors and retailers and electrical supplies manufacturers. And in this program - I can't advise my honourable friends of how many years duration, but I'm advised it's quite a number of years - Manitoba Hydro contributes one-third, in a range of one-third to one-half of the cost of any approved co-operative advertising program, that is to say co-operative as between Hydro itself, electrical manufacturers and distributors; and that the budget - and this I will have to check in further detail - of some \$200,000 used, a fairly constant level of about \$200,000 in previous years has been scaled back to \$58,000 for purposes of advertising for promotion of product; and I assume that the 58,000 would be through the aegis of this co-op type of advertising program.

There are other details still, Mr. Speaker, and this leads me to advise honourable members once again that matters involving detail of administration of Manitoba Hydro, involving cost estimates, for precise answers, should be either written questions or else questions put at the Utilities Committee when Hydro itself is present.

ORAL QUESTIONS cont'd

MR. SPEAKER: The Honourable Member for Riel wish to speak to the matter? We're still on the question period.

MR. CRAIK: Mr. Speaker, I'd like to direct a question to the First Minister as to whether or not he will reconsider a statement he made on March 9th regarding the over-run in costs with regard to Jenpeg and Lake Winnipeg. I want to, if I can, to read you the statement that was made I can quote the project . . .

MR. SPEAKER: Order, please. I would suggest that any matters which are now before a committee, which can be verified there in detail are not the proper place for the oral question period. The Honourable First Minister.

POINT OF PRIVILEGE

MR. SCHREYER: Here I would like a point of privilege, Mr. Speaker, because while I certainly do not apologize to the House for information relative to promotion, because basically, Sir, the information I gave was essentially correct relative to advertising policy, insofar as --(Interjection) - I didn't know, Mr. Speaker, if I heard the laughter of fools or what, but I did hear some laughter.

SOME MEMBERS: Hear, hear.

MR. SCHREYER: Mr. Speaker, with respect to the various estimates of cost and cost over-run relative to Manitoba Hydro's Nelson River development plan and the Jenpeg project

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(MR. SCHREYER cont'd). . . . and the Lake Winnipeg control aspect of it in particular, I would like to apologize to honourable members in the sense that on the day when I gave the figures, honourable Members I think will have to recall the context however, that I indicated that since Hydro - the Utility Committee was being convened, that members would be better advised to ask the questions at the Utility Committee. But I said in the interval I will hazard a guess as to what the cost, the ratios are as between the electrical generating station, the Hydro generating station and the control structures, and as Mr. Bateman has already given those figures, and so what I had given to the House of course was inaccurate in the sense that I had overstated the cost of the generating station and understated the cost of the control structure

Just going by memory, I believe I indicated that the generating structure was in the order of 100-110 million and the control structure was I don't know if I put a figure on it, but I believe I said it was in the order of 15 percent in excess of what the earlier estimate had been. I believe honourable members in committee, that were at the Utilities Committee will recall that Mr. Bateman pointed out that the cost allocation is 95 million for the generating structure instead of 100 to 110 and for the control structure is in the order now of 82 million. As far as accuracy is concerned, neither the Member for Riel nor I can claim any great credit for accuracy, but the figures were given the other day in committee

MR. SPEAKER: The Honourable Member for Riel.

MR. CRAIK: Mr. Speaker, I'd like to speak on a point of privilege with regard to this matter then.

MR. SPEAKER: Order, please.

MR. CRAIK: I would like to . . .

MR. SPEAKER: Order, please. Before the honourable member does, I think possibly I should introduce --(Interjection)-- very well.

MR. GREEN: The Minister spoke on a point of privilege and the honourable member is entitled to pursue the point.

MR. CRAIK: I'm speaking to the same point of privilege, Mr. Speaker, and I want to read one sentence. It says - this is from the First Minister: "It is absolutely ludicrous, absolutely ridiculous to suggest anything in the order of 70 percent or whatever". Mr. Speaker, the statement in the first place was that the cost over-run was 70 percent on the total structure, control and power generation, the whole works, and the First Minister's preceding remarks also referred to the total cost of both aspects of the project. In other words, Mr. Speaker, the statement was that we were absolutely ludicrous and ridiculous to say that the total cost on both these projects was 70 percent.

Mr. Speaker, the question that I originally wanted to direct to the Minister was, in light of Mr. Bateman's statement, and this being the first opportunity to raise it in the House, in light of his statement that the costs are probably 50 percent plus, \$50 million plus on the total project over original estimate and still likely, Mr. Speaker, to go to the 70 percent over before the project is done, if the Minister will not reconsider his reply to the question put earlier on March 9th.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Well, Mr. Speaker, I will have to check Hansard, but my recollection of what my honourable friends were trying to imply is that the cost of the Lake Winnipeg regulation project had escalated by 77 percent, I believe that was the figure that my honourable friend used, 77 percent, which I contended at the time was ludicrous. My understanding, Sir, is that the control, Lake Winnipeg regulation or control project, has escalated in the order, according to Mr. Bateman's figures before the Committee the other day, in the order of 46, I believe, 46.01 percent is calculated as the most recent estimate and -- well, if there's any point of privilege here, Sir, I fail to see what it is because I would then like to table a document in this House which will show what this House was told by the previous First Minister with respect to the cost of Kettle Rapids, and to show the pattern of what happened to that cost, Sir, \$141 million was what this House was advised the Kettle Rapids Plant would cost, and then we know - and I would like to table this document if there is a desire for it - that the cost has since gone from 141 to something in excess of \$200 million within a period of two years between 1967 and 1969.

Be that as it may, Sir, the matter of cost escalation and construction projects is something which I do not claim that I can take a pencil and paper and figure it out and give my

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(MR. SCHREYER cont'd). . . . honourable friends my word for it.

MR. SPEAKER: The Honourable Member for Riel.

MR. CRAIK: Mr. Speaker, I would like to direct a further question to the First Minister and ask him when did Hydro inform him of the figures that he used in answer to the question on March 9th, the question placed by the Member for St. George, because the figures are given here for both parts of it.

MR. SCHREYER: Mr. Speaker, the context in which that was put was such that I had indicated, I believe earlier that same day or the day before, that we would be in the Public Utilities Committee on Monday, March 19th and on subsequent days, and the questions of detailed figures should be asked there. And it's true, I did hazard the opinion that the estimate of 77 percent on Lake Winnipeg control was a ludicrously high estimate of cost escalation and I ventured an estimate in the order of, I think it was 15 percent and that I must admit, Sir, and I have already done so, was low. I believe that Mr. Bateman indicated to members of the committee, as I said, 46 point some percent.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed further I should like to direct the attention of the honourable members to the gallery where we have 30 students of Carman Collegiate. They are here under the direction of Mr. H. Smith. These students are located in the constituency of the Honourable Member for Pembina. On behalf of all the honourable members I welcome you here today.

ORAL QUESTIONS cont'd

MR. SPEAKER: The Honourable Member for Thompson.

MR. JOSEPH P. BOROWSKI (Thompson): Mr. Speaker, I have a question for the Minister of Health. I wonder if he could indicate why abortions when performed for genuine medical reasons are paid for by Medicare at the rate of \$38.25, and if done for frivolous reasons Medicare pays \$63.75 as revealed by a doctor on a hotline this morning.

MR. SPEAKER: The Honourable Minister of Health.

HON. RENE E. TOUPIN (Minister of Health and Social Development)(Springfield): Mr. Speaker, I was not listening to the hotline show but I was informed of the apparent discrepancy in payment for a similar service. I have asked the representative of the Health Services Commission to call the hotline and I'll take the honourable member's question as notice and bring back the information to the House.

MR. BOROWSKI: A further question, Mr. Speaker. When the Minister has the figures will he ask the doctors, or ask Medicare to request the doctors to return the difference of \$25.50 which they have received for most of the abortions performed in 1972?

MR. TOUPIN: Mr. Speaker, it is very difficult to, you know to actually accept the fact that it is a similar service. This is why I took the Honourable Member for Thompson's first question as notice and the other one will have to be taken under advisement.

MR. BOROWSKI: A final supplementary, Mr. Speaker. While the Minister is checking with Medicare, could he also find out why these abortions required hospitalization anywhere from 3 to 6 days, while the same type of abortion in New York requires no hospitalization at all?

MR. TOUPIN: Mr. Speaker, I would indicate here that, you know, pertaining to the different abortions that are performed in our province or elsewhere, there could be complications pertaining to the performance of the abortion that would actually cause a patient to remain in hospital longer.

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

MR. GREEN: Mr. Speaker, I waited a reasonable length of time to . . .

MR. SPEAKER: Order please. We are still on the oral questions.

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MR. GREEN: I'm not moving into the Order Paper. Mr. Speaker, I waited a reasonable length of time to see whether anybody in the House would claim that he has been misquoted on television or on radio or in the newspapers, which people have sought to do when they feel that they have been wrongly quoted and the Leader of the Liberal Party said that he didn't hear the

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(MR. GREEN cont'd). . . . Minister of Northern Affairs claim that he was misquoted and therefore he must assume that he was quoted properly.

I undertook to do something yesterday in the House. I undertook to get a transcript of the television show in which, Mr. Speaker, I said that I understood or that the Leader of the Liberal Party had said on television - and I believe I'm using the remarks most favourable to him - that he had a copy of a report which was government property. The honourable member said he didn't have the report. I withdrew the remarks and said that I would get the transcript, and I want to indicate, Mr. Speaker, that it was the television remarks that I was referring to which I am now satisfied I did not misinterpret.

The show started with Mr. Craik, it then went to myself saying that I had no knowledge of a report, that I did not receive a report, that there was data being received from Mr. Newbury, that I would undertake to get that data and table it, or I told the committee that, I didn't say that on television; but on the television I said that I had not received a report - that there was material being received.

The television tape then continued with announcer's clip which reads as follows: "Meanwhile Liberal Leader I.H. Asper, who played a major role in this morning's debate on the alleged suppression of a report by Professor Newbury, backed up Mr. Craik's charges and said there indeed was such a report; in fact, in speaking to the Big News, said he was holding one and referred to it as he spoke". The television clip then proceeds to Mr. Asper who is looking down and apparently reading - I couldn't swear that he was reading because there are many people fooled by what occurred and I don't want to be fooled again - apparently reading a very large report, 200 pages in length. "It's called the Physical Impact Study. It deals with shoreline damage to the Nelson and Churchill Rivers in the diversion plan. For Mr. Green to suggest that he has not got it is amazing. It is our understanding 18 copies were made available to the study board. For him to characterize Dr. Newbury in this way is quite improper because Dr. Newbury is under considerable pressure and we don't know why. Lawyers are meeting and there are severe constraints on this man and reports should be made public."

That is Mr. Asper's clip, Mr. Speaker. I'll continue and the honourable member will have his opportunity. I have arranged with the television station to have that clip shown for honourable members who wish to see it at 5:30 in the afternoon after the House adjourns, in the Members' Lounge.

Now, Mr. Speaker, I will admit that I may have been fooled which shows that there is a capacity for fooling people. The news said, "In fact, in speaking to the Big News, Liberal Leader I.H. Asper", and I'm interspersing that because he's talking about Mr. Asper, "said he was holding one and referred to it as he spoke." There was such a report, he was holding one, and referred to it as he spoke. My impression was from the newscast by the way, and I talked to numerous people who saw the newscast who got exactly the same impression that I got. In our first talk with Mr. Scholl he had the impression that Mr. Asper said he had the report. In my talk to the news cameraman he said that he thought Mr. Asper said that he had the report.

In fairness to both Mr. Asper and to Mr. Scholl after these discussions when I arrived home at 11:30 last night, there was a call from Mr. Scholl; I spoke to him. Mr. Scholl accepted full responsibility for the fact that he had made an error, that Mr. Asper had informed him that he had not had the report, that Mr. Scholl had assumed that Mr. Asper -- I have no reason, Mr. Chairman, to disbelieve Mr. Scholl. I have no reason whatsoever to disbelieve Mr. Scholl. Mr. Scholl has indicated that he accepts full responsibility for the error; that Mr. Asper had said I've got it or I have it here he assumed that he was talking about the report. He was saying that to Mr. Craik. Mr. Scholl has indicated that he will publish a full retraction. Apparently there were many, many people fooled in this area by the statement that Mr. Asper said that he was holding one and referred to it as he spoke. Mr. Asper apparently did not see fit to correct that statement, leaving it therefore on the record, Mr. Chairman, leaving the following things on record that he had a report, that he was holding it, that the government was suppressing it, and that Mr. Newbury was under suppression by lawyers.

I want to indicate, Mr. Speaker, that I informed the committee before Mr. Asper made his remarks that no legal proceedings were being taken by the government, that in fact the lawyers that Mr. Newbury was talking to were not our lawyers, we have not hired any lawyers, lawyers have not been involved, they were Mr. Newbury's lawyers and that I was going to put that data on the table in any case. After hearing that, Mr. Asper left the impression - and in

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(MR. GREEN cont'd) this there is no doubt -- that he had the report, that I had the report, because he says it's amazing for me to suggest that I didn't. I didn't have the report but I'm prepared to table the memo, the original memo, and unless Mr. Asper would accuse me of forging it, from my department . . .

MR. SPEAKER: Will the honourable member please refer to the member in the proper term.

MR. GREEN: The Leader of the Liberal Party. I will give to the House the original memo which shows that that report was given to me on the day in which I put it in the House, which was at 2:30 that afternoon. He left the impression that Mr. Newbury was under pressure from lawyers. We had no lawyers involved.

Now, Mr. Speaker, all I can say is that it is regrettable. I do have to -- I have no reason for disbelieving Mr. Scholl, who I understand is going to try to correct this incident on television, although I don't know how it will ever be corrected, but I leave it to the media to try it, and I have to accept Mr. Asper's statement that despite the fact that everybody was fooled including the cameraman, including all the television audience who saw it, that he did not have the report. I have to accept that.

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

MR. ASPER: Mr. Speaker, only once before in this House have I used the term McCarthyism. I use it again today. I use it again today, Mr. Speaker. . .

MR. SPEAKER: Order please. Order please. Order please. I would like to caution the honourable gentleman that one of the rules of debate and conduct of this House is that no inferences or imputations are made. We are all honourable gentlemen in this House. That includes the honourable member that's going to speak now, and he should use the same yardstick on every other member in this House because every reflection that is made in this House reflects on every member of the House. The Honourable Leader of the Liberal Party.

MR. ASPER: Mr. Speaker . . .

MR. SPEAKER: The Honourable Minister.

MR. GREEN: . . . that it was not said that the Leader of the Liberal Party said he had the report, and I would ask the honourable member to withdraw his charge of McCarthyism, to withdraw his charge that I had a report which I didn't have, and that I was suppressing Dr. Newbury with lawyers.

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

MR. ASPER: The term McCarthyism is not an unparliamentary term. The term describes a course of action. It is in common usage to describe a course of action which is based on smearing or attacking the integrity of one's opponents as opposed to dealing with issues.

MR. SPEAKER: Order please. Order please. Since the honourable gentleman has been kind enough to explain what it is, then he shouldn't utilize the same tactics. I again ask him, this is an honourable House composed of honourable members, and there should be no inference on any member. The Honourable Leader of the Liberal Party.

MR. ASPER: That is precisely my point, Mr. Speaker. The Mines Minister in standing up to do what he ought to have done yesterday and withdraw the insinuation that I had said something that I didn't say, he begins on the new premise that I didn't say it, I fooled everybody into thinking I had said it, and if that is not the kind of tactic which is best characterized by the term I used, Mr. Speaker, I can't think of a better adjective.

Mr. Speaker, the Minister now rises and say we fooled, we deliberately fooled. There couldn't conceivably, there couldn't conceivably be an honest error on the part of anyone.

MR. SPEAKER: Order. Order please. Order please. I can only have one member at a time speaking. Unless a member wishes to rise on a point of order or the other member yields the floor, one member only will be able to stand up and speak. The Honourable Leader of the Liberal Party.

MR. ASPER: Mr. Speaker, the news report that is referred to by Mr. Green, the Honourable Minister of Mines, I have never seen. It's identical to the situation where there's a newspaper. Unlike the Minister, unlike most of the government bench, we don't have time to listen to every news broadcast, read every newspaper, and see what the public is saying about us, and rise consistently in the House to correct not only the contents but the headlines ascribed to what we say, as the Honourable Mines Minister is wont to do, and so I have never yet, to this moment, seen the news broadcast. However, I know what I said and it is quite possible that because I was walking out of a meeting, holding a number of reports, and I said

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(MR. ASPER cont'd). . . . to the reporter involved, "Of course there's a report, the name of the report, and I did look down because on a piece of paper was the name of the report, and I read the title of the report. It is possible that the -- but to suggest that the reporter or the news media should make a retraction or that I should make a retraction, when the only retraction that ought to be made ought to be made by the bullying tactics of the Mines Minister, who now intimidates, tries to intimidate not only his staff but the media, too now. Well, Mr. Speaker, I'm not prepared to go to his movie show at 5:30 because I have other things to do, but the issue that is an issue in this House is this: The Minister of Mines, the Honourable Minister, stood up and he said that I said that I had a report.

MR. SPEAKER: Order, please.

MR. ASPER: Now Mr. Speaker, I said that I did not say that; that in fact not only did I not say it but I didn't have the report, and he has produced no evidence of any kind that indicates that that is incorrect, and I would expect him to have the integrity and the decency to stand up and apologize.

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

MR. GREEN: Mr. Speaker, now I am angry. I got up this morning, I got up this morning indicating that although I had perfect reason for saying what I am saying, that I had no reason to disbelieve Mr. Scholl, and I didn't, how that is intimidating him I don't know. That I had to accept the honourable member's statement that he didn't have the report - and I do accept it - that I had reason to say what I said in the House, that I read the clip which apparently the honourable member didn't hear so I'll read it again, because the clip says: "Meanwhile Liberal Leader I.H. Asper who played a major role in this morning's debate on the alleged suppression of a report by Professor Newbury, backs up Mr. Craik's charges and said there indeed was such a report. In fact, in speaking to the Big News said he was holding one and referred to it as he spoke."

Mr. Speaker, I said in the House that the Liberal Leader said on television that he had the report, at least that's my recollection. I now say that if one reads the clip and sees the picture he will understand why that remark was made. I then said that I was fooled, that I withdraw the remark - I said that yesterday. I said that I have no reason to disbelieve Mr. Scholl although Mr. Scholl said that Mr. Asper told him he was holding one of the reports and, Mr. Speaker, the news cameraman told me, and every single person who I saw who watched the television show got the same impression that I did. The Member for Virden told me the same thing yesterday. Therefore for the Leader of the Liberal Party to suggest that my request yesterday, the request from the Honourable Member for Thompson, that perhaps it should be investigated, that it was inopportune for me to consent - yes, maybe an investigation is necessary; perhaps the Member who usually asks for these things would do so that that was improper.

Compare that, Mr. Speaker, compare the impropriety with a suggestion that the First Minister investigate a bribe because Stan Fulham in a letter said that one of our people were bribed. Compare the two situations. We get criticized because the First Minister gets a letter saying: one of your -- John Morrisseau tried to pay somebody \$50.00. That should be investigated. But when a responsible newscaster says that Mr. Asper told him he had the report, referred to it as he spoke, Mr. Asper then reads the title of the report while looking down at it, that that should not be investigated and the Minister should not have commented on it.

Now, Mr. Speaker, I admit that the circumstances make it impossible for me to say and I do not say that Mr. Scholl is misleading me. I do know one thing, that Mr. Scholl -- that Mr. Asper, as the Leader of the Liberal Party, who now says that he hasn't got time to discount everything that he reads in the newspaper or discount everything that comes on television, Mr. Chairman, that he doesn't see all the newscasts. I am reasonably certain that the Leader of the Liberal Party knew today - morning - when he walked into the House, that he had allegedly been misquoted on television, because I believe that he explained the situation to Mr. Scholl, and therefore I would think that with what occurred yesterday that he would have got up in the House, said "this was said on television but I want to indicate that I didn't say it", that it was a misquote. I gave him a reasonable opportunity to do that; apparently he didn't feel fit to do that.

I have withdrawn the statement, Mr. Speaker, because I have no way of proving it and therefore would not make it. I give the House good reason as to why I made those remarks. I

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(MR. GREEN cont'd.) indicated that the Leader of the Liberal Party tried to leave the impression, even though I reported to the committee that the report would be made public, even though I reported to the committee that I did not see the report, tried to leave the impression to the television audience that both of those statements were lies. He has not seen fit to withdraw either of those comments.

MR. SPEAKER: Oral Questions. The Honourable Member for Riel.

MR. CRAIK: . . . to speak on the same point of privilege that has been raised here by the House Leader. I want to speak on it because in the latitude he took in his comments that he made he has not only attempted to straighten out his difference with the Leader of the Liberal Party but he's taken the opportunity to try and straighten out his position with regard to other matters as well. And the matter in particular that he has brought up here that requires comment is the matter of whether or not there was or was not legalistic maneuvering made to prevent Dr. Newbury from publicly using the information which he had generated. And, Mr. Speaker, the Minister said in his remarks here this morning that in absolutely no way was the government involved in any way in any suppression of Mr. Newbury's ability --(Interjection)-- That's right, Mr. Speaker. The Minister said that the only thing that Mr. Newbury got was advice from his own lawyers which had nothing to do with the government's position or anything else. Mr. Speaker, I think that this should be straightened out. There were legalistic maneuvers, there was the threat of a warrant and this came from not Mr. Newbury's lawyers alone, it came from his lawyers in conjunction with lawyers representing the government's position.

MR. GREEN: No.

MR. CRAIK: Then, Mr. Chairman, the advice that came to Dr. Newbury was that his report and his information had to be handed in lock, stock and barrel if you like, and was not to be used publicly by him or anybody else other than that, and if he did not hand it in he was under the threat of a warrant.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, I can only tell you and speak to the House, and I've checked this with the department so as to have assurance doubly sure, that my department did not consult any lawyers or have any lawyers get in touch with Dr. Newbury with respect to his report. The department itself has been in touch with him, it's in a course of discussion and I really don't know whether this is so. If Dr. Newbury perhaps said - and I would be very surprised - "What will you do if I don't give it to you?" somebody else could say, "We could get it legally," but, Mr. Speaker, I know of no such things. I'm only trying to presume that the honourable member has a scintilla of evidence for what he is suggesting, but I can tell him that according to my officials no lawyers have been hired, no legal steps have been taken.

Furthermore, Mr. Speaker, there is a letter in my office which has been dictated now, directed to Dr. Newbury a copy of which will go to every member of this House, telling him that whatever intelligence he has by virtue of his having worked on our project, he can use for whatever purposes he wishes. We have no desire to prevent him from using whatever intelligence that he has gained by virtue of working on this project, he can use for the project, against the project. The letter is in my office; it is dictated. If honourable members wish to see proof of that I'll have the Clerk get my dictation book and produce it without dictating it now. I wonder if the Clerk would go up to my office and get the letters that are now going out.

MR. SPEAKER: I think we've ventilated this matter enough. I believe we could move on. Does the Honourable Member for Thompson have another question?

MR. BOROWSKI: Mr. Speaker, I rise on a point too regarding the same subject. I did raise the subject originally and I want to assure the House that I had no idea that the Leader of the Liberal Party had made the statements. I did not see the program. I raised the question because another member had stated in committee that he had information from Dr. Newbury. I felt that it was improper; I insist that it's still improper for anyone hired by the government, paid by our money, that can take that information and give it to his friends or political opponents of the government, whoever they may be, without that information first being tabled in this House. That was my point and I insist that the Minister has a responsibility and the government has a responsibility to take action not against the Opposition, which have certain rights in this House, but action against Dr. Newbury who has improperly used information that was paid for by the taxpayers of Manitoba, and I ask the Minister to take action against Dr. Newbury for doing this.

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MR. SPEAKER: The Honourable Minister of Mines.

MR. GREEN: Mr. Speaker, the government position with regard to Dr. Newbury has been stated. We are entitled to the material that we have paid for. We want it. We don't expect him to now devoid from his mind what he knows as a result of working on this project in fighting the project. That is our position.

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

MR. ASPER: Mr. Speaker, on the general point of privilege which is an extension of the other two points of privilege really, I hope the debate and the discussion of this will have a productive ending because we have the Minister of Mines taking a position in this House where he is making a privilege out of something that someone else said, that a member said, but no same concern of making an issue out of something that actually is said in the House. For example, yesterday afternoon I raised on a point of order . . .

MR. SPEAKER: Order, please. I do believe that we do not wish to go over the same ground again. I am not going to allow debate to continue for hours. I do believe we've had sufficient airing; there's been explanations; there's been invitations. I would hope that all members who had been listening would avail themselves of all the material that has hit the floor up until now and will, if they wish, also stay at 5:30 if that's their desire. Let's proceed with the question period. If not, let's go farther. Question period. The Honourable Leader of the Opposition.

ORAL QUESTIONS cont'd

MR. SPIVAK: Mr. Speaker, my question is to the Attorney-General. I believe a statement was made outside of the House concerning an ombudsman report with respect to charges of police brutality and I believe it was at Grand Rapids. I wonder if the Attorney-General would be prepared to make a statement in the House now on that matter.

MR. SPEAKER: The Honourable Attorney-General.

HON. A. H. MACKLING, Q.C. (Attorney-General)(St. James): Mr. Speaker, if I'm invited to comment about the statements that were made outside of the House I want to indicate to the House that back in November 1971 the Honourable Member for The Pas, the present Minister of Northern Affairs, brought to my attention a concern about some irregularities in police procedures or conduct in the Grand Rapids area. As a result of that, I issued instructions and there were inquiries made and investigative reports were being prepared. I received further concern from the Member from The Pas by way of correspondence, enclosing also the concern of Chief David Courchene enclosing some complaints. As a result of the investigator's report -- well I should say we received the report, the ombudsman notified our office that he had received complaints, and he felt that it was within his jurisdiction to investigate. We encouraged him in his investigation, sent to him copies of the reports that we had obtained, and he carried on with that investigation, made some recommendations to the Director of Prosecution which were carefully reviewed and as a result of those recommendations disciplinary measures were taken against members of the R.C.M. Police detachment and one other, and that has been the disposition of those complaints. I might say that each one of the complainants was notified in writing by the ombudsman and also by our office as to the disposition of the complaint and I have heard no further complaints or inquiries from the complainants themselves.

MR. SPIVAK: A supplementary question. Was the ombudsman informed and told of the disciplinary action or just told that disciplinary action was taken? Was he told of the specifics of the disciplinary action?

MR. MACKLING: The ombudsman spent a great deal of time and both had lawyer and investigative staff and had all of the material which we had, and spent many many months in reviewing witnesses, in obtaining information, and made specific recommendations to our Director of Prosecutions which were then, I believe, followed almost without any departure except that there was one additional police official that was cautioned, or paraded and disciplined. The ombudsman received information from our office confirming that his recommendations had been followed and accepted, and he in turn communicated with each of the complainants as we did, confirming the disposition of those complaints.

MR. SPEAKER: The Honourable Member for Roblin.

MR. J. WALLY McKENZIE (Roblin): Mr. Speaker, I have a question for the Honourable the Minister of Tourism and Recreation. I wonder can the Honourable Minister advise the House when the official opening of the Shellmouth Dam in the Assissippi Park will take place, the Assissippi Provincial Park?

ORAL QUESTIONS

MR. DESJARDINS: Mr. Speaker, no date has been chosen as yet.

MR. McKENZIE: A supplementary question, Mr. Speaker. Will it be this year? Is the Honourable the Minister prepared to answer that question?

MR. DESJARDINS: Mr. Speaker, I would imagine that it will be some time this summer when the place is ready to open.

MR. SPEAKER: The Member for Rupertsland.

MR. JEAN ALLARD (Rupertsland): I have a question for the Minister of Northern Affairs. In view of the fact that the road to Ilford, to God's and Oxford, the winter roads are to all purposes finished, could he explain why the roads were so late in being contracted for?

HON. RON McBRYDE (Minister of Northern Affairs)(The Pas): Mr. Speaker, I'll answer the last part first and then I'll make a correction in the first part of his question. It was not the intention of the Department of Northern Affairs to construct a winter road to Oxford House and God's Lake Narrows this season. It was our intention to provide airstrips or ice-strips at those communities that would enable very large aircraft to fly in there, and our understanding was that the freight rate with those large aircraft would have been the same as the freight rate the year before.

However, Mr. Speaker, on representation from the federal Department of Supply and Services, from the Department of Indian Affairs and from the Manitoba Indian Brotherhood, it was pointed out to us that certain of the supplies that were necessary for the construction of a school at Oxford House, certain of the supplies and equipment could not be transported by air. At that time we made a decision to go ahead with the winter road. This winter road, Mr. Speaker, had been open for some time.

The first part of his question, Mr. Speaker, the honourable member said he understands for all intents and purposes that these roads are closed. Mr. Speaker, this is not correct. I was advised this morning that last evening four trucks overnight arrived at God's Narrows, two fuel tankers and two general freight trucks; that seven trucks went from Ilford to Oxford House last night, and that there's no reason to believe that again tonight -- and there's twelve trucks waiting to go again tonight, there's no reason to believe that the road won't be open. As a matter of fact, I understand that the weather is a bit colder and I hope that we'll get another week at least and by next Wednesday if they're able to haul every night, the freight supplies should be in; by next Thursday night the fuel supplies should be in, and in answer to an interjection there, Mr. Speaker, this has been the first spring that I ever recall that I wasn't pleased to see spring and was praying for cold weather.

MR. SPEAKER: The Honourable Member for Rupertsland.

MR. ALLARD: I'm not sure if I heard the Minister tell us whether any freight of any nature has gone by road into God's Lake.

MR. McBRYDE: Mr. Speaker, there was never a road construction program planned for God's Lake. It was my understanding there was going to be some tractor train operation into that area but that was outside of the jurisdiction of the department.

MR. ALLARD: I have a supplementary to my first question, Mr. Speaker, to the same Minister. In view of the fact that the transportation costs to God's Lake Narrows are going to be in the order of about twice what they would be by road as they have been in the past, does the government intend to subsidize the rising cost of food and supplies and gas at God's Narrows and the whole God's Lake area? And in view of the fact that the road is out as far as Island Lake is concerned, it's closed and its supplies also were not all brought in, what does the government intend to do?

I would like to commend the government's efforts at lowering the cost of transportation by the way because . . .

MR. SPEAKER: The honourable member is debating the question now. The Honourable Minister of Northern Affairs.

MR. McBRYDE: Mr. Speaker, the member in the early part of his question indicated that the cost of air freight would be twice the cost of previous ground freight. That part of the question is not correct in terms of previous ground freight, but it is probably correct in terms of this year's winter road program for the cost of ground freight. But not in regards to past years.

Mr. Speaker, the question of any further subsidy to winter transportation is one that will be under consideration, but it's a matter of policy, Mr. Speaker, and I have no comment at this time.

ORAL QUESTIONS

MR. SPEAKER: The Honourable Member for Rhineland.

MR. JACOB FROESE (Rhineland): Mr. Speaker, I have two questions for the Minister of Health and Social Services. Who is in charge and who decides on the deficit that hospitals create in a year and who distributes those deficits among the municipalities within a hospital district?

MR. SPEAKER: The Honourable Minister of Health.

MR. TOUPIN: Mr. Speaker, if I understood the honourable member's question correctly, the deficits caused by a hospital district are the responsibility of the hospital board. If there are deficits, these deficits can be presented to the Manitoba Health Services Commission and negotiated upon, but not necessarily paid for by the Manitoba Health Services Commission because a lot of hospitals operate on a global budget.

MR. SPEAKER: The Honourable Member for Rhineland, a supplementary?

MR. FROESE: A supplementary. Are the deficits of the hospitals in the Greater Winnipeg area dealt with in the same way as those of rural hospitals?

MR. TOUPIN: Mr. Speaker, the treatment to different hospitals in the Province of Manitoba are dealt with in the same way as long as the budget is dealt with in the same way. If a hospital district is under a global budget in the City of Winnipeg it will be dealt with that way, the same in country. If it's on a line-by-line acceptance in the country or in an urban setting, the dealing of that situation is the same.

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

MR. HARRY E. GRAHAM (Birtle-Russell): Thank you, Mr. Speaker, my question is for the Attorney-General. I would ask the Attorney-General if he has made representation to the Federal authorities to increase the fines for cattle rustling under the Criminal Code of Canada?

MR. SPEAKER: The Honourable Attorney-General.

MR. MACKLING: Mr. Speaker, I would like to point out to the honourable member that there has been no decision by the Federal Parliament to typify theft of cattle different than the theft of other chattels. They are all covered under the Criminal Code which deals with theft and there is no offence of rustling per se that I am aware of and therefore representations for along the lines he suggests would be improper.

I have, however, communicated the concerns of a number of people to the provincial judges indicating their concern that perhaps there has been not sufficient value given to the nature of the offences, etc., etc., but that is the only area in which I think I can make the most effective representation.

MR. GRAHAM: A supplementary for the Attorney-General, and I apologize for not giving him previous notice. Could the Minister indicate at some future date the percentage increase of the incidence of cattle rustling in the Province of Manitoba in the last year?

MR. SPEAKER: . . . proper for an Order for Return. The Honourable Member for Arthur. The Honourable Member for Birtle-Russell, the other supplementary.

MR. GRAHAM: When the Minister is taking this information under advisement, could he also give us the percentage of convictions for cattle rustling?

MR. MACKLING: Mr. Speaker, I trust that in the not too distant future we'll be dealing with my Estimates and I'm sure that there will be then an opportunity to go into those matters with all the detail that is necessary.

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOUGLAS WATT (Arthur): I think the Member for Morris probably had a supplementary question. I direct a question to the Minister of Agriculture, Mr. Speaker. The day before yesterday I asked the Minister if he had communication from Mr. Bruce Medd the director for the National Farm Union regarding a broadcast over Brandon CKX last Saturday night. At that time he indicated that he hadn't perused all his mail. I wonder . . .

MR. SPEAKER: Question, please.

MR. WATT: My question is to the Minister. Has he perused his mail since that time and has he had communication from Mr. Bruce Medd in regard to the possible dismissal of certain of his staff?

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. SAMUEL USKIW (Minister of Agriculture)(Lac du Bonnet): Mr. Speaker, I would regard that kind of mail as frivolous.

ORAL QUESTIONS

MR. SPEAKER: The Honourable Member for Morris. A supplementary by the Honourable Member for Arthur.

MR. WATT: Well, Mr. Speaker, I have not a supplementary question but on a point of privilege -- my point of privilege is that my question is not in my opinion frivolous.

MR. SPEAKER: Order, please. Order, please. Order, please. There is no necessity by our rules that a question has to be answered. Would the honourable member state whatever else he has to state. The Honourable Member for Morris.

MR. JORGENSEN: Mr. Speaker, I should like to direct my question to the Attorney-General and it's also related to the subject of rustling. I wonder if he would outline to the House what steps the individual can take to protect his own property?

MR. SPEAKER: The Honourable Attorney-General.

MR. MACKLING: Well, Mr. Speaker, I don't know whether the honourable member wants me to indicate to him what I think that good animal husbandry should relate in respect to the security of his animals and how to protect them. I would assume that the Minister of Agriculture will be able to indicate the price of fencing and when animals are to be taken in and you know, and all the rest of it. I would commend the honourable member to inquire from the Minister of Agriculture if he's asking about good husbandry, animal husbandry.

MR. JORGENSEN: Mr. Speaker, my question to the Attorney-General is what legal steps can be taken to protect a person's livestock herd.

MR. SPEAKER: Order, please. It is against the rules of this House to ask for a legal opinion. The Honourable Member for Minnedosa.

MR. DAVID R. BLAKE (Minnedosa): Thank you, Mr. Speaker, my question would be to the Minister for Northern Affairs. In view of the fact that the northern roads are breaking up at this point and nearly impassable, I wonder if he can inform the House when the weekly air passes for the residents of Moose Lake to The Pas will be coming into effect?

MR. SPEAKER: The Honourable Minister of Northern Affairs.

MR. McBRYDE: Mr. Speaker, some of the roads have already been officially closed, The Island Lake Road, the Norway House Road, all the goods were in and it was officially closed. The other part of the question, Mr. Speaker, I'm not aware of what the honourable member is talking about and I don't think he is either.

MR. SPEAKER: The Honourable Member for Rock Lake.

MR. HENRY J. EINARSON (Rock Lake): Mr. Speaker, I direct a question to the Minister of Universities and Colleges. Could he inform the House whether a licence to operate the Ninette Sanatorium will be granted by his government since they have 100 applications or more?

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

HON. SAUL A. MILLER (Minister of Colleges and Universities)(Seven Oaks): Mr. Speaker, I'm not aware of the application that the honourable member is referring to.

MR. EINARSON: Mr. Speaker, a supplementary question to the Minister of Colleges and Universities. Did he indicate to the committee that has been active in promoting the Sanatorium as a care home for senior citizens, did he indicate to that committee that if they got 25 applications or more, he would consider a licence.

MR. MILLER: Mr. Speaker, I do not recall making that commitment or using those figures. I do recall meeting with a group a number of months ago and indicating to them, if within their community and as a result of activities within their community they could generate enough interest for the use of that facility to put it to use, then the government would certainly consider any reasonable use to which that building could be placed. That's the extent of any commitment.

MR. EINARSON: Well, then Mr. Speaker, a final supplementary. Has the government then come to any decision as to what it will be used for?

MR. MILLER: Mr. Speaker, the government has not come to a decision. I don't think the community has either.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, I would like to address a question to the Honourable Minister of Public Works. In view of the auditor's report or the no longer requiring an inventory of supplies, and also in view that equipment written off is no longer accounted for, how much equipment or supplies were given away by the department of which we have no record?

MR. SPEAKER: The Honourable Minister of Public Works.

ORAL QUESTIONS

HON. RUSSELL DOERN (Minister of Public Works)(Elmwood): None, or almost none, Mr. Speaker.

MR. FROESE: Is he prepared to give us a list of the equipment given away?

MR. DOERN: Mr. Speaker, if the honourable member would hold his question for my Estimates I would be pleased to answer it then.

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

ORDERS OF THE DAY

MR. GREEN: Mr. Speaker, I indicated that I would get a letter that was being sent out to Dr. Newbury. I notice that the Honourable Leader of the Liberal Party is not here. If the House wants me to read the letter which I have not yet sent, and some things of which I have to check I will do so. If not, I can read it on Monday.

MR. SPEAKER: Agreed the honourable member read?

MR. GREEN: A letter to R. Newbury - this is an intended letter which has not yet been sent. "The Member for Riel, Don Craik, recently made charges at a meeting of the Public Utilities Committee to the effect that legal warrants were being used to prevent you from using information which you had acquired while employed as one of the contract group which was working on the Lake Winnipeg Churchill River study. I have checked these allegations with our department and am advised as follows:

1. That no legal proceedings have been taken in connection with this matter.
2. That no lawyers have been retained by this department, nor have any lawyers contacted you on behalf of this department.
3. That at no time have you been advised that you are prohibited from using whatever intelligence you have acquired by virtue of your work in any way in which you deem fit.

I understand that any advice that you have received from lawyers in this connection has been as a result of your own inquiries from lawyers associated with the University of Manitoba. In order that there be no misunderstanding in this connection, I wish to make it perfectly clear to you that as far as the government is concerned we are not imposing any restrictions whatsoever on your using whatever intelligence you have acquired by virtue of your involvement in these studies for whatever purposes you may desire.

We do of course, expect to receive such data as was compiled by you while working for the department. May I also suggest that the above position also applies to anybody within the University component of the study group."

Mr. Speaker, there are three items of my understanding which I have checked. I want to check again so that there is assurance, doubly sure, but that is my present understanding of the situation.

MR. CRAIK: Mr. Speaker, I wonder if I could direct a question to the Minister. When he says that, refers to lawyers retained by his department, would he include in that lawyers that might be retained by the study group - the Federal-Provincial Study Group?

MR. SPEAKER: The Honourable Minister.

MR. GREEN: Mr. Chairman, our department of course has a very close association with the study group and I did speak to the executive director of the study group Mr. Dixon and that my impression of our conversation was to the same effect. But because the honourable member has asked I will check with Mr. Dixon again.

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

ORDERS FOR RETURN

MR. ENNS: Mr. Speaker, I'm somewhat at a loss, the Orders for Return, the first one on the Orders for the Day is one that I read into the record, introduced yesterday, namely the one with respect to the Hog Marketing Commission, and I believe that one has been accepted. --(Interjection)-- No, this is a new one. That one was accepted was it not?

MR. GREEN: . . . Order Paper that I have, March Friday March 23rd, the first order is the order showing the boards and commissions.

MR. ENNS: No, I'm sorry I have, Friday March 23rd showing the first Order for Return having to do with -- oh I'm sorry.

A MEMBER: It's all right Harry, we all get that way . . .

ORDERS FOR RETURN

MR. GREEN: Mr. Speaker, we are now printing two sets of Orders, one for the Government and one for the Opposition.

MR. ENNS: I was prepared to be that suspicious of the Honourable House Leader, but, Mr. Speaker, the events of the morning have befuddled me and I would respectfully request to have leave of the House to withdraw the Order for Return standing in my name in order that I may re-submit it in a revised and modified form, as has been suggested to me.

MR. SPEAKER: Agreed. So ordered. The Honourable Member for Roblin, also an Order for Return, page 6.

MR. McKENZIE: Mr. Speaker, I move seconded by the Honourable Member for Brandon West, THAT an Order of the House issue for a Return showing the following information:

The hotels and motels which can be patronized by members of the Manitoba Government; its employees appointed and otherwise; and the civil servants in all 57 constituencies in Manitoba.

MOTION presented as read.

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. USKIW: Mr. Speaker, in the absence of the Minister of Education, I have a few notes here that I would like to use in response. --(Interjection)-- Well, I want more information. No, it's not a problem of not wanting to accept the Order. The Order is not clear and I would like to relate to the member that there is no such - we can give him a current list but the list keeps changing so that I would hope he would accept that particular change.

Now there is also the question of the 57 constituencies which it seems to me would be rather impossible or cumbersome to break it down in that way and I don't know what the meaning behind that is.

MR. McKENZIE: Mr. Speaker, in reply to the Honourable the Minister, I am prepared to accept the latest figures and it can be broke down in some other way, other than constituencies. That was a level that I thought would be acceptable, any level . . .

MR. SPEAKER: Is it agreed to accept on that basis? So ordered. The Honourable Acting House Leader.

MR. PAULLEY: I wonder, Mr. Speaker, could we go to the second reading on Bill No. 2.

. continued on next page

GOVERNMENT BILLS - SECOND READING

MR. SPEAKER: The Honourable Member for Assiniboia is absent.

MR. PAULLEY: Then, Sir, second reading on Bill No. 16.

MR. SPEAKER: The proposed motion of the Honourable Attorney-General. The Honourable Member for Sturgeon Creek.

BILL 16

MR. J. FRANK JOHNSTON (Sturgeon Creek): Thank you, Mr. Speaker. -- (Interjection) -- Mr. Speaker, if I were to take that advice literally and do it while speaking on this bill, I could be in very dangerous trouble, I'd been a tortfeasor.

I've had the opportunity of investigating this bill and I must say, Mr. Speaker, I have enjoyed investigating this bill. I did not know completely what a tortfeasor was; the explanation of the Attorney-General's was very plain but I also had the opportunity of reading his remarks and finding out that the law I think in 1861 is what we've been using in Manitoba. I briefly say, Mr. Speaker, that this bill really says that if you're going to stand up and knock a fellow in the nose or take his teeth out like probably happens in some other Houses in Canada, that from that day on if you're charged, you can also be charged with paying for the damages that you do. Quite frankly, I think it's a good bill; I think it's upgrading and house-keeping that should be done and we have no objection to it; and that's all we have to say on the bill. Thank you.

MOTION presented and carried.

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Bill No. 14, please Mr. Speaker.

MR. SPEAKER: Proposed motion of the Honourable Minister of Municipal Affairs. The Honourable Member for Rock Lake.

BILL 14

MR. EINARSON: Well, Mr. Speaker, having perused this Bill No. 14, an Act to amend The Soldiers' Taxation Relief Act, I have checked it out and insofar as the soldiers are concerned, where they are involved, the municipalities and the retroactivity insofar as this bill is concerned, having checked it all out meets with our approval, Mr. Speaker.

MOTION presented and carried.

MR. SPEAKER: The Honourable House Leader.

MR. PAULLEY: Mr. Speaker, I note the Honourable Member for Assiniboia is back. I wonder if you would now call Bill No. 2.

MR. SPEAKER: Proposed motion of the Honourable Attorney-General. The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Speaker, I adjourned that bill for my colleague, the Member for La Verendrye.

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. LEONARD A. BARKMAN (La Verendrye): Mr. Speaker, I may be a little bit out of order here. I was just informed of this matter and I'm glad to know now, so could I adjourn this until next time?

MR. SPEAKER: Agreed?

MR. BARKMAN: I move, seconded by the Honourable Member for Assiniboia that debate be adjourned.

MR. SPEAKER: Debate be adjourned? So ordered.

MR. SPEAKER: The Honourable House Leader.

MR. PAULLEY: Mr. Speaker, would you call second reading of Bill No. 20. The Honourable Attorney-General.

MR. SPEAKER: Proposed motion of the Honourable Attorney-General, Bill No. 20. The Honourable Attorney-General.

MR. MACKLING presented Bill No. 20, an Act to amend The Queen's Bench Act, for second reading.

MOTION presented.

BILL 20

MR. SPEAKER: The Honourable Attorney-General.

MR. MACKLING: Mr. Speaker, it's a delight for me to present to the honourable members some further information about the complexities of this Bill. Actually it's quite a departure from the jurisdiction that is ordinarily given to a judge of the County Court that is involved here. As honourable members may know, at the present time matters dealing with the family unit, matters concerning separation of the family unit, legal separation, judicial separation, divorce, are heard in a number of forums, legal forums. For example, in respect to legal separation we have family courts and we have family court judges that hear applications pursuant to the Wives and Children's Maintenance Act for legal separation and maintenance and custody of children and so on. A decision of a judge in that court can be appealed to a County Court judge, and when the appeal is taken it's a new trial, a trial de novo, and all of the evidence is adjudicated before the new forum and that court makes disposition of the matter.

In addition, the individual, should he choose to do so, could go before a Queen's Bench judge and make application for a judicial separation and maintenance and custody of children. That same court, the Court of Queen's Bench, is the only court to which a married man or a married woman can bring application for partition of goods that are owned as a married unit.

There is therefore such a complexity in family law and the various forums that are used, that there has been concern not only here but elsewhere throughout Canada for a complete review of the administration of family law. Thus it was that a reference was taken, has been made by us to the Law Reform Commission for a thorough going consideration of all of the family law field including the jurisdiction of the various courts in the matters dealing with the family unit, and I am anxiously awaiting a report from the Law Reform Commission as to their recommendations for changes in the law in this area. However, our Law Reform Commission has exercised the kind of prudence that I expected of it; as a matter of fact I admonished the Law Reform Commission -- that's probably not the right word -- I urged the Law Reform Commission to keep in constant contact with Law Reform Commissions elsewhere in the country to ensure that what we're doing by way of investigation into changes in the law does not completely emulate what is being done in another jurisdiction, because it would be a tremendous waste of public funds if that were so.

And it is a fact that the Ontario Law Reform Commission has for some time had ongoing a study of family law and therefore our Law Reform Commission is awaiting, and I think properly so, the report that is expected shortly from the Law Reform Commission of Ontario dealing with this whole area of the administration of justice; and once that has been obtained our own Law Reform Commission will be advising us further as to their recommendations for changes. But in the interval there are problems that we feel that we have to deal with even though we frankly recognize that it's kind of a patchwork right now and we're making amendments to make the system work as well as possible, but we really frankly recognize that there has to be a very serious reconsideration of the various jurisdictions that handle these matters, whether or not they are still appropriate, whether or not changes ought to be made.

Now at the present time as I indicate applications for divorce or judicial separation can only be brought before a judge of the Court of Queen's Bench. Now in the province we have judges of the Court of Queen's Bench who are ordinarily resident in Winnipeg; however, they go on circuit throughout the province and they hear the cases in the various judicial districts when these cases are ready to come on to trial. However, there are problems from time to time; particularly in the more distant areas, particularly in the north there has been a concern. I know the concern has been brought to me by my colleagues in caucus from the north about the viewpoints that they have heard from constituents, that perhaps the courts are a bit too removed, that there is too much cost to the people in getting to the courts and so on, and from time to time I have of course been obliged to respond to these concerns. The Chief Justice of the Court of Queen's Bench has assured me that the judges do respond to the workloads of the courts as it's identified; they're prepared to have special assizes, hold special hearings where that is considered necessary, and there has been no failure on the part of the judges of the Court of Queen's Bench to respond to the needs for further hearings.

However, there continues to be a concern that there ought to be a closer -- I shouldn't say closer -- a more accessible determination or ready determination of marital problems including judicial separations and divorce. Now after having discussions with the Chief Justice of the Court of Queen's Bench and others of the judges, we have brought forward, and

BILL 20

(MR. MACKLING cont'd) that is what's contained in this bill, a recommendation that County Court judges who can be and are local judges pursuant to the provisions of the Court of Queen's Bench Act, will be authorized to hear such cases in the judicial districts outside of the eastern judicial district. Now the eastern judicial district primarily covers Manitoba and the environs within a reasonable distance from Winnipeg. Thus it will be possibly for a County Court judge in the central judicial district, the western judicial district or the northern judicial district, to hear an application or petition for judicial separation or divorce, hear the witnesses and grant such a decree pursuant to this bill.

It is not expected that this further flexibility will be abused because it will certainly be possible for the County Court judge if he feels that it's unnecessary that the hearing take place before him, can indicate to the council that inasmuch as the Court of Queen's Bench judge will be sitting in the appointed time, that it be better heard by that judge. So we fully expect that the system should not be abused and it will be an easy matter for the County Court judge to make sure that his court is not being overloaded with this work. So we feel that this however will grant the kind of additional flexibility which particularly the people in the north and some of the practising bar in the north have been concerned to see develop.

Now it may be that in the near future we will be making recommendations for changes in the court structuring in to this whole area, but until that takes place, until those recommendations are received and considered, this is certainly a practical, useful change in the law to make the law or its processes more readily available to people that find that need. It certainly will be welcomed by the my "brothers-in-law," if I can use that expression . . .

A MEMBER: Brothers-in-law -- what about your sisters-in-law?

MR. MACKLING: My "brothers-in-law" -- and I use that expression in quotes because we are part of that union, the Law Society of Manitoba, where there is an automatic check-off and where there is a very close and well controlled organization. So it will be I think both a very acceptable and I think commendable change in the Court of Queen's Bench Act, which as I indicated was only taken after thorough discussion with members of the Bench that would be involved. So I would commend this bill to all honourable members and I hope that it will receive your early approval.

MR. SPEAKER: The Honourable Member for Sturgeon Creek. -- (Interjection) -- The Honourable Member for St. Vital wish to ask a question?

MR. JAMES WALDING (St. Vital): Yes, just a clarification, Mr. Speaker. Could the Minister tell us what the expression "jactitation of marriage" means?

MR. MACKLING: I'm sorry, I didn't hear the question.

MR. WALDING: There's an expression in the bill where it occurs in an earlier part, "jactitation of marriage"; could you explain what that means?

MR. MACKLING: Frankly I'll have to respond to that when I close debate.

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. F. JOHNSTON: Mr. Speaker, I'd like to move, seconded by the Member from Gladstone, that debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: The Honourable House Leader.

MR. PAULLEY: Would you call Bill No. 4 please, Mr. Speaker.

MR. SPEAKER: The proposed motion of the Honourable Minister of Highways. The Honourable Minister.

BILL 4

HON. PETER BURTNIAK (Minister of Highways) (Dauphin) presented Bill No. 4, an Act to amend The Highway Traffic Act (1), for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister.

MR. BURTNIAK: Mr. Speaker, this section deals with weight restrictions on our highways generally imposed during the spring breakup, and as the bill is presently worded it has been challenged in the courts. The defect seems to be in subsection 2, the penalty section where reference is made to by-laws or regulation under subsection 1. When stipulating in this manner the by-law or regulation to be enforceable must be Gazetted for as provided by the Regulation Act. Because of the commencement of spring restrictions as well as the

BILL 4

(MR. BURTNIAC cont'd) duration which vary from year to year and from time to time together with variation in the actual restrictions, it is totally impractical to provide for all of these contingencies by one order which would then be Gazetted in order to make the order enforceable. Such an approach I feel would be unworkable as well as inequitable to truck drivers since the restrictions could not be varied either upwards or downwards depending on the road conditions. There would be a significant time lag also between the making of an order and subsequent enforcement. In the interim the need for these specific restrictions may disappear or may have to be varied.

The amendments that are being proposed do not contain any change in principle. Subsection 2, which is the penalty section, has been divided into two subsections. The new subsection 2 provides a penalty where the person operates a vehicle on a highway where the operation of the vehicle was totally prohibited but provides for a minimum fine of not less than \$25 and not more than \$100.00.

Subsection 2(1) is essentially unchanged insofar as the penalty is concerned. The only change was with respect to the deletion of reference to by-laws or regulation, substituting therefore the words "resolution or order made under subsection 1."

Subsection 3 is essentially unchanged. A new subsection 3(1) is included which provides that the Regulation Act would not apply to a resolution or an order made under subsection 1. This amendment has the effect of eliminating the necessity for the Gazetting of an order or by-law and the order or resolution can be enforced immediately that it is made, provided of course that there is compliance with the signing department setting out the restrictions or prohibition. In short, Mr. Speaker, this amendment will give the Department of Highways an opportunity to legally impose restrictions on our provincial trunk highways and provincial roads during the spring breakup.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: Mr. Speaker, I can't help but be somewhat amused at the bill before us even though it's one of a pretty prosaic nature, but here we have an example of the government being caught up in its own bureaucracy and red tape, and of course having the mentality that this socialist government has, they do take red tape and bureaucracy all that serious. You know, for the last five years, for the last ten years, for the last fifteen years, would you believe 20 and 25 and 30 and 35 and 40, ever since we've had highways, ever since the first highway was built in this province and there was a concern about the weather conditions in the spring and the necessity for imposing some weight restrictions on the vehicles using those highways, previous administrations, Liberal, Conservative, Progressives or what have you, had no difficulty in doing what was essentially a pretty common sense kind of thing.

We recognize that this kind of situation did not allow itself for any long drawn-out notices or going through the position of gazetting, you know, of material. It was simply done. It was done by this Minister and by this government for the last three years, but their dutiful response to the bureaucratic machine at whose altar they worship and who they will continue to build into an ever-massive bureaucracy, somebody in that bureaucratic pile found out that whoop! what we are doing for the last fifty years is illegal, and of course if some bureaucrat tells the government that then they get all shook up and we have to rush through a bill, we have to rush through a bill, you know, to make what he's been doing for the last three years himself legal.

Mr. Speaker, I could assure the Honourable Minister, and do assure the Honourable Minister, that we on this side with our eminent amounts of common sense would not have charged him with any illegal act if he would have merely carried on with fulfilling the responsibilities of Minister of Highways because that has been done for many years in the past. I find it kind of a strange -- and, you know, this is of course another example of what happens when you really sincerely dedicate yourself to being controlled by the bureaucrats and to live in that bureaucratic jungle. On the one hand they are prepared to put up million dollar structure in defiance of the bureaucratic necessity of having building permits, etc. They were prepared to take on the City of Winnipeg and build an outhouse without the proper bureaucratic matters being looked after such as having a building permit.

But, Mr. Speaker, what has been long accepted as tradition, that the Minister of Highways enjoys the rights, the necessary rights, to impose limitations as to the kind of vehicular traffic on a traffic road that can be borne by our roads particularly in times under stress such

BILL 4

(MR. ENNS cont'd) as spring breakup, and it's never been in question. No Manitoban has raised the question. It now becomes a serious issue. And we are told, Mr. Speaker, that of course to enable the Minister to do this so that his conscience is at ease, that we must give this bill first, second and third reading, passage, and I suppose Royal Assent and we'll have the Lieutenant-Governor in this Chamber today, so that the Minister can do tomorrow or on Monday what I did for years, what previous Ministers have done for years, what this Minister has done for years -- a nice little example, Mr. Speaker, of the entrapment that my dear socialist friends find themselves in from time to time as they weave that ever-suffocating mesh of bureaucracy and red tape about their own pretty little necks. Mr. Speaker, we support the bill, we will see it gets immediate passage in this Chamber so that this government can do . . .

MOTION presented and carried.

BILL 23

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: Would you kindly call Bill 23, Mr. Speaker.

MR. SPEAKER: The proposed motion of the Honourable First Minister. The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, the Minister is not in his seat and I don't think we should proceed with the bill.

MR. SPEAKER: Order, please. There is no procedure that says a member who proposed a bill has to be in his seat when a motion is being spoken to. The honourable member has been called, he may proceed.

MR. FROESE: Mr. Speaker, I had thought the First Minister would be in the House because there are several things that I wish to bring to his attention. Yesterday afternoon I spoke on the matter of the Lower Red River Valley Water Commission and about what was needed in the southern area, and in my opinion the Minister of Mines and Resources displayed very little concern or practically disregarded the appeal that was made for the Pembina River Dam. I don't think he really appreciates the seriousness of the situation and this is why I would like to have the First Minister in here, because I am sure that he has a much better understanding of what we mean when we make the appeal for a dam in that area and for water supplies for the towns and villages in the area. Because, Mr. Speaker, or Deputy Speaker, this is no joking matter and especially in a year like this where we have the drought at the present time already. Graves have been dug in the area six feet deep and not a spade of wet earth, it's dry right down, and we will have to have very large rainfalls to replenish the water supply in the area. And if it's not forthcoming where is this government going to be when those towns will have no water and will be at their doorstep, because they have an obligation to those people under the Water Supply Board Act to provide water for the people in those areas. And you're not concerned; the Minister of Mines is not showing a concern at all for these people. And as I pointed out, way back the Federal Government has promised participation in the project to the same extent as they did on the Winnipeg Floodway.

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

MR. DEPUTY SPEAKER: The Minister of Mines and Natural Resources on a point of order.

MR. GREEN: . . . that the Liberal government has never at any time been willing to participate in that project. If the honourable member has information to that effect I would be pleased to receive it.

MR. FROESE: This is contained in the brief that was made by the Lower Red River Valley Water Commission to the . . .

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

MR. GREEN: I have advised the honourable member that the Federal Government has never indicated a willingness to participate in that project.

MR. FROESE: I said federal participation -- this is the statement made right in the release and I'll read the statement: "Federal participation has been promised similar to that given to the Winnipeg Floodway."

MR. GREEN: Fine.

MR. FROESE: This is the statement made in the presentation to the area resources . . .

BILL 23

MR. GREEN: I'm telling you that it's not true.

MR. FROESE: . . . at a hearing in Morden the other day and the Minister says it's not true. I will certainly go back to the people that presented this and ascertain the facts and bring them back when we debate the Agricultural Minister's Estimates when we deal with the Water Supply Board, I'm sure of that.

MR. GREEN: Fine, fine.

MR. FROESE: But I feel that there is too much indifference displayed by the government, especially also in priorities on this whole matter. There seems to be no priority given to providing water and damming the Pembina River so that we will have a supply, and I pointed out the various facts yesterday, I don't want to go over them again, but I had hoped that the First Minister would be here to appeal to him because I know that I trust his reasoning. . .

MR. GREEN: Mr. Speaker, on a point of order. I believe that it is a rule of the House that debate is not supposed to be repetitive and I know that there is a certain amount of leeway with regard to that rule, but this item was fully debated, the honourable member is reading the same brief that he read yesterday, and I assure him that the Honourable the First Minister can read.

MR. DEPUTY SPEAKER: Your point is well taken. The Honourable Member for Rhineland.

MR. FROESE: Mr. Chairman, we're debating a bill, we're not debating the Estimates. I'm speaking on a bill, Bill 23, which provides moneys for all the different departments and which is also contributing towards the Department of Mines and Resources and also for water supplies under the Act. So certainly I'm not out of order in making references to this very aspect and to the . . .

MR. DEPUTY SPEAKER: Would the honourable member table that document when he's through with it as per House rules and Beauchesne.

MR. FROESE: Yes, after I've made a copy of it; probably I can get an extra copy from the people . . .

MR. DEPUTY SPEAKER: Order, please. I refer the honourable member to Beauchesne that any public document -- and I'll get the pertinent section if he wishes -- the honourable member, when he's requested, must table it and it should be tabled in the House.

MR. FROESE: On a point of order. Is it incumbent on the Speaker to request tabling of reports.

MR. GREEN: Well, Mr. Speaker, can't we just facilitate it so that we're not in a hassle, that if the Speaker who is also a Member of the Assembly wants the document tabled, we'll facilitate a copy of it and it will be on the table. It's a brief that was presented.

MR. FROESE: I still maintain, Mr. Speaker, on the same point of order . . .

MR. GREEN: If the honourable member is . . .

MR. FROESE: I have my right to speak on that point of order too. I don't think it has been a practice for the Speaker of the House to call for Tabling of Reports or . . .

MR. GREEN: Perhaps it hasn't been a practice, Mr. Speaker, perhaps it has not been a practice, but the Speaker is certainly entitled to that because the Speaker eventually may vote on the question and is entitled to the rights of any other member. It may be unusual for him to ask for it but why have a hassle about something which can be so readily done? We will facilitate the making of a copy of it and then it will be on the table.

MR. DEPUTY SPEAKER: The Honourable Member for Rhineland.

MR. FROESE: Well, Mr. Speaker, the First Minister is in his seat now and I have just made some remarks in connection with the presentation that was made by the Lower Red River Valley Water Commission to the Water Resource Committee meeting, or hearing, that was held in Morden the other day, and I appeal to the First Minister to prevail upon his Minister of Mines and to the government that consideration be given to providing water on the Pembina River basin and providing a dam so that we will have water supply for the area that is needed so badly.

I spoke on this matter yesterday afternoon and the First Minister had to be out, so I do hope that -- and I will table the document for him so that he will have a copy so that he can go over the presentation that was made at Morden and the request that was made on behalf of the people in my riding, and especially regarding the Village of Gretna and the Town of Altona, where the water supply for those towns is coming directly from the Pembina River through the Water Supply Board, so that we feel that this is a very urgent matter.

BILL 23

(MR. FROESE cont'd)

In the past the emphasis has been placed more or less on flooding, on recreation, on drainage and other matters, but not so much on the matter of drought, and I think the matter of drought is probably more serious than any of the others because if we don't have a supply of water this can cause very severe consequences in the future in the matter of a short time. This can come this year, it can come this year, it can also be a fact next year and for the years to come. So I appeal to the First Minister that priority be given to this matter so that something is done to get things rolling. Surely enough, the present Federal Government is not one that cannot be approached and will not listen.

A meeting will be held very shortly by the Ministers, the Premiers of the western provinces and the Federal Government. Why not put this on the Order Paper and at the conference that you will be having shortly with the -- (Interjection) -- on the matter of the Pembina Water Basin, because this involves the Federal Government as I see it, because the river goes into the United States and -- (Interjection) -- No, but if you want to discuss it privately I'd have no objection. It doesn't have to be, but certainly other provinces no doubt will experience the same condition though not to the extent that we are, but most likely there are areas where this is the case. Certainly the matter was raised in Utilities Committee yesterday about water storage in connection with Hydro, so that this is not an isolated matter.

The Minister of Mines and Resources yesterday claimed that this was a cost that was beyond the scope that the government could handle because of the feasibility studies. Well, Mr. Speaker, I take issue with him on that. We have the report of the Development Corporation. They've lost almost 23 million in two years, which would have paid for the whole project, and here we say that we cannot go ahead with this project because it costs too much. Well, here we have almost a 23 million dollar loss in two years that we will have to pick up, in the Manitoba Development Corporation. -- (Interjection) -- Well, the report itself says on Page 11 that the deficit for '71 was 8.9 million; and in '72 -- 13.8 million; a total of \$22,844,000. Well this will have to be made up, and certainly from the report that we are getting and from the figures of interest we're given or even principal, that when will we show a profit statement under the Development Corporation? It certainly doesn't look as though we will have for years to come a profit to show in this Development Corporation in Manitoba.

Pardon? Well I certainly feel that the Development Corporation was not set up to be a trustee in bankruptcy and that we should just pick up all the bad loans and act as trustee for bankruptcies as we have recorded here on page . . .

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

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MR. SCHREYER: Mr. Speaker, there is a citation in Beauschêne. I don't have the citation number before me. I did bring it to the attention of the House yesterday afternoon. The words of the citation are something to this effect: that the passage of Interim Supply is normally proceeded with, with dispatch, and at the time when I brought this to the attention of the honourable members there was no disputing of that. The Member for Assiniboia certainly was cognizant of that particular point. Now the Member for Rhineland is speaking largely in connection with matters having to do with Water Resources and Conservation and their Capital Supply for that will be brought forward in the course of the next few days, and Interim Supply on current account, which is what is before us now, really has nothing to do with the construction or suggested construction of Water Control Works. Similarly with respect to MDC -- we have before us Interim Supply current accounts, current division.

MR. FROESE: Mr. Speaker, the Estimates provide \$287,000 out of current account under the Mines and Resources Estimates for the Manitoba Development Corporation, so that we are not just speaking of capital, not at all, because we are also speaking of current moneys going into the Development Corporation.

On the matter of having these estimates passed with dispatch, Mr. Speaker, I can also remind you that in years gone by we had resolutions preceding bills. These have been done away with and now we are just dealing with the debate on the Bill itself, so we have already foregone the resolution stage. So certainly this is dispatch already, in my opinion, and other members of this House have taken time to bring in matters of all different kinds under the estimates and certainly I should not be denied the same privilege.

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(MR. FROESE cont'd)

I mentioned that the Development Corporation is left holding the bag and is acting as a trustee in bankruptcy for so many of these loans that in my opinion were bad before they were ever made. We find on page 13, a list of loans -- all new loans which went into receivership. These are not old loans, these are new loans made in the year of '72 and yet they are already in receivership. I have acted as an inspector on a number of companies that went into receivership, went into bankruptcy, and I know something that is involved, and if we are going to have the Development Corporation just to act for some guys who make loans and then get the money and have the Development Corporation pick up the tab and also take care of the companies that go into bankruptcy, well this is not my idea of development in Manitoba and of the Development Corporation.

I feel that when loans are made, even by the Development Corporation, they should be sound loans in the first place and not picking up the tab for other people who have a bad situation confronting them and then just trying to shove it off to the Development Corporation.

I will have a further chance to speak on this under the Estimates and I intend to do so, but the main point I was trying to make was that here we had \$23 million going down the drain when it could have been used for the Pembina Dam and we would have an asset that would be worth something for years and years to come.

I was denied speaking this morning on the statement made by the Minister of Education, and I feel that I should make some comments on that too because education estimates are one of the biggest items in the estimates of the Province of Manitoba, and in a way I want to congratulate the Minister for what the government is doing, but I have to put some provisos on those. But I certainly appreciate any help that is coming forward to alleviate the tax burden on farm land and on property in Manitoba, and especially so in rural Manitoba. The increase on per pupil grants certainly is significant and is one that I am sure will be appreciated by the division boards in Manitoba.

I am also very interested in the new part that is being added whereby you are bringing in a program of per pupil assessment and you are going to bring relief on that basis. I haven't had time to analyze this but I think for the divisions in my riding this should prove a great benefit because we are a densely populated area, we have a large enrollment, and the assessment per student isn't that high. I don't know exactly in which category we will be falling into but certainly I appreciate this type of assistance and I only hope -- (Interjection)-- so I will certainly have this analyzed by the time we will have the Educational Estimates but I don't know whether we will get to them or not, so I thought at least I would like to comment on them at this time.

There is, however, one drawback and that is I had hoped that, or certainly would hope that the Municipal Affairs Department would do as the Minister of Education has done now because we are unfairly assessed in that area of Manitoba. Our assessment of farm lands is far too high compared to other areas in Manitoba, because productivity isn't that much higher in our area in fact. Other areas of the province are just as high or higher when it comes to cereal crops and so on than the Red River Valley and, as I have pointed out on previous occasions, the cost of operating farms in the Red River Valley is much higher than elsewhere in the province, so that the assessment is too high, and therefore I think if it was done properly under this new education grant that is going to be put into effect, we would be benefitting still greater, and I hope that the Minister of Education as well as the First Minister will take into consideration and see to it that changes are brought in in the Assessment Branch in assessing farmlands.

I feel here is an area that needs improvement in the worst way. I am sure the Minister knows about the additional zone around the city of Winnipeg and we have a sad situation there. This does not only apply to the additional zone, I have a property right back home that is assessed very unfairly in my opinion, 122 acre field, no improvements, no buildings, yet you have an assessment of \$200.00 an acre on farmland, strictly farmland, not subdivided, strictly farmland. Well, how can you even retain a piece of property of that type with that assessment and with the amount of taxation? -- (Interjection) -- He questions whether I'd sell it for that value. The former Member for Gladstone in the previous -- he used to be in the Liberal Party when he sat in the House, he used to say that assessment was made on the basis of 3 to 1, that the assessment would be one third of the actual or market value. So on

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(MR. FROESE cont'd) . . . that basis, certainly the lands in our area are assessed too high and the property on the parcel I just referred to is over \$1, 700 on 122 acres. Well this is not taxation, this is confiscation, because you cannot keep the property without even making any profit, and pay the taxes. This will be some relief but I think it's not enough. I feel that we have to make improvements in the Assessment Branch on assessment of farmlands.

I have some more things to say but I think I will leave it at that. I certainly do hope that the First Minister will take heed and especially on the matter of the Pembina River too, that something will be done because we can have very serious consequences within a matter of a short period of time, and it's not going to be me that will be dealing with it, it will be they that will have to deal with it, and therefore I appeal to them to give consideration to these matters.

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

POINT OF ORDER - INTERIM SUPPLY

MR. SCHREYER: . . . without attempting to pre-empt the Honourable Member for Roblin, but I would like for some recognition to be taken of citation 379 of Beausnesne which refers to Interim Supply and which, among other things, contains the following reference -- "that the Interim Supply Bill is usually passed with extraordinary dispatch."

Now what is happening, Sir, is that honourable members are speaking on no doubt important subject matters, but then this is Interim Supply, Sir. The main supply comes before the House, each of the several departments comes before the House with main estimates, supplementary estimates, and there is opportunity to deal with all these matters. This is Interim Supply. It asks for one quarter of the main estimate, and if there is not much credence or much emphasis going to be placed on this particular citation of Beausnesne, then Sir, it would seem that the only other course of action would be to insist then, during the main estimates, that matters already having been dealt with by an honourable member in Interim Supply should hardly be retraced in toto in the main estimate debate, and Sir, I would ask that citation 379 be looked at in the context of this other possibility. But to have both of these possibilities ignored, Sir, makes the matter really quite unparliamentary. This is not the way Interim Supply has been treated by successive governments -- and opposition -- over many, many years.

MR. SPEAKER: . . . the point. The Honourable Member for Rhineland.

MR. FROESE: On the same point of order, previous to bringing the bill into the House and especially for second reading, there was opportunity to speak on this in committee. We didn't prolong the debate in committee at all -- it was passed very expeditiously to the point where it got to second reading, and we agreed to that so I don't think there is room for too much complaint.

MR. SPEAKER: The Honourable House Leader on the same point.

MR. GREEN: I think that the Honourable First Minister is making a point which honourable members on the other side should weigh very carefully, because if they think that this is the way in which Interim Supply bills should be treated, then they are aware that sometimes these bills are brought in at the last minute, the government claims the prices, the government can't pay the wages of the employees the following week, and this tends to put the Opposition on the spot because they know that the bill is going to pass and nevertheless they debate it.

Now, that can be done; other steps can be taken to prevent the kind of thing that the honourable member is doing. The First Minister has asked the honourable member to be reasonable. There have been 25 hours of discussion on the estimates which he is now dealing with. There is a rule with regard to repetition in debate. The Minister has also talked about the parliamentary procedure, and if there is going to be a conflict created on this issue, then I would like the honourable members to know that there are steps that could be taken by the government with respect to adjournments, with respect to leave being given, with respect to other things, and if we are to bring up that atmosphere in the House by the kind of thing that the Member for Rhineland is now provoking, it will not serve the Opposition well, nor will it serve the people of Manitoba well.

MR. SPEAKER: The Honourable Member for Rhineland.

POINT OF ORDER - INTERIM SUPPLY

MR. FROESE: ... point of order. I was not provoking anything. It's the Minister of Mines who's starting accusing or imputing motives of provoking.

MR. SPEAKER: Before we proceed on the point of order -- Order, please. Order, please. I should like to say that the Chair, as servant of this Assembly, has tried previously to invoke the rule of relevancy but I could not get the cooperation of the honourable members at that time. I did indicate that we will have ample opportunity to discuss this on the motion to go into discussing Ways and Means, and that the rule of repetition and relevancy should be adhered to while we are discussing the bill in respect to Interim Supply.

I would sincerely hope that the House Leaders would consider this for the next Rules Committee, that we have some discussion in this regard, because it places the Chair in a very difficult position. I realize that Interim Supply covers the total gamut of government but, as the Honourable First Minister indicated, citation 379 does indicate there should be some dispatch in respect to this particular item.

I appreciate all the comments that have been made. I would hope that the honourable members would conduct themselves accordingly. The Honourable Member for Roblin.

MR. McKENZIE: Well, Mr. Speaker, with all due respect to the First Minister and to the Members of the House, and in trying to hasten this bill along as fast as we possibly can, I think it's very important for the members of the Opposition to debate the spending of this kind of funds today, and I'm only standing here as a member from my constituency concerned about the spending of this government, and I want to read into the record on this very important issue some of the things I think where this government is making mistakes, Mr. Speaker, and maybe the First Minister is uptight that we are taking too long. I can't help that. I still have to put some remarks on the record on behalf of the people of my constituency on this very important issue, which is the expenditure of some \$151 million, and that's a lot of money, Mr. Speaker, so with -- I'll try and move along as fast as I possibly can, Mr. Speaker. But, Mr. Speaker . . .

MR. SPEAKER: Order, please. Point of order has been raised. The Honourable House Leader.

MR. GREEN: . . . the gentleman apparently believes that there is no other area in which to debate the estimates of government other than on this supply motion, that's what he has said. On the point of order, however, I wish to tell him that that is not the case.

MR. SPEAKER: The point is well taken. The Honourable Member for Roblin.

MR. McKENZIE: Mr. Speaker, I think I understand the rules of the House and I understand this Interim Supply, but Mr. Speaker, with regard to this bill, I recall reading a statement not too long ago by this great man Bernard Barouk wherein he said that increased wages, high pensions, with unemployment insurance, are of no avail if the purchasing power of the money falls faster. And that's my comments today, that purchasing power of the money is falling faster and this government continues to spend the taxpayer's money. And in dealing with this bill, Mr. Speaker, today and in passing the supplementary estimates, there are two concerns, I think, that are chronic in this province today and that this government and the Opposition must deal with in the debates of this session. Mr. Speaker, let us talk about chronic inflation this morning for a few moments. That in my opinion, Mr. Speaker, is the Number 1 concern of most of the people in this province, and it's a concern that's been expressed to me by hundreds of people every week regarding the chronic, galloping inflation that we have in this province. And, Mr. Speaker . . .

MR. SPEAKER: Order, please. The hour of 12:30 having arrived, I am now leaving the Chair to return at 2:30.