

THE LEGISLATIVE ASSEMBLY OF MANITOBA

2:30 o'clock, Thursday, April 29, 1971

Opening Prayer by Mr. Speaker.

MR. SPEAKER: Presenting Petitions; Reading and Receiving Petitions; Presenting Reports by Standing and Special Committees; Notices of Motion; Introduction of Bills.

INTRODUCTION OF BILLS

HON. RENE E. TOUPIN (Minister of Health & Social Development) (Springfield) introduced Bill No. 31, an Act to amend the Highway Traffic Act (1).

HON. BEN HANUSCHAK (Minister of Consumer, Corporate & Internal Services) (Burrows) introduced Bill No. 27, The Personal Investigations Act.

MR. EARL MCKELLAR (Souris-Killarney) introduced Bill No. 29, an Act to validate By-law No. 28-1970 of The Town of Killarney and By-law No. 17-1970 of The Rural Municipality of Turtle Mountain and to add a portion of the Southeast Quarter of Section Three (3) in Township Three (3) and Range Seventeen (17) West of the Principal Meridian in the Province of Manitoba to the Town of Killarney.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before proceeding, I'd like to introduce some guests we have. We have Chief Joe Anderson from Fairford, Councillor Alex Ryle, also from Fairford; Councillor Dave Sumner from Fairford, and Councillor Ed Anderson from Fairford, in the Gallery.

We also have Chief Walter Anderson from Little Saskatchewan and Councillor Sam Stagg, Chief Mark Traverse from Lake St. Martin, Councillor Frank Beardy from Lake St. Martin, Councillor Sam Sumner from Lake St. Martin and Councillor Sherman Sinclair from Lake St. Martin.

On behalf of the Honourable Members of the Legislative Assembly I welcome you here today.

We also have a number of students from different schools; I shall call them out: 39 students, Grade 6 from the St. John's Ravenscourt School. These students are under the direction of Mr. Henderson, Mr. Gushuliak and Mrs. Maxwell. This school is located in the constituency of the Honourable Member for Fort Garry.

There are also 40 students, Grade 11 standing of the Niverville Collegiate under the direction of Mr. Peters and Mr. Bergen. This school is located in the constituency of the Honourable Member for La Verendrye.

We have 9 students Grade 9 standing from the St. James Collegiate under direction of Mr. Allister. And there are 18 students Grade 11 standing of the Swan River Collegiate under the direction of Mrs. Myszczyzyn. This school is located in the constituency of the Honourable Member for Swan River.

On behalf of all the Honourable Members of the Legislative Assembly I welcome you all here today.

ORAL QUESTION PERIOD

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SIDNEY SPIVAK, Q.C. (Leader of the Opposition) (River Heights): Mr. Speaker, my question is for the Minister of Agriculture. In view of the difficulties in marketing conditions of some commodities, is the government considering the possibility of accommodation being allowed by the Agricultural Credit Corporation for interest payments rather than interest and principal payments for those farmers who have difficulty because of market prices at this time?

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. SAMUEL USKIW (Minister of Agriculture) (Lac du Bonnet): Mr. Speaker, I am not aware of the individual cases or case problems that my honourable friend makes mention of. I know that there is a problem in the industry which is reflected in the reports that I get from the Manitoba Agricultural Credit Corporation which show that arrears are somewhere in the order of 30 percent, or 31 percent. Now that also indicates, Mr. Speaker, that the corporation is extremely lenient at this point and is not pressing for payment.

MR. SPIVAK: A supplementary question either to the Minister of Agriculture or the First Minister, and I'm not sure he was here for the beginning of the question. Maybe it should

(MR. SPIVAK cont'd.) be directed to the Minister of Agriculture. I wonder whether the government, in view of the fact that there is a 30 percent arrears, would consider the announcement of a specific policy which would not leave it to the discretion of the Agricultural Corporation but would be known and declared so the farmers of Manitoba would know specifically at this particular time what the situation would be.

MR. SPEAKER: Order please. It's a question of policy that the honourable member is raising. The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, I wonder if there will be any new policy announced by the government.

MR. SPEAKER: The Honourable First Minister.

HON. EDWARD SCHREYER (Premier) (Rossmere): Mr. Speaker, you're quite right, Sir, in my humble opinion it is a matter of policy which will have to be considered by the government.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. STEVE PATRICK (Assiniboia): Mr. Speaker, I wish to direct my question to the First Minister. Could the First Minister inform the House and the people of Manitoba, does the Manitoba Development Corporation hold a first mortgage on the combined Churchill Forest Industries at The Pas?

MR. SCHREYER: Well, Mr. Speaker, that's a question which the Honourable the Member for Assiniboia asked yesterday, I believe, and I think that the Minister took it as notice. I would simply point out to the honourable member that he's asking for a legal opinion and I don't think that it's advisable for a Minister of the Crown to give a legal opinion, whether he be a lawyer or not.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker . . .

MR. SPEAKER: The Member for Assiniboia, on a supplementary.

MR. PATRICK: I have a supplementary for the First Minister. I would really like to have the answer because if there is a first mortgage, if the government has a first mortgage. . .

MR. SPEAKER: Order please. Would the member state his question.

MR. PATRICK: . . . Mr. Speaker, then why is the Receiver paying off the mechanics' liens?

MR. SCHREYER: Mr. Speaker, I repeat, and in case the honourable member doubts my word, I would ask him to check for himself, that Ministers of the Crown, even Liberal Ministers of the Crown in Ottawa, do not give legal opinions during the question period.

MR. SPEAKER: The Honourable Leader of the Opposition.

MR. SPIVAK: Mr. Speaker, my question is to the First Minister. I wonder whether he can indicate whether either he or the Minister of Industry and Commerce or the Attorney-General met with the officials of James Bertram and sons of Scotland in the calendar year 1970?

MR. SPEAKER: Order, please. I do not believe that question is relevant to the House, whether they met or didn't meet. The Honourable Leader of the Opposition.

MR. SPIVAK: I will frame the question in a way which possibly will make it acceptable. I wonder whether the First Minister can indicate whether the Minister of Industry and Commerce, whether he or the Attorney-General met with the officials of James Bertram and Sons and discussed the matters of their prospective plant at The Pas during the calendar year 1970?

MR. SCHREYER: Well, Mr. Speaker, I can indicate to the honourable member that to the best of my recollection, officials of the Crown did meet with officials, as the honourable member puts it, of James Bertram and Sons. Actually, I assume he means representatives of James Bertram and Sons of Scotland, and I can say that there were meetings. Whether they were in December of '70 or January of '71 I'm not completely sure, but certainly it was near the end of 1970.

MR. SPIVAK: Well, Mr. Speaker, my question really is to determine whether members of the Executive Council, any member of the Executive Council did meet with James Bertram and Sons, not officials of the government.

MR. SCHREYER: Mr. Speaker, I indicated that representatives of the Crown, certainly officials of the MDC and solicitors did meet.

MR. SPEAKER: The Honourable Member for Fort Rouge. -- (Interjection) -- The Honourable Leader of the Opposition.

MR. SPIVAK: No member of the Executive Council then did meet with them? Is that right?

MR. SPEAKER: That's a statement. Order please. The Honourable Member for Fort Rouge.

MRS. INEZ TRUEMAN (Fort Rouge): Mr. Speaker, I have a question for the Honourable Minister of Health and Social Development. Has the Minister any progress report to report on discussions with the Federal Government over the past year on the possible inclusion of nursing home care under The Health Insurance Services Plan?

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

MR. TOUPIN: Yes, Mr. Speaker, I met personally with the national Minister of Health and Welfare in Ottawa. We've actually made representation, that is the Ministers of Health from the Province of Saskatchewan, Alberta, British Columbia and myself to the Minister of Health in Ottawa. The Premier has met and talked about this at a conference of First Ministers of Canada and we have assurance by the Federal Government that this will be taken up very seriously and as soon as possible. We do hope that the coverage of nursing home care will be an item covered under Medicare as soon as possible. If this is not accomplished very soon, if we don't get a favourable answer from Ottawa soon, I would like to make recommendation to Cabinet that we take at least part of the responsibility of nursing homes.

While I'm on my feet, Mr. Speaker, I would like to answer a question that the Honourable Member for Fort Rouge asked me the other day pertaining to the facilities that we have in Ninette. We do intend to make use of the facilities at Ninette for training and rehabilitation of persons of Indian ancestry. You will find that in the estimates of 1971-72 of the Department of Health and Social Development that I have an amount of \$100,000 to renovate the facility enabling the Department of Health and Social Development to pursue this proposal that was actually made by the Department and considered by myself.

MR. SPEAKER: The Honourable Member for Pembina.

MR. GEORGE HENDERSON (Pembina): Mr. Speaker, my question is for the Minister of Mines and Natural Resources. Would the Minister advise the House if there has been any discussion with the Federal Government on the matter of the Pembina River Dam?

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

HON. SIDNEY GREEN, Q.C. (Minister of Mines, Resources and Environmental Management) (Inkster): Mr. Speaker, the honourable member received the government's position on this last year and it hasn't changed since that time.

MR. SPEAKER: The Honourable Member for Souris-Killarney.

MR. McKELLAR: Mr. Speaker, I have a question I'd like to direct to the Minister of Health and Social Development. Regarding Ninette - and this is supplementary to the question that was asked by the Member for Fort Rouge. Is it your intention to move the t.b. patients to Winnipeg in the near future or could you give me an exact date?

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

MR. TOUPIN: Yes, Mr. Speaker, it is the intention of the Department of Health and Social Development to eventually move the patients that we have in the sanatorium at Ninette and make use of this facility for the proposal that I just gave a few minutes ago.

MR. McKELLAR: Will the present staff be retained there? Can they expect to be retained when the new facilities are remodelled and taken over under - to look after the people of Indian ancestry?

MR. TOUPIN: Mr. Speaker, some of the staff that we now have there could be utilized for the services that we intend to offer. Some of them could actually be recycled and brought to render service at the D. A. Stewart Centre in Winnipeg.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. R. (BUD) SHERMAN (Fort Garry): Mr. Speaker, my question is to the Honourable Minister of Youth and Education. I would ask him whether he is receiving direct and regular reports from the Student Job Placement Service as to the number of students that are applying for jobs, university and high school students, and the number who are being successfully placed by that service?

HON. SAUL A. MILLER (Minister of Youth & Education) (Seven Oaks): Mr. Speaker, I'm not getting daily reports; I'm getting reports as I request them.

MR. SHERMAN: A supplementary question. Would the Minister undertake to provide the House with comparative figures for the number who have applied through the service and who have successfully been placed through the service thus far?

MR. MILLER: Comparative figures would really be useless right now. The applications are just flowing in now and it would mean nothing at this point because they're coming in every hour.

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. LEONARD A. BARKMAN (La Verendrye): Mr. Speaker, I'd like to direct my question to the Minister of Municipal Affairs, him not being here, perhaps to the First Minister. Has the final decision been made on where the head office of the Manitoba Public Insurance Corporation will be located and if so, was this decision made by the corporation or by the Cabinet?

MR. SCHREYER: Mr. Speaker, there's no change in policy in that connection.

MR. BARKMAN: A supplementary question, Mr. Speaker. I'm not sure I heard the answer.

MR. SCHREYER: For my honourable friends benefit, I'll repeat the answer. I said that there was no change in government policy in that connection.

MR. SPEAKER: The Honourable Member for Charleswood.

MR. ARTHUR MOUG (Charleswood): Mr. Speaker, I'd like to direct a question to the First Minister. Does the First Minister feel justified with the decision of the Finance Minister in cutting the City of Winnipeg budget by \$100,000 that was to cover the cost of hiring twelve new policemen to save .17 of a mill on approximately a 72 mill budget?

MR. SPEAKER: The question is a little ambiguous to begin with but I shall allow the First Minister to answer.

MR. SCHREYER: Well, Mr. Speaker, I can tell my honourable friend that I don't find it difficult at all to feel justified in the decisions that my colleagues come to.

MR. SPEAKER: The Honourable Member for Pembina.

MR. HENDERSON: Mr. Speaker, I have a further question for the Minister of Mines and Natural Resources. Is he aware that the U.S.A. intend to go it alone on Walhalla Dam and that this water is to be used to service the U.S. Missile sites?

MR. SPEAKER: Order please. Questions of awareness are not relevant to the House.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Speaker, my question was for the Minister of Industry and Commerce. He is not in his seat, perhaps I can direct it to the Minister of Labour. Is it true that CAE has obtained a contract for the Defence Department to overhaul or do work on the Hercules at the plant here; and my second part of the question is, if it's true is the Minister still going to Ottawa, tonight I understand, to negotiate a contract, and how many man hours will this contract with the Hercules provide at the base here?

MR. SPEAKER: The Honourable Minister of Labour.

HON. RUSSELL PAULLEY (Minister of Labour) (Transcona): Mr. Speaker, in answer to my honourable friend, the answer to his last question is definitely yes. I am leaving at 6:30 this evening to go to Ottawa on behalf of the employees at CAE. There has been some intimation that as a result of us announcing that we were going down East that there may be additional work at the plant. I will confirm it when I get there.

MR. PATRICK: A supplementary question to the Minister. Has he got any knowledge if it is the contract for the Hercules?

MR. PAULLEY: Not precisely, Mr. Speaker.

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

MR. HARRY E. GRAHAM (Birtle-Russell): Thank you, Mr. Speaker. My question is for the Minister of Youth and Education. Have any job applications by University students been processed as yet?

MR. SPEAKER: The Honourable Minister of Youth and Education.

MR. MILLER: Mr. Speaker, I'm not sure what he means by processed, whether he means whether they are now working or whether the application has been processed. There is a distinction between the two.

MR. GRAHAM: Thank you, Mr. Speaker. By way of explanation, I asked the other day if there were any job applications and you said they were being processed, then. I ask now have they been processed?

MR. MILLER: Yes, I'm sure applications have been processed.

MR. SPEAKER: The Honourable Member for Arthur. A supplementary by the Honourable Member for Birtle-Russell.

MR. GRAHAM: Thank you, Mr. Speaker, a supplementary question. Have any job applications been found or any jobs been found yet?

MR. MILLER: I'm also sure that some jobs have been found, whether anyone has departed for work yet I don't know.

MR. SPEAKER: The Honourable Member for Arthur.

MR. J. DOUGLAS WATT (Arthur): Mr. Speaker, I direct a question to the Honourable the Minister of Mines and Natural Resources. I wonder if the Minister could tell the House what progress has been made towards the commencement of the construction of the Patterson Dam?

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

MR. GREEN: Mr. Speaker, I'll take the question as notice.

MR. SPEAKER: The Honourable Member for Rhineland.

MR. JACOB M. FROESE (Rhineland): Mr. Speaker, I'd like to address a question to the Honourable the Minister of Agriculture. Why is the Water Supply withholding final payment to land owners on whose land wells were drilled to supply water to the town of Winkler. This has been dragging for several years.

MR. SPEAKER: The Honourable Minister of Agriculture.

MR. USKIW: Mr. Speaker, I'm not sure that that question ought to be put to myself.

MR. FROESE: Sir, if I may direct that question to the Minister of Mines and Natural Resources.

MR. GREEN: Mr. Speaker, if the honourable member will give me the names of the people who claim monies from the Crown, I'll see if I can get an answer for him. If he has any trouble after that he can have the people hire me as their lawyer, I'll give them action.

MR. SPEAKER: The Honourable Member for Sturgeon Creek.

MR. FRANK JOHNSTON (Sturgeon Creek): Mr. Speaker, my question is to the Minister of Transport. Has the Minister allowed Metro to purchase or expropriate land on Sturgeon Road for the inner perimeter highway in the last eight months?

HON. JOSEPH P. BOROWSKI (Minister of Public Works and Highways) (Thompson): Yes, Mr. Speaker, I believe before the new Expropriation Act came into effect January 1st there were four parcels of land that were committed by the previous government which we had to honour and I believe that Metro was allowed to purchase, in which case we shared 50 percent of the costs.

ORDERS OF THE DAY - MOTIONS FOR PAPERS

MR. SPEAKER: The Honourable Member for Riel.

MR. DONALD W. CRAIK (Riel): Mr. Speaker, I beg to move, seconded by the Honourable Member for Arthur that an Order of the House do issue showing the following information relating to the question of bilateral agreements involving air routes between any points within Manitoba and any points outside Canada:

- (1) the dates, purposes, and results of any meetings between Ministers of the Government of Manitoba and Ministers of the Government of Canada since August 15, 1970;
- (2) the dates, purposes, and results of any meetings between civil servants of the Government of Manitoba and civil servants of the Government of Canada, or representatives of any of their agencies, commissions, or crown corporations since August 15, 1970;
- (3) the dates, purposes, and results of any meetings since August 15, 1970, between Ministers or representatives of the Government of Manitoba and representatives of any air transport companies including: Air Canada; C. P. Air; Transair; Air France; American Airlines; Braniff Airways; British Overseas Airways Corporation; K. M. Royal Dutch Airlines; Northwest Orient Airlines; Pan American World Airways; Scandinavian Airlines System; Trans-World Airlines.

MR. SPEAKER presented the motion.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, I just wish to indicate that we accept the Order. I'm wondering if the honourable member can guide me as to whether he has a particular interest in these firms that are named or whether they are simply named by way of example. If they are not of particular interest, would he want any reference if there were any meetings, for example, between other airlines, Quantas, Aerofloat, you name it.

MR. CRAIK: The names there are of airlines that do operate in the Midwestern portion of the North American Continent. If there are any names there that are not included that do operate in the Midwestern United States in particular, I would be pleased if he would include them.

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

GOVERNMENT BILLS

MR. SPEAKER: Second reading. The Honourable House Leader.

MR. GREEN: Mr. Speaker, would you be kind enough to call Bill No. 9.

MR. SPEAKER: On the proposed motion of the Honourable Minister of Finance. The Honourable Member for Roblin -- Oh I'm sorry, Souris-Killarney.

MR. McKELLAR: Mr. Speaker, I'm not going to be too long on Bill No. 9. I was glad yesterday that the government saw fit to table a copy of the proposed bill on the unitary city but as a rural member I have a lot of concern for this bill - a lot of concern for many reasons.

We, in the Province of Manitoba, don't have a million people. Fifty-five percent of the people in the Province of Manitoba live in Greater Winnipeg. Up till now we have had twelve or more cities, I think there are twelve right now, because of amalgamation. It is the government's intention to remove these cities and place it all under one jurisdiction. What is this going to mean to the Province of Manitoba? What is it going to mean for rural Manitoba? I can tell you right now what it will mean to rural Manitoba. Rural Manitoba will not have the same attention for many reasons. One of the reasons is this 50 man council that are going to be elected, are going to be elected on a political basis and I realize they have been elected on a political basis by some political parties on the Winnipeg City Council, but that has not been the case in the other Metropolitan areas, and for that very reason I can see a power base being built up far greater than the one we have in here, far greater, and it is for that reason that I can see the rural municipalities in the Province of Manitoba and the towns and villages, cities, are not going to be able to compete with that one city.

Now another factor which I read is on tax levels and I want to inform the members of the government that during the discussions that were taking place in the City of Winnipeg before the session started, in the month of January and February, it was brought out in the paper which I read, that a goodly number of the municipalities would have their mill rate lowered. Well I want to say this, after having experience in consolidation of schools, I'll tell you what happens. This is not the case. The mill rate will go up to the highest mill rate whichever municipality has that mill rate. This is what will happen. It's just as natural as can be. The City of Winnipeg has the highest standard of service, the highest standard of welfare, the most population, half the population of the City of Winnipeg, and I can tell you now that after listening yesterday to the radio, 6 1/2 mills on residential and apartment blocks and a 7 mill increase on all commercial industrial, that if you think that rate is going to go lower in the City of Winnipeg I want to tell you right now that your thoughts are wrong. And I'll tell you what will happen to the people in Charleswood, the people in North Kildonan, the people in St. James-Assiniboia, to those municipalities that have had lower rates; they are the ones that are going to pay the shot from now on. They are the ones that are going to pay the high welfare costs, the high standards of welfare that have existed in the City of Winnipeg, and this is for that very reason that I can see what will happen. Fifty members on a council controlled politically, by political parties, some political parties, I don't know whether all are going to get into the act or not - time will tell.

Power base - government's intentions, let that party, the majority elect their own mayor. He in turn will have that much more power and I'm against the election of a mayor that way. Election of a mayor should come strictly by the people of that particular area. It's the only way it should be done. One of the reasons why I suggest that is for the very reason I think Metro got off on the wrong foot, and I was one of the ones that was around here when that bill was brought in. The appointment was made by the Executive Council at that time and it was through that reason that this friction built up. I realize this situation is going to be different this time that the majority of the members will select from one of them the mayor and he in turn will head that Metropolitan area for his term of office.

Now what's going to happen to City Hydro? Here again the City of Winnipeg . . .

MR. SPEAKER: Order please. I wonder if the member would confine his remarks to the terms of reference of the bill and not to the complete merger or amalgamation, whichever may take place or may not take place.

MR. McKELLAR: Well, Mr. Speaker, if you can separate this bill from the other bill, I have had a lot of experience in here and this bill is part and parcel of the whole conglomeration and it's not right that I try to separate this because I'm looking at the overall picture and many of the regulations are here which allows them to have elections and it allows them to prepare estimates. It allows them approval of excess expenditures and it allows them to set

(MR. McKELLAR cont'd.) up all the appointments, wards and every other part. It's part and parcel of the whole set-up and I think this is where the government are on the wrong foot. This bill should never have been brought in. It should never have been brought in, if the government had intended on tabling that bill yesterday. I think they had thought if they got this through that they could hold the other bill back but due to a pressure from many sources, this other bill is being speeded up so that the municipalities will have to deal with it at the same time. And this is the problem, Mr. Speaker. When you are going into problems such as this, and I know only too well, because I mentioned it, and the premier was around here at that time dealing with Metro and he knows only too well the involvement of that particular plan. And it was only minor to what this is, because it was only taking over certain phases of all the Greater Winnipeg area, the problems like zoning and parks, larger parks, and transportation. So how do we separate this, how do we separate this, Mr. Speaker? This is a problem. It's just very simple, if I said that I was going to sit right down now and say that I was going to speak on the next bill when it comes up, I wouldn't be doing my job here as a member of the Legislature and this is the very reason why I think that I have to entail myself in other matters.

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

MR. GREEN: Mr. Speaker, I merely wish to confirm that we certainly agree with the ruling that you had tentatively put forward to the honourable member, the fact that he may have . . .

MR. SPEAKER: Order please. I suggested to the honourable member he confine himself to the principles. I think he is trying to get there.

MR. McKELLAR: Well, Mr. Speaker, there are many principles. It's a catchall bill. This is the problem of the bill, it's a catchall. And we're trying, just like a tiger, trying to catch a bunch of animals and putting it altogether at the end of the road and this is what this is doing. And it's pretty difficult. The use of reserves - now I could get into the use of reserves and I would like to speak on that. I'll try to keep to the bill.

The City of St. James, the City of St. James have had an excellent plan, an excellent plan, they use this money they put aside from sales of land, to use in their capital financing in their city and this plan is still in operation. The City of Winnipeg is entirely different, the City of Winnipeg is entirely different - they have over \$100 million in debts, \$100 million in debts. And this is where the problem lies and I know very well from consolidation of schools, where one school board was efficient they put a little reserve away to help them in their financing in the year ahead. But what did some municipalities do? They put it on capital finance, instead of current, so this is where we're at. I know what's going to happen to the suburbs, I know what's going to happen to the suburbs. They are going to wake up a year from now when they get their tax notice and they're going to realize just what the game is all about. And I want to say to all the residents of the Metropolitan area, they'd better read this bill and read the next one before they end up paying a tax bill 75 mills on their residential and about 100 on their -- and this is bound to go higher, it can't go lower.

Now, Mr. Speaker, there's many regulations in this bill, many powers to the Executive Council, many powers to the Executive Council that they can practically do anything that they wish to set up this administration. And I know it's their desire to get this bill on the way so that they can arrange for all the enumerations, get the elections on the job in September so this Council can prepare their estimates and get set up here. But in today's paper there's one thing that frightens me and I don't know if it will be coming under regulations or whether it's in the other 500-page bill. It mentions there's a seven-man committee, executive committee, that's going to have extended powers, Mr. Chairman, and I don't know whether this is in the regulations, power of a Lieutenant-Governor in this bill or whether it is going to be in the other but this is one of the phases. This is the problem, Mr. Speaker, that we haven't had time to really know and I don't suppose we'll get the answers from the people opposite because of their urgency to get this bill through.

Now I don't know whether I'm eligible to talk on City Hydro and I guess I'm not because it's the other bill so I'll restrict myself but I want to warn the people here, warn the members of the government that they'd better put a lot of thought into the City Hydro because it is one of the major assets in the City of Winnipeg, one of the major assets and whether they spread this over the whole metropolitan area or whether you buy it outright, whether they buy it outright from the City of Winnipeg at a cash settlement is one of the questions that I want to know whether I get it in this bill or whether I get it then. But I think that we as members should know.

(MR. McKELLAR cont'd.)

Now, Mr. Speaker, in closing I want to state my concern on behalf of the rural people of Manitoba that you're going to have a conglomeration here that's practically going to make it impossible for the people of Winkler, Souris, Wawanesa, many other towns that are trying to carry on as they presently are. It's going to make it impossible for them in many ways, that their voice will be harder to be heard, it'll be harder to be heard because of the power base that's going to be given to this 50-man board. And I don't know what protection or what are the thoughts, whether you're going to change their position, whether you're going to make regional governments out there in the rural or what changes you're going to make or what your intentions are but I think it's up to the government of the day to come forward and tell these municipalities in rural Manitoba so they know what position they're going to hold if this bill, the bill that's tabled yesterday, is passed. This is one of the real concerns in the rural parts and I want to emphasize that again. It is a matter of real concern for the municipal man and also all the residents of all parts there including the areas I represent.

Now, Mr. Speaker, that's about all I have to say. I know I could go on and on but I know I have to keep within the bounds of the rules up to a point anyway and as I said before I don't think it was necessary to bring this bill in, I don't think it was necessary. I don't think it was necessary and I don't think anybody can prove to me that it was necessary and if it was necessary I'd like to hear the real reason. Thank you, Mr. Speaker.

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

MR. J. WALLY McKENZIE (Roblin): Mr. Speaker, I move, seconded by the Member for Swan River, that the debate be adjourned.

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

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Could you call Bill No. 15, Mr. Speaker.

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

MR. F. JOHNSTON: Thank you, Mr. Speaker. There's been several comments made on this bill to date. I would like to say at the offset that the argument or the discussion on this bill is not whether somebody approves of lotteries or not, the discussion is not whether you happen to buy a lottery ticket or not, the discussion is basically should the provincial government be running lotteries? Should the provincial government be in the lottery business, which is basically another source of income and should the provincial government be taking the monies from lotteries and putting them into a general fund or the general fund and should the provincial government be in the position of having any surplus of lotteries that could be transferred at the end of the year as we have just seen on Bill 18?

Mr. Speaker, lotteries run by a government are not a good thing at the best of times. We heard all the flowery bit last year about a one-shot deal for the Centennial and it was approved and I might say very successful for the Centennial of this province. Now we're being asked to approve the provincial government going into the lottery business. Mr. Speaker, this really makes the Minister of Finance a gambler instead of the Minister of Finance. There are better ways of finding finance for the province, there are known ways and the movement into the lottery situation is not becoming to the office of the Minister of Finance or the government of this province.

Mr. Speaker, in Saskatchewan the Minister of Finance some years ago found 600 ways of increasing taxes or presenting new taxes and in this day and age those sources are no longer available but it's fairly obvious that the Finance Minister has had to say to the men on the other side of the House who are spending money like drunken sailors, "We've got to find some other sources." So the sources have come up, we now are presented with a bill to put this government in the lottery business and the fact, Mr. Speaker, that they have suggested that the money go into the general fund is probably one of the most deploring things that I've ever heard of and I'm sure the people of Manitoba, when they purchase a lottery ticket, will be very interested to know that this government wants it in the general fund. In fact, Mr. Speaker, if this government were to come forward on the basis of holding a lottery, regardless of the regulations in this bill that says the money will be set aside, the fact is it still is going in the general fund, that if they were told they were holding a lottery like the Irish Sweepstakes or the money was in trust handled by a board who would set priorities for the uses of the money for the benefit of the people in Ireland for hospitals I'm sure it could be acceptable. If this lottery was set up

(MR. F. JOHNSTON cont'd.) in such a way and there was a board who could handle the priorities of the money for recreation as it is so-called, you could even conceivably see a recreational rotating fund or revolving fund for recreation. Present your priorities to, present your priorities to the board and they in turn will approve them.

Mr. Speaker, I would accept a lottery that was completely separate from the funds of the province by a board who were responsible, the monies in trust with the provision that any community that comes forward and says maybe I have collected \$20,000, can you possibly give us 50? They can pay it back in low rate interest and you would have a revolving fund which is done in communities at the present time for recreational purposes. But to say that the money will go into the general fund of this province is absolutely wrong in principle as far as lotteries are concerned. Now -- (Interjection) -- Yeah, we can beg, this'll beg.

The other situation is that the board will have complete control as to what lotteries there will be in the Province of Manitoba and this has been brought out -- and I know the Attorney-General was shaking his head when it was brought out by the Member from Rock Lake -- they will have control as to who can have lotteries in the province and believe me if you're going to have provincial lotteries it's human nature that you will be very concerned as to who else has one. -- (Interjection) -- Yes, I'm familiar with the federal law, Mr. Speaker. The lotteries that would be set up, as I say, would have to be approved and there would be, I think, some tendency to suggest that maybe there is too many lotteries going on and you could have competition. This can always happen.

The other thing, Mr. Speaker, it says that they want to have three lotteries this year. It doesn't say how many they will have next year or the year after that and I think certainly this bill has to have provisions put in it that says the provincial government will hold one, two or three or "X" number -- and I won't commit myself to how many I think they should have -- but a number of lotteries that would be held by the provincial government each year and that's it. None of this business of sitting there in the backrooms having Lieutenant Governor in Council approve another lottery as they see fit and this could be done. You're coming towards the end of the year and what have you, so we decide we'd better have another lottery.

Frankly, Mr. Speaker, the bill, the lotteries bill, as it stand at the present time is not good. In fact it is poorly drawn up. It is the type of bill that this side of the House cannot see go through if for only other reason that we don't want the Minister of Transport to say the stupid Opposition let bills like this through because we're not about to do it. This bill will have to have many changes in it as far as the amendments are concerned and as I say, Mr. Speaker, we're not in a question here as I am sure the Honourable Minister Without Portfolio will ask me. Would I buy a ticket. -- (Interjection) -- Yes I did. If the Honourable Minister thinks I'm ashamed of buying a lottery ticket he's wrong. The Honourable Minister was very interested in lotteries last year and I'm sure this year for the first time in Manitoba we're going to have a Minister of Lotteries. That could fill the portfolio. But, Mr. Speaker, as I say, the bill as it presently stands is disgusting and should not be presented or become legislation for the people of Manitoba the way it is. Thank you.

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

MR. MACKLING: No, I'm just -- I would like to ask a question of the honourable member if he will permit the question.

MR. SPEAKER: The Honourable Attorney-General.

MR. MACKLING: Mr. Speaker, through you to the last speaker. Would he please care to indicate the specific changes in principle that he thinks are necessary. He indicates amendments ought to be made. Would he outline those?

MR. SPEAKER: Order please. I should like to say that that question would open up the complete debate again. The Honourable Minister is not asking for a specific elucidation of any point. Are you ready for the question? The Honourable Member for Rhineland.

MR. FROESE: Mr. Speaker, Bill 15, the Lotteries Act, naturally is drawing attention by all members of this House and certainly we have to take a stand and vote on the question before us and so I think it's up to us to express our views and opinions on this very matter.

Last year for the first time we had a lottery provincewide and many, many people participated in this so it would be hard to just outright reject lotteries because of this, if people support the idea. But then I think there are certain things that we should consider very carefully before we pass further legislation for future lotteries. I am particularly concerned - why should the Government of Manitoba set itself up as a privileged authority to conduct lotteries? In my opinion we're setting up a monopoly here that the board that will be set up under this

(MR. FROESE cont'd.) legislation will no doubt be able to regulate and decide on the whole matter of lotteries. To me once we decide on the principle to approve lotteries then I think we should make them wide open because if we accept the principle, then why make restrictions? There is also the matter that once the legislation is there and lotteries are established, this House will probably have very little control because these bodies that are set up will be able to function and they will be able to make their own regulations, set up their own procedures and will be an entity on its own.

I have difficulty in certain respects on this whole matter because I believe in freedom of the individual and I think that an individual should have a maximum of freedom and that we should be very careful in curtailing any rights of the individual especially where they are not harmful to others and who can say in this respect that lotteries, and they might be small ones, are harmful? On the other hand for those of us who have been to the parimutuels on occasion and seen the betting that goes on and for some people who can't resist and will use up their last dollar for betting purposes and losing out and later having to go home and not have any money to buy the necessary goods for living purposes and to maintain his family. Surely we know about this and I remember too well when the Minister of Mines and Natural Resources spoke on -- I think it was last year -- on this very matter and others too. It's a matter of self-discipline. If we allow lotteries for people to exercise self-discipline and self-control and too often we find that people, certain people don't possess this quality and they will go overboard and as a result situations arise that are very unhealthy.

In other words, by allowing lotteries we're preying on the vices and on the weaknesses of individual human beings. This is not to say that this is the only one. We know that many others are in existence today, where this government and previous governments are collecting money on these very weaknesses people have. Drinking is another one - liquor. We collect huge amounts of money in this way on the people that drink and who have this weakness. The same thing goes for smoking and I'm sure there are others as well, so now we're going to open the door on another one through lotteries.

At the same time I should also mention the various groups in the province that have small lotteries, such as sewing circles and different groups, other organizations that support certain ventures. -- (Interjection) -- Pardon? I'd like to hear the Attorney-General speak later on and give us his views on this whole matter.

The objects under this Act are to authorize the Board that will be set up to undertake, organize, conduct and manage one or more lottery schemes in and for the Province of Manitoba, so that we are going to benefit as a province and that the moneys no doubt will have to go to the Consolidated Fund. Now, is this a correct principle? Is this one a principle that we can endorse and that we can agree on? There are a number of other matters or minor aspects in the Bill to which I will question the government and probably they can give us some answers.

There's a year-end report provided in this legislation and I would like to know when is the fiscal year end under this legislation? Will it be the same as the government's, March 31st? Because the report is to be tabled by June 30th if the House is then in session.

We have had a lottery last year. I haven't had too much time to go through the Centennial Corporation Report and whether they report on the lottery itself. Just how did we come out on that one? What were the rates of pay of the people that were hired, because under this proposition here the powers of that Board will be that they can make their own rules.

The legislation also refers to agreements that will and can be made with other jurisdictions and the Government of Canada is named. What is the intention here? I would like to hear from the Minister when he's closing the debate, what he has in mind and just what type of agreements are envisaged. It seems to me that we're giving very wide powers to these Boards that are being set up and that they will be very powerful and that we can expect a certain amount of regimentation. Will they be able to exercise authority over other minor or smaller lotteries that are going on in the province or are they not recognized as lotteries as such?

There are some other aspects, especially when we come to the regulations. It says here that they will be able to prescribe - this is part of the Lieutenant Governor in Council's power, "to prescribe the form of lottery, prescribe the amount and value of each of the prizes to be awarded." When we talk of "form", does this mean that tickets will be for cash only? If the farm situation remains as it is, will farmers be able to buy tickets for wheat? Can goods in kind be used for that purpose? Will there be exchange of this type? Surely if we open it up I think people should have the right to purchase tickets and if they haven't got the money why not

(MR. FROESE cont'd.) use other assets. The Member for La Verendrye says use Chargex. Perhaps the government has considered this in approving that form of purchasing goods.

"Regulate the value of prizes." If we're giving other powers to the board, should we not give the power to decide on the value of prizes to that board? And then also "to restrict the amount that may be realized." Once you open up a lottery, should it not be open? Should it be restricted to so-and-so much? What is the purpose in restricting, when the government is out to realize funds and moneys from the proceeds of lotteries, why the restriction?

Certainly these are some of the questions that I would like to see answered. I'm not definite in my views as to what to do because on the one hand I'd like to see the people of Manitoba retain a maximum of freedom that they do as they well please if it's not harmful to others and certainly on the other hand, if they wish legislation of this type then they should be entitled to it.

MR. SPEAKER: The Honourable Member for Churchill.

MR. GORDON W. BEARD (Churchill): Thank you, Mr. Speaker. I'd like to accentuate the positive for a little while and get off the doom and gloom. Some of these politicians that have been talking about this this afternoon forget that they've got the biggest gamble of all when they're elected to public life and I think that they should keep this in mind. It also seems that most of them are trying to find a way in which to vote for this because they realize it's going to be a popular thing, and I don't see any wrong in government controlling lotteries. My goodness, would the members rather have the Mafia come in and run a lottery for them? Would they rather have the Mafia take the profits rather than government control the profits? -- (Interjection) -- And yours and the others, -- (Interjection) -- Well, you're the fellow who's worried about doom and gloom.

I would like to say that as far as I am concerned, Mr. Speaker, if the Member for Swan River wants to get up and talk he can do it another time. But if we have to drag these people into the 21st Century, well then I suppose we'll have to put up with listening to them and probably educate them as time goes on. Maybe they're too old to educate. Maybe the gap between the modern day era and the many yesterdays are too far for them to jump. If it is, well, they'll be on record as being against this terrible lottery and they will be able to carry their little halo if we do find that something goes wrong, but I certainly feel at this time that life's a gamble and darn it all, you've got to carry that right through. People like to gamble in whatever they're doing, whether they're going into business or whether they're buying a lottery ticket and I would far rather see them spending their money in Manitoba than spending it over in Ireland or down in Jamaica or some place else where they're buying these tickets from. I think the government should take a cut of lotteries. They have to police it and they eventually have to prosecute people who are not carrying on in the proper manner, so why shouldn't they take a share of it. As far as I'm concerned, every dollar that the government makes out of it, is one dollar less - or should be one dollar less than we have to pay in taxes. I can't see anything wrong with it at all. And it's not a bad way of raising taxes.

The Member for Pembina says it's terrible. I don't see anything terrible about it. If I want to buy cigars, the government take a cut on it. If I want to buy almost anything, either one government or another in some form or another will take revenue from whatever I purchase. Why should you cut out this? If the members get up and say we would like to support lotteries and on the other hand cut out the cost of Medicare altogether and use that money for Medicare then this would be fine, but just to say, Oh, it's terrible, terrible for a government to run a lottery and use the profits they have to put into Consolidated Fund, that's where it should go.

I'm just amazed that people sometimes want to criticize just for the sake of criticizing. I believe that the Centennial ones proved that the people wanted to participate in some type of a lottery and it's certainly gone on for years and nobody has got up in this House in the past, that I know of, and said we should do away with sewing circle lotteries; so why should they all of a sudden be worried now about having another form of lottery? Because they're afraid to get up and say anything because they know there's a lot of votes involved in it. But I say, God bless you, government, go ahead and raise the money and we'll pay the tax in a less painless way than we do in the other forms that we're taxed on on a day-to-day basis.

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

MR. McKENZIE: Mr. Speaker, I move, seconded by the Honourable Member for Swan River debate be adjourned.

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

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Mr. Speaker, could you call Bill No. 18, please.

MR. SPEAKER: On the proposed motion of the Honourable Minister of Agriculture. The Honourable Member for Arthur.

MR. WATT: Mr. Speaker, I have been very tempted to stand this bill this afternoon. I want to say to members opposite that I have a throat infection right now and I am not in very much shape to make a speech. However, I realize that I probably won't be any better in the morning and I would lose my right to speak and I don't wish to hold the bill up so I'll attempt to say a few words on the bill, Mr. Speaker.

I think that about all that can be said really has been said now by members on this side of the House and anything that I can say would be repetitious. I realize this.

I want to make a few comments, particularly in light of the fact, Mr. Speaker, that when I was on that side of the House, or we were and I was Minister of Agriculture, I recall the abuse that I took at that time when I mentioned acreage payments in the House. I want to make a few comments, Mr. Speaker, on the remarks by the First Minister - and I'm sorry he's not in his seat - remarks that he made last night before the House closed, and I think he had the criticisms and the comments from this side of the House pretty well set out in categories that I think were correct. He had it, No. 1, motive; No. 2, principle; and No. 3, the method. I won't go into the method in which this acreage payment was brought about because my leader I think last night clearly set out the position that we take on that and our objections and the reasons why.

On principle, we have not objected to the principle of acreage payments on this side of the House as a temporary measure to help to alleviate the financial problems that the farmers are in at the moment.

On the motives, however, I want to say a few things. The First Minister last night made a pretty good job of holding his own insofar as the motives were concerned when he pointed out to us last night that we really had no right to mention the by-election of Ste. Rose as the acreage payment applied to the farmers all across the Province of Manitoba. And he said - and I think I'm quoting him fairly correctly when I say, and I quote: "We did what no other provincial government has ever done." And that is correct, Mr. Speaker. It's not correct as far as the acreage payment is concerned, because I point out to the House that acreage payments were made in this province long before the NDP government took over. In fact, I think probably for the first time in the Province of Manitoba acreage payments were made by the conservative Government. -- (Interjection) -- The Provincial, in '59, if you recall. If you don't, I do. -- (Interjection) -- That's right. So say that acreage payments are not new actually as far as provincial governments are concerned, but it certainly is brand new that acreage payments suddenly as a blanket policy would be set up during a by-election. There's no doubt that that never happened before in Canada or any place I don't believe in the North American continent where there -- (Interjection) -- We're not talking about the need, we're talking about the motive. I say to you, Mr. Speaker, and through you to the government -- (Interjection) -- Imputing motives? I'm talking about the facts. The fact is that you promised to pay out suddenly, in the middle of a by-election, a dollar an acre to all the farmers in the Ste. Rose area and in order to cover up for it you had to cover the whole province, in order to cover up well you had to cover the whole province.

But you know, Mr. Speaker, in my constituency and in the whole southern part of the province it's peanuts - it's peanuts. Do you want to make a speech now? Do you want to make a speech now? Mr. Speaker, if he wants to make a speech I'll sit down and let him stand up.

I don't sit and shout from my seat; I get fed up listening to people like you on that side.

MR. SPEAKER: Order, please. I do think the Honourable Members should conduct themselves according to the rules of the House. If they wish to make a remark, they should get up and ask for the Chair to recognize them. The Honourable Member for Arthur.

MR. WATT: Well, I must say, Mr. Speaker, that I was astonished when the announcement came over the radio in my car one morning that the Minister of Agriculture in the Province of Manitoba was going to make an acreage payment to all the farmers in the Province of Manitoba. I couldn't hardly believe that he went into reverse as of the principle that he stood for when he was on this side of the House and I don't wish to impute motives nor I don't wish to make reference to principle as far as personalities are concerned, but I say that it's the reverse of the principle, that the Minister and the NDP Party stood for when they were on this

(MR. WATT cont'd.) side of the House, absolute reversal and for what reason? For what reason, Mr. Speaker? I say that while it certainly affects 100 bucks to the west lake farmers, a quarter section farmers, \$100 did mean something to them, in my constituency and all across the southern part of the province, \$100 is peanuts, it's peanuts and the Minister knows it, Mr. Speaker, but there's something I would like to ask him: during the time that he sat in Opposition the Minister constantly, along with the Member for Ethelbert Plains, talked about a two-price system and what I'm wondering is now, why the acreage payment rather than the two-price system, because the Minister could very well bring in on the same scale that he has brought in the acreage payment a two-price system and if the two-price system was right then, why is it not right now? Why is the \$4 million not being paid out on a production basis, a two-price system, because members will recall that constantly through the years from this side of the House they talked about two-price system and now, with taxpayers' money they have established an acreage payment, positively against the principle of which they stood for when they were on this side of the House. Now it's not big? I quite agree that the province is not in the position to pay out a large acreage payment, but why on the basis of acreage? Why not on the basis of production as they advocated when they were on this side of the House, and berated us because we rejected the two-price system. -- (Interjection) -- No, I'm not wrong.

Well, there isn't very much use of arguing with the Minister over this, Mr. Speaker, I am not going to waste much more time on him really, but I wonder, Mr. Speaker, he says in his speech, in his opening remarks on the bill, that he has conferred with Ottawa in some cost sharing to support the farmers in Manitoba and he says, in fact, I believe there was a letter of August 7th and another one on August 10th when I wrote to the Honourable Minister of Agriculture of Canada suggesting that the Province of Manitoba be prepared at that time, or was prepared at that time to go into some sort of cost-sharing arrangement. I wonder, did the Minister suggest to Ottawa at that time that he was prepared to go into an acreage payment and type of cost sharing? I wonder if the Minister could produce the correspondence to that effect.

Mr. Speaker, I indicated at the outset that I wasn't in much form today to make a speech, I would like to have said quite a few more things but I think probably I'll let it go at that at the moment but I have to say, Mr. Speaker, that I think that the farmers of Manitoba should be warned that the Minister can change his mind at any moment, that he can go into reverse at any moment, that he can change principles at any moment, radically, as he said out in front of this building today. That's all I have to say.

MR. SPEAKER: The Honourable Member for La Verendrye.

MR. BARKMAN: Mr. Speaker, I think a lot has been said on this bill and I don't intend to add very much. I do agree with the last speaker that perhaps the point has been brought up often enough in this House that perhaps the timing would have been a little bit better, if it hadn't been brought up during the by-election. On the other hand I think that when I first read the bill and I looked at it and it said it was a special emergency, I had to read further before I really understood what they meant by a special emergency but they meant the special emergency for the farmer and not for the election, so I'm happy for that at least.

Mr. Speaker, as I said I will be very short but there are a few things that I would like clarified, perhaps some by question and while the Bill is rather simple, I think there are a few questions that are left to be answered. I must also admit I was a little bit disturbed when the First Minister yesterday said that there was no such a thing as passing out goodies. I don't want to keep on harping on the election but I do wish to say that I want to keep that right or reserve that right for myself, if I think it was that way or wasn't and he himself of course knows if it was or not in his mind and I might even believe him and suspect that perhaps the Minister of Agriculture was more involved and I would perhaps even admit that if I had had the same opportunity I might have done the same thing but I wish I had been man enough to admit it.

Mr. Speaker, one of the concerns or one of the principles involved that I have is this: I believe that the \$100 an acre or the bill itself is partly piecemeal legislation. I believe that perhaps the provincial government can only afford so many dollars. I'm not trying to be critical of that. However, I do think that when we think perhaps of the first one-third farmers that make less than \$2500, perhaps they could have had double the amount rather than some of the other farmers that seem to be getting along a little better. I'm not denying or begrudging the other farmers that they also get the few dollars but I think the ones in the first bracket are more deserving of these amounts and perhaps could have rather received double the amount

(MR. BARKMAN cont'd.) and thereby would have helped them a little bit more because these are the group and this has been pointed out continuously these are the group that are really in trouble and we understand that the \$100 isn't going to help that much but at least the intention is in the right direction.

Mr. Speaker, I was wondering -- and I wish to stick with the principle of the bill - but I was wondering just in what way this money will be delivered to the farmer. I realize that those that have a permit perhaps in one constituency or two, but I think it would be pretty tough to do this in 57 constituencies. However, I realize that those people that have permits with the Canadian Wheat Board, this should be no problem but I'm wondering when it says that the others must make application to the Minister, now I think we all know that this is pretty hard at times for people to make application, when first of all a lot of them are not even informed of the matter. I hope enough advertising and enough - not politics - but enough honest advertising is being done to notify, to let the people know that this problem exists, because I think these are the group of people -- I don't want to put them in a different group than the other group -- but very often the group that we are talking about are already making less than \$2500 they perhaps, as I said before, need it most but may also be in a category where they are not quite as well informed of certain matters as some others are and I hope that the Minister can tell us of what ways that he intends to use to make sure that this money gets into the hands of the rightful or the eligible farmers.

I think, Mr. Speaker, I'm not sure but I was rather astounded when I heard the Leader of the Opposition mention the fact and I shall not go into how this money is going to be dealt out or whence it comes from or how it got into the Consolidated Fund but I was wondering, and if the Honourable Leader of the Opposition is correct, that perhaps some department suffered by the tune of \$4 million. I wonder which department this really was and I hope this is not so, because if it is, the Leader of the Opposition certainly has a right to be concerned about it and all of us must be concerned about it also.

So, Mr. Speaker, I think the few main principles that I have mentioned, I do not like this kind of piecemeal legislation; I don't think the Minister does himself. Perhaps we are in a little bit more fortunate position than those on either side of us, I don't think that we intend to get hung up with saying that it can't be a two-price system or it can't be an acreage payment as far as we are concerned, that the dollars will start flowing and we can help the farmer. This is fine as far as we are concerned and I also mention that the method that is going to be used for distribution concerns me. It may be very simple but I hope the Minister may enlighten us on it.

MR. SPEAKER: Are you ready for the question? The Honourable Member for Birtle-Russell.

MR. GRAHAM: Thank you very much, Mr. Speaker. I beg to move, seconded by the Honourable Member for Minnedosa that debate be adjourned.

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

MR. SPEAKER: The Honourable House Leader.

MR. GREEN: Would you call the proposed motion of the Honourable Minister of Labour on Page 5

MR. SPEAKER: On the proposed motion of the Honourable Minister of Labour. The Honourable Minister of Consumer and Corporate Affairs.

MR. HANUSCHAK: Mr. Speaker, in speaking to this motion I wish to address myself particularly to one or two items contained in the report of the Committee on the Rules of the House. In fact I wish to speak to an item contained in the report, wherein it was indicated that the committee accepts the rules as they presently are. The unfortunate thing is that this happens to be one of those rules which is open to a variety of interpretations and which led to considerable speculation during the last session, the one preceding it that you may recall, Mr. Speaker, and that is the role of the Speaker, the role of the Speaker in Committee of the Whole, whether the Speaker ought to be allowed to take his seat and participate in debate and vote or ought not he do so and is this proper or not proper to be done? If he does take his seat, would he in any way be prejudicing his own position of impartiality in the House or would he not?

Now, I realize, Mr. Speaker, that this is not a problem facing the House at the present time, but I do believe that if this matter is to be considered, the time to consider it is at a point in time when it could be considered objectively and I hope that my comments will induce

(MR. HANUSCHAK cont'd.) two or three other members of this House to offer their opinions to us for our consideration and I do regret that at the moment and I hope that before I take my seat, or if not, that at some time in the very near future, the Honourable Member for Swan River will join in the debate on this point and also the Honourable Member for Fort Garry and the Honourable Member for Morris and give us the benefit of their wisdom, based on their experience in the House of Commons.

As I have said a moment ago, the rule is there but it is open to a variety of interpretations and it's interpreted in various ways, in different Houses of Parliament and in the British Commonwealth and perhaps, for the sake of the record, some of the interpretations ought to be said in the House today, so that as I have indicated a moment ago, if for your consideration, for consideration of future Speakers, they'll be there and one will be able to turn to one portion of Hansard and find a review of opinions expressed on the role of the Speaker in Committee of the Whole.

One of our texts, which you of course use very frequently, Mr. Speaker, and which is used in other legislatures in Canada, Beauchesne, and Beauchesne says as follows: "That although the Speaker is restrained by usage while he is in the Chair in the exercise of his independent judgment, he is entitled in a Committee of the Whole House to speak and vote like any other member. Of late years, however, he has generally abstained from the exercise of this right."

The English authority May states "that although the Speaker is restrained by usage while he is in the Chair and the exercise of his independent judgment he is entitled in a Committee of the Whole House to speak and vote like any other member." And then May continues: "Under modern practice, however, he has abstained from the exercise of this right. The last recorded example of that in the House of Commons is that of Mr. Speaker Deniset in Committee on the Customs and Inland Revenue Bill in 1870. And older authority on parliamentary procedure in Canada, Bourinot, states that when the House is in Committee of the Whole, the Speaker has an opportunity should he think proper to avail himself of it, of taking part in the debates. This is a privilege, however, which according to the authorities he will exercise on rare occasions and under exceptional circumstances. For instance, he will always explain when necessary matters connected with the internal economy of the House and may sometimes refer to matters of interest to his constituents when the estimates are under consideration. But in the Canadian, as in the English House of Commons, the Speaker carefully abstains from taking part in any matter of party controversy or debate and if at times he feels compelled to express a strong dissent from any public measure he will confine himself to the expression of his opinion and will not enter into any argument with others who may differ from him and he generally abstains from voting on divisions in committee."

Then more recently, Mr. Speaker, a text was published by one W. F. Dawson, "Procedure in the Canadian House of Commons," and Dawson is probably a bit more pragmatic in his attitude toward the role of the Speaker, and Dawson says this: "The procedure in any legislative body must be constantly changing just as the nature of the work of a Legislature changes so also its methods of work must change." And he continues: "There does not seem to have been any tradition which prevented the occupant of the Chair from participating actively in debate when not actually presiding." In 1878 Anglin spoke at length in Committee of the Whole against a temperance bill. The practice was followed many times later both at the committee stage on bills and in Supply. And he records that from 1878 to 1909 Speakers had taken their Chair in Committee of the Whole in the House of Commons, Westminster, on nine occasions.

And then turning to the Canadian House of Commons, Mr. Speaker Lemieux precipitated a brief debate on the subject in 1927 when he rose in Committee to offer some observations as a former Postmaster-General, on some non-controversial amendments to The Post Office Act. The propriety of his action was questioned at once and he defended his position with British precedents and in concluding he made his position clear, and I'm quoting Mr. Speaker Lemieux: "I repeat that I quite agree with the principle laid down by the honourable gentleman and by all authorities that the Speaker from the Chair must not take part in debate, that he must not vote unless there is a tie. But in Committee he has a right to speak and to vote. I never speak unless on an exceptional occasion like this morning on a non-party matter on a purely moral issue" and he concludes his remarks by stating "and I would not even vote." And recent Speakers have taken a more restricted view of their rights and have managed to confine their

(MR. HANUSCHAK cont'd.) desire to participate in the House to brief explanations of their departmental estimates in Committee of Supply and as I have mentioned earlier to the extent that they may refer to internal economy.

Then Dawson goes on his text by raising the following question: "To what extent should we be bound by Westminster?" And he answers it in the following way. "Many British procedures are unwieldy and outdated. I cannot understand how parliamentarians from the newer Commonwealth countries are able to plunge into the whirlpool of House of Commons procedure and master its intricacies. The British House of Commons is not the final authority on all that is good and wise in parliamentary matters. I intend" -- the author goes on to say -- "I intend no reflection on the House of Commons but we have found it necessary to use our own abilities and initiative to evolve a parliamentary system suitable for our own conditions. British practices may well be right for Britain but they are frequently not applicable to other countries. The fact that a certain procedure is observed at Westminster is not of itself a reason for adopting it." And he then goes on to indicate what had happened in some of the legislative assemblies in Canada. Mr. Dawson says, "As honourable members may well know, the practice in other provinces is similar to that in the House of Commons insofar as voting in Committee of the Whole to the extent that it is not recorded in the same manner as when you in the Chair, Mr. Speaker. However, there was a time when the Province of New Brunswick recorded the names of members voting in Committee. The 1857 journals of that province indicate that Mr. Speaker Simons voted 11 times in Committee of the Whole, once on a road tax bill, on a motion for a three-month hoist, on a patent bill, on a mill reserve bill, an election bill, on a motion to report progress and on a railway bill." Now this is what the texts, the text writers have to say about the role of the Speaker in Committee of the Whole.

Now what do the rules of our provinces, of the provinces of Canada, what do the rules of some of the other legislative jurisdictions of the British Commonwealth have to say on this matter? In Newfoundland the rule reads as follows: "That Mr. Speaker shall not take any part in any debate before the House." But then the same rule book goes on to say: "The Speaker is entitled to speak in Committee of the Whole and to vote like any other member although at Westminster he has not done so since 1870." But it's interesting that in the Province of Newfoundland the point is specifically made, that the Speaker does have this right in Committee of the Whole. The rule in Prince Edward Island: "Mr. Speaker shall not take part in any debate before the House except in Committee of the Whole and may not vote." I'm not quite sure whether the "may not vote" provision of this section applies to both -- I imagine it must apply to Committee of the Whole, he has a right to speak but not to vote, that may well be.

In Nova Scotia: "Mr. Speaker shall not take part in any debate before the House. In case of an equality of voices Mr. Speaker gives a casting vote and any reasons stated by him are entered in the Journal." Quite similar to our own rule. But in Nova Scotia the second part to the rule: "Mr. Speaker may take part in proceedings of all committees of the whole house and for that purpose his place shall be the place of the Chairman of the Committee.

In Quebec the rule is that in Committee of the Whole House the Speaker may vote. It's specifically stated that in Committee of the Whole he may vote. Our rule simply states that the Speaker shall -- Rule 71 states that the Speaker shall not take part in any debate before the House. But I think it should be drawn to our attention at this time, Mr. Speaker, that when our rules speak of the House they speak of the House assembled as it is now with Mr. Speaker in the Chair, because our rules also speak of Committee of the Whole House as being something quite separate and distinct from the House as it well should be. And you will note, Mr. Speaker, that there is nothing contained in our rules prohibiting the Speaker from speaking or voting in Committee of the Whole House.

Now what is the practice in other legislative jurisdictions in the British Commonwealth? I have already outlined the practice and the attitude toward Mr. Speaker taking his seat in Committee of the Whole in Westminster. In Australia, in the Federal Parliament of Australia in the House of Representatives various Speakers have exercised a deliberative vote in Committee of the Whole House. On one occasion motion was made in such committee that the Speaker's vote be disallowed. On another occasion the propriety of Mr. Speaker so voting was questioned when the Speaker said that he was entitled to vote in such committee and thus ensure representation of his constituents. At other times the Speaker's deliberative vote in Committee of the Whole House had been received without comment. And in the Australian parliament, in its Senate -- now I well appreciate, and this may be a thought going through honourable members' minds at this time that we cannot very well compare the House of Commons with a

(MR. HANUSCHAK cont'd.) Senate, but in Australia the Senate is elected in much the same manner as members of our Legislative Assembly or the House of Commons in Ottawa. And in their Senate Mr. Speaker, or the president as he's referred to there, votes on practically every issue that comes before his House regardless of whether there's need to break a tie or not. If he chooses to express his position on any particular issue by means of a vote he does so.

In the Australian State Parliaments, in New South Wales, in their Legislative Assembly, the Speaker usually refrains from taking part in the proceedings of Committee of the Whole House except when the estimates for the Legislature are being discussed in Committee of Supply, and at this time the Speaker takes his seat to defend them if necessary and on occasions it's reported that in New South Wales that the Speaker had voted in Committee of the Whole.

In the State of Queensland, in the session of 1922 when the government's small majority had been depleted by sickness, the Speaker voted in Committee of the Whole House on 77 occasions, 19 of which were for closure and on 15 occasions, notwithstanding that the Speaker gave a deliberative vote, the Chairman of the Committee of the Whole had to exercise his casting vote and on two of those occasions the government was defeated in spite of the Speaker's deliberative vote in committee. And this again happened in Queensland in 1930 when the Speaker voted for closure. In South Australia there appear to be few instances on record where the Speaker had exercised a deliberative vote in Committee of the Whole although his right had never been challenged, but my information is that the practice of a Speaker taking a seat in Committee of the Whole is looked upon with disfavour in that state.

In Tasmania it's said that the President of the Legislative Council often exercises his right to vote in divisions and Committee of the Whole House, and no exception is taken to his doing so. -- (Interjection) -- And still within the British Commonwealth -- my knowledge of geography doesn't seem to indicate that is within the British Commonwealth. Those would be interesting rules to examine though. In Western Australia no instances of this type had occurred.

In the Union of South Africa Parliament the Speaker had voted on a pension bill on two occasions, once in 1856 and on another motion in 1864 and -- (Interjection) -- Are you in favour of Red China becoming a part of the British Commonwealth? I wasn't aware of that.

Now so much for the rules. Now what is the attitude of the Speakers of today, apart from the rule book; how do they view their role in the House or in a Committee of the Whole House? Mr. Speaker may know and some honourable members of this House may well remember, the Honourable Member for Swan River may well remember this conference, the Speakers' Conference held in Ottawa in 1966, Speakers of the Commonwealth, when they did express their views on the role of the Speaker in Committee of the Whole. And here is what some of them had to say. Mr. Speaker Patel from Uganda speaking with regard to his position in his own House said that the Speaker is neither an original nor a casting vote. However in cases where Speaker has a casting vote he feels that it should never be used in such a way that the government would fall.

In discussing this issue, Mr. Speaker, I should point out that there are really two issues being discussed here, one the Speaker voting in case of a tie and the position of the Speaker, that is his tie-breaking vote, and the position of the Speaker in Committee of the Whole, and in either event what position should he take in view of the motion that the Speaker is an impartial being within our legislative structure. Mr. Speaker McCleay of Australia said that the Speaker would be guided by his own discretion in exercising the casting vote but a Speaker -- and then he goes on to say -- but a Speaker who used his casting vote to overthrow the government would be regarded as certifiable.

Lord Glentoran of Northern Ireland said that in the use of the casting vote the Speaker's first concern should be to safeguard the minorities in the House, even though this meant voting against his own party. Then followed Mr. -- whom the Honourable Member for Swan River may well know -- Sir Alistair McMullin, the President of the Senate of Australia who presently is the Chairman of the Commonwealth Parliamentary Association. Sir Alistair interjected by saying that this point of view was unrealistic. Mr. Speaker McCleay from Australia said that he agreed with Sir Alistair that in Australia Lord Glentoran's views would be regarded as unrealistic. Then he went on to say that an Australian Government could easily find itself in the House with a majority of one and thus consistently dependent on the Speaker's casting vote. The life of the government would be at stake every day and the casting

(MR. HANUSCHAK cont'd.) vote could be regarded as essential to the preservation of the majority. In such circumstances the Speaker could only be guided by common sense in the use of his casting vote and he would be expected to use it to preserve the right of the government to stay in office, to which Lord Glentoran replied, who was the defender of minority rights, that it never occurred to him that there was any great likelihood of a Speaker being called upon to use his casting vote in order to decide a vote of confidence in the government. -- (Interjection) -- Well that is true -- nor was he familiar with other jurisdictions in the Commonwealth. So Sir Alistair McMullin then replied to this. He said, "It is true that the casting vote could be called upon to decide in an important matter but by the same token, the matter could just as easily be one of great importance. In this case, the Speaker would have it within his province to decide the policy of the government. We have just been discussing the desirability of keeping the Speaker free from party involvement and it hardly seems consistent with this principle to suggest that he should take so highly political a step as to use his casting vote against the government. Under this system governments could come and go very quickly if the Speaker were to behave in this manner. Even if the casting vote were used against the government on an unimportant matter such as a minor bill, there is no guarantee that the government on reintroducing or recommitting the bill would not again be defeated, in which case they would be faced with the necessity of an appeal to the country." And he concludes his remarks by saying, "I do not believe it should be the responsibility of any Speaker to decide that a political party no longer has the confidence of the House."

The Honourable Marcel Lambert who at one time was Speaker of our House of Commons, said that with regard to the use of a casting vote on a no confidence motion "I feel it would be improper for a Speaker to take the responsibility of overthrowing the government. I am in favour of the Speaker retaining his casting vote," said Mr. Lambert, "but where possible he should use it in such a manner that the issue concerned is left open for further debate.

So in concluding the debate on this issue Sir Alistair McMullin said this: "That this is a world of hard politics in which there is no room for starry-eyed idealism. When the Government and the Opposition are evenly matched, the Speaker might at any time be called upon to save the day for the government. This has happened not only in Australia, it has happened recently in Britain when the Chairman gave his vote to the government on the Finance Bill. A Speaker who threw out a government would throw himself out with it and one could be sure he would never be heard of again."

Now, Mr. Speaker, as I indicated at the outset, that even though this is not a matter facing the House at the present time, but this may arise during the lifetime of this Legislature or some in the future, when this matter will have to be considered by honourable members of the Legislative Assembly of this Province and for that reason I took advantage of the opportunity to make these few comments, which I may say by the way I had been prepared to make for quite some time and my notes are getting rather tattered from carrying them around in my pocket for some time in the session of the year 1970.

In closing, Mr. Speaker, I wish to make a comment on this notion of the impartiality of the Speaker. It's believed that for the Speaker to remain impartial he therefore must remain entirely divorced from participation in debate of policy issues that the House may be dealing with. However, Mr. Speaker, I think that we tend to forget that Mr. Speaker's responsibility is merely to administer the rules of the House; and it's also interesting to note, Mr. Speaker, that the appeal from Mr. Speaker's ruling is back to the House, not to some other impartial group. The House does not appeal your ruling to someone else who may be regarded as impartial, but back to the House. And how is the appeal usually resolved? - along political party lines.

Now for those reasons, Mr. Speaker, and I'm not, as I said a moment ago, I merely wish to put my comments on record, it is up to you yourself to make your decision as to the role that you wish to assume when you are out of the Chair, when the House is in Committee of the Whole, but I do feel that the House ought to be reminded of the fact that the Speaker is a representative of his constituency, and for that reason, Mr. Speaker, I feel that it is the Speaker's right as a member of this Assembly, as long as the Speaker is elected in the method that we presently follow, that when the opportunity permits, to participate in whatever manner is proper to insure the passage of that Legislative program on the basis of which he was elected, because -- (Interjection) -- in other jurisdictions yes, in at least one other that I know of, perhaps in others. But in Manitoba I do not know of any Speaker having run for re-election as an Independent; strictly on the basis of his record as Speaker. He did attach a

(MR. HANUSCHAK cont'd.) . . . political party tag to himself and ran as such for re-election.

So for that reason, as I said, as long as the existing manner of the election of Speaker is retained, the Speaker should feel free to participate as often as may be necessary and possible; and in fact, I feel that he ought to consider it his obligation to offer voice and vote in all cases where it may appear to him that his absence may precipitate defeat or abort an electoral promise or commitment on the basis of which he himself received a mandate from his constituents to represent them, and a privilege which he ought to feel free to exercise at any time.

And as I've indicated a moment ago, I do not feel that a Speaker's participation in debate in Committee of the Whole would in any way have any adverse effect on his impartiality in his conduct of proceedings of the House when he is occupying the Speaker's Chair, because after all if the Speaker takes his chair in Committee of the Whole, he is debating matters of policy; when he is in the Speaker's Chair he is administering the rules of the House, and the two are not related.

So as I've said at the outset and now that the Honourable Member for Swan River and for Morris have returned, I wish to repeat that comment, that I hope that the two of them would offer their contribution to the debate on this motion before us and present us with their views on the role of the Speaker in Committee of the Whole. The Honourable Member for Morris has spoken. Well then I hope that the Honourable Member for Swan River would offer us his comments and I would be most happy to hear his comments because he is one of the three in this House, who, I suppose we could incorporate ourselves as a Speakers' Club, we have three -- and Ex-Speakers" Club, not Speaker, I'm sorry, Mr. Speaker, there is only one Speaker in the House at the present time.

So with those few comments, Mr. Speaker, I will take my chair and I am looking forward to and anxiously awaiting to hear further comment on this matter from other honourable members of the House.

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

MR. BILTON: I was going to . . . Mr. Speaker, but I think I can proceed with a few remarks if I may, just for a few moments.

The previous Speaker and myself I must say at the outset, are simply poles apart in what he is suggesting. There is no question but what he has given a lot of thought to what he has had to say today, and I only partially heard some of his comments, but somehow or other, Mr. Speaker, I cannot see how you could rule over this House having taken part in Committee debates on a particular subject and then ultimately at some given time have to rule on the outcome as Speaker in the Chair. This, it would seem to me, would create an impossible situation. I recall the problems your predecessor had during the last session and I'm sure that with the House divided as it was at that time, and with an equal number of members, no one knows better than I or you, Sir, what he went through, but nevertheless that is the fruits or the evil of office, and to me, when I was invited to become the Speaker, the first thing I did was go back to my people and related the facts to them - - not them all it's true, not public meetings or that sort of thing - - and had their views and pointed out to them the responsibilities that I would have and that they would divorce me from the discussions of the House, and in that way they encouraged me. They thought that if I was to be elected by my peers, I was not only bringing honour to myself but also to the constituency from whence I come.

I have always been an advocate for the position of the permanency of the occupant of the Chair. I'm not going to dwell on that; it has been dwelt on before. But when that subject does come forward in the future, it will have my wholehearted support. Because I feel, Mr. Speaker, that the Chair you occupy and the responsibilities you have is the cornerstone of this House, the cornerstone of our Parliamentary System as we see it and have the privilege to take part in here. With that responsibility goes a great deal of loneliness, I know only too well; and that loneliness, Mr. Speaker, that quietness as it were, takes you away from your colleagues that you have gone to the polls and gone through the cut and thrust of election, you have to divorce yourself from them if you are going to give the impartiality that the position requires. To me, Sir, it would be out of all rhyme or reason for you to become part of the affairs of this august body in the body of the House when they are dealing with the business of the province; because at any given moment, the Chairman of Committee, in which you may be sitting in the House and take part in the argument, may require that you be called to the Chair to rule on that particular problem, and I say that as simply as I can, to suggest to you and to suggest to my friend that it places a Speaker in a position that he could not adjudicate on that particular point.

So with those few words, Mr. Speaker, I must say it was a pleasure to serve on the Committee and give of my time and I hope that the House will see fit to sort out some of these recommendations and pick out the best of them, if your like, and approve them for the betterment of the community in which we live when we are here doing the peoples' business.

MR. HANUSCHAK: Mr. Speaker, would the honourable member permit a question? Is the rule not "state that an appeal from a decision of Chairman of Committee of the Whole to the House and not to the Speaker?"

MR. BILTON: Excuse me, Mr. Speaker, I'm a little dull on that at the moment, but as I recall it, that if the House fails to agree in Committee and a situation does develop, it has to be reported to the Speaker and the Speaker in his wisdom takes care of the matter for the good of us all.

MR. SPEAKER: Are you ready for the question?

MR. SPEAKER: The Honourable Member for Rhineland.

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

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

MR. SPEAKER: The Honourable Minister of Finance.

MR. CHERNIACK: Mr. Speaker I beg to move, seconded by the Honourable the Attorney-General, Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the supply to be granted to Her Majesty.

MR. SPEAKER presented the motion and after a voice vote declared the motion carried and the House resolved itself into a Committee of Supply with the Honourable Member for Winnipeg Centre in the Chair.

COMMITTEE OF SUPPLY

MR. CHAIRMAN: Resolution 21. The Minister of Finance.

MR. CHERNACK: Mr. Chairman, before you proceed with the Attorney-General's Estimates, Resolution 21, I would like to respond to questions that were asked of me in Committee by the Committee, dealing with the debate on the Capital Supply Bill No. 1 -- well it's Bill No. 11, I believe, but it's Capital Supply No. 1. I undertook to provide the Committee with some information and this is the first opportunity I have to do so, so if I may, it's fairly brief, but I think it's the Leader of the Opposition in the main who's asking the questions.

I promised that I would give some outline, review the Capital Authority that had been voted for the Manitoba Housing Renewal Corporation and outline how the authority had been used. I thought the simplest way for me to do this would be to provide the House with the authority that had been voted in the previous sessions and indicate the amounts that were utilized in the various fiscal years after the authority had been passed by the House.

The Loan Act in 1968 provided the Corporation with \$5,300,000; the Loan Act in 1969 provided the Corporation with \$6 million; the Loan Act in 1970 provided the Corporation with \$17,500,000, or a total capital authority voted by the House of \$28,800,000.00. Up to the end of the fiscal year ended March 31, 1970, the Manitoba Housing and Renewal Corporation had committed some \$1,508,207 of authority voted at that time.

During the fiscal year ended March 31, 1971 the Corporation committed some \$26,038,910, or a total of commitments to the end of March 31, 1971 of \$27,547,117, which, Mr. Chairman, confirms the statement made by the Honourable the Minister of Municipal Affairs that the massive movement in the housing expenditures took place after March 31, 1970 and up to March 31, 1971. Out of the voted authorities available, that is the \$28,800,000, there then remained after deducting the \$27,547,117, an amount of authority available of \$1,252,883.

If I could summarize it in another way, looking again at the capital authorities voted, that is 1968, \$5.3 million; 1969, 6 million; 1970, 17.5 million or a total of \$28.8 million. The amounts of authority remaining at the end of each fiscal year are as follows: as at March 31, 1970, there was uncommitted authority of \$9,791,793; as at December 31, 1970, there was \$12,474,662, which I indicate was the amount shown in the statement which was discussed by the Minister of Municipal Affairs. At March 31, 1971 there was \$1,252,883.00. I think you'll realize that with only 1 1/4 million dollars worth of authority remaining at the end of the fiscal year March 31, 1971 and with projects planned of a very sizeable nature during the fiscal year ended March 31, 1972, that we were most anxious to have the House pass this bill as quickly as possible, and I want to take the opportunity of thanking the House for having given us leave to accomplish this.

Another thing I'd like to clear up at this time is a comment I made in reply to the Leader of the Opposition. I said during the discussion that I didn't quite remember but I thought it might have been necessary to utilize some of our capital authority provided for General Purposes in 1970, but on review I find that this is not the case, that in fact the corporation committed projects using the specific authority that had been voted for them.

MR. CHAIRMAN: Resolution 21. (a) -- passed; (b) -- passed; (c) --

MR. FROESE: I think the Minister wasn't finished with his opening remarks.

MR. CHAIRMAN: The Attorney-General.

MR. MACKLING: Well, Mr. Speaker, obviously the House is in a mood to pass all my estimates in a few moments and therefore I shouldn't speak at any length because I wouldn't like to take away their good nature and undo what might otherwise be a very expeditious afternoon's work. -- (Interjection) -- Oh, a voice across the side indicates that my thoughts aren't correct.

However, Mr. Chairman, I would like to carry on with a brief overview of some of the matters of concern to my department and as reflected in the estimates that have been placed before you.

I would like, Mr. Chairman, say something perhaps about the "orphan" that was referred to by the Honourable Member from Emerson, first of all. This government didn't initiate the present Liquor Control Act; we don't take credit and can't take credit for the excellent work that was carried out by the Bracken Inquiry Commission when a previous administration was in power in Manitoba, but the result of that commission was the present Liquor Control Act and its provisions are founded on principles that were the basis of that report. Now the Liquor Control Commission operates at arm's length from government, that is the commission

(MR. MACKLING cont'd) are appointed by the Lieutenant-Governor-in-Council and so are the Licensing Board but the government does not administer the work of the Liquor Control Commission. I report to this House on behalf of the Liquor Control Commission but I do not oversee the operations of the commission; I don't act by way of an appeal tribunal of one person in respect to complaints in respect to the operations of the commission. That is not to say, however, Mr. Chairman, that if any member of this House or any individual citizen in Manitoba has some grievance or some problem that it is not my responsibility to make inquiry and question whether or not the Manitoba Liquor Control Commission is properly following the principles laid down in the Act, the letter of the law as well as the spirit of the law that this Legislature or previous Legislatures have laid down. And I have done that from time to time.

In respect to the concern of the Honourable Member from Emerson about a licensee in his constituency, Mr. Chairman, it was brought to my attention that this gentleman, a licensee claimed that he was being unfairly treated. I brought this concern to the Liquor Control Commission and I asked them whether or not there was any unfair application of the administration of the commission in respect to that licensee and I received the assurances that there were not. There was no discriminatory practices, there was no unfair application of the principles of the Act, of the regulations, on the basis of which that licensee held his licence. There was a charge laid, there were convictions, there was a conviction, there was appeal; everything had been properly handled so far as I'm given to understand before the Court.

I have no right and no one in this Chamber should suggest I have the right to interfere with any matter that is before the Court. There had been no application to me that the charges laid were too severe or there had been nothing brought to my attention in connection with this case until I received an indication from, I think, the honourable member himself apparently made representations to my department and other MLAs as well made representations that this gentleman feels that he was unduly treated. The fact of the matter is that if the gentleman had complained that there had been wrongdoing on the part of the police or the Crown Counsel or anything else, I would inquire to make sure that there was no administrative wrongdoing but I wouldn't interfere, and no one should suggest that I interfere with the tribunal that deals with the individual case -- In this instance I believe it was a Magistrate's Court initially and then to a Court of Appeal, the County Court, where the finding was confirmed.

MR. CHAIRMAN: I wonder if you could keep some of the private conversations down. I'm having difficulty hearing the Attorney-General.

MR. MACKLING: Now, once a conviction, Mr. Chairman, has been registered, it's not open to the Liquor Control Commission to ignore the finding and they must take certain steps and they involve a cancellation of license and I'm given to understand that the treatment accorded to the licensee in this particular case was a fair and reasonable one. Now if the application of the law or the regulations has for its effect an unreasonable result, that's a problem for this Legislature to deal with. It's not a problem for which the Attorney-General can intervene and provide an answer. I am not a lawmaker; I am not a judge; I'm an administrator with limited, particularly limited responsibilities when it comes to the Liquor Control Commission. But, one of the things, Mr. Chairman, that I do not find favourable is the suggestion that the Liquor Control Commission ought to be made more responsible to Government. I disagree wholeheartedly with the light-hearted suggestion that that organization shouldn't be at arm's length from government and should be more closely under the surveillance of government. I think that the independence of that body as provided for, as recommended by the Bracken Report, and as established by the Act, an Act which was passed by a previous Legislature, the principles of which have been supported in this House many times, is important to repeat and repeat again. The Liquor Control Commission should not be just another administrative section of government; it should be separate and apart and removed from the direct control of the government of the day.

It's true that the commission is appointed by the government of the day but once having been appointed, they administer and are there at pleasure. I, as the individual member of the Legislature, of the Cabinet responsible, am responsible to report to this House, and if there are errors in the policy or the principles under which the Liquor Control Commission act, this Assembly is the one that's responsible to make those changes, not the Attorney-General.

Now, one other matter of general administration in respect to the Attorney-General's Department to which the Honourable Member from Emerson made light-hearted reference, I would like to deal with; and that is the question, Mr. Chairman, of the so-called chicken and

(MR. MACKLING cont'd) egg war. The honourable member made light-hearted reference to my personal capacity as an Attorney-General playing the role of Don Quixote and tilting at windmills and one of his windmills was the Supreme Court.

Mr. Chairman, the Honourable Minister of Agriculture, the Premier of this Province, the Minister of Finance and I, as Attorney-General, have made the strongest representations possible to the Federal Government that if there is to be one Canada, one Canada in which we have free trade, where we retain a sense of Canadian nationhood, we cannot allow to exist artificial trade barriers which destroy the natural trade advantages that exist within parts of this country. Since the time of Confederation, the prairies have enjoyed the natural economic advantage of its prairie economy. We've been frustrated by high tariffs and unfair freight rates and many other artificial factors which have worked to the benefit of eastern Canada, but the fact of the matter is that we've been able to put down trade barriers in the past and previous Federal Governments in Ottawa have seen fit to strike down legislation which has had the effect of creating artificial trade barriers within this country, because the effect, Mr. Chairman, of artificial trade barriers is that we don't have one Canada; we could have 10 Canadas. As do you know, Mr. Chairman, that at the last constitutional conference, at our insistence, the insistence of the Government of Manitoba, one of the matters which was dealt with at some length - and we made sure that it was dealt with at some length - was the existence of artificial trade barriers in this country. And do you know what the Secretariat of the Constitutional Conference entitled the subject matter? "A Common Market for Canada." A Common Market for Canada.

As I pointed out to the Prime Minister and others did as well on the Manitoba delegation, this very title presupposed that we had 10 economic and national units in this country. I disagreed strenuously as did the Manitoba delegation, with the retention of this topic under this title and we have insisted that the Federal Government ought to move quickly to strike down these trade barriers. Instead of that there has been procrastination and delay.

Now, the Honourable Member from Emerson says, "Ah, yes, but did you go to the Supreme Court? Why did you go down there when you knew you were going to lose?" or something like that. "You were just putting on an act." Well, Mr. Chairman, I want to tell you that we were concerned to get this matter before the Supreme Court as quickly as possible because time is of the essence. Time is of the essence because the quality of our nation is being eroded. Escalation in trade barriers has been on-going and we felt we had to move quickly.

We also had the advice of one of - I consider, Mr. Chairman - one of the best constitutional lawyers in this country. He happens to be a professor in our Manitoba Law School but an excellent constitutionalist, that provided arguments that notwithstanding that it's a statutory court, the Supreme Court has a right to hear original applications and we quoted sections of the British North America Act and sections of the Supreme Court Act, buttressing that argument, pointing out that we had a right to come before that body and ask them - and that was the application - to ask them to give us leave to bring the constitutionality of the regulations and the Acts of another province before that Supreme Court for decision as to its constitutionality.

Now, I won't reflect on the character of the Courts. All I will say, Mr. Chairman, is that the Supreme Court said nothing, that is they didn't deal with the argument we advanced, and in doing so they avoided a decision as to whether or not they could have jurisdiction on an original application. It wasn't a full court, it wasn't the full Supreme Court, and we had some measure of dissatisfaction about that, but notwithstanding, I respect and our government respects the decision of the Supreme Court. We lost. We lost that round, but if we'd won it we would have been before the Supreme Court many many months ago, and we would have been before the Supreme Court in a way that I wanted and our government wanted to be before the Supreme Court. And I'll show you the distinction. We would have been there asserting that Canada is one nation and that no individual province should set up trade barriers to frustrate that concept. Since we failed, what we had to do was resort to a reference to our court of appeal saying in effect this: We are setting up regulations under an Act, an existing Act of the Province of Manitoba, doing in effect the same thing as what's being done in another province. We want to know whether or not we have the constitutional authority to do that. We hoped and we prayed that our court of appeal would say you haven't got the authority to do that, it's unconstitutional. But we couldn't take that position before the court of appeal in this province. The courts work by an adversary system. We have to uphold the constitutionality of our regulations and someone had to attack the constitutionality. So the private industry, the egg producer, the poultry industry had to come before the court and attack our position; and you know it

(MR. MACKLING cont'd) makes one feel rather frustrated that you can't go before the court in the position that you want to be. But that's the case, and now we have to go to the Supreme Court, we're there now, and I won't comment upon the case other than to say we're there, but I wish we were there in a position where we were saying that we don't like the proposed Manitoba regulations. But in all fairness to the court, we must try and show the strongest position possible in favour of the constitutionality of our regulations, because that's the way the adversary system works. And I for one and the government for one would have far rather not had to follow that routine court procedure and gone to the Supreme Court as we had wanted directly in the fall of 1970. So that's why, Mr. Chairman, I went down personally and that's why we made the strong representations we did. Yes, it was unusual. Yes, there was no precedent for it. But as we've said time in and time out, this is a government that's prepared to dare to challenge old concepts and precepts and if there is authority for it, to do it in the most expeditious and effective way for the people of Manitoba.

So I challenge the honourable member to in any way buttress his argument that it was a light, fanciful and frivolous approach to the Supreme Court and we didn't know what we were doing. We knew what we were doing and we did it out of a concern for the immediacy of the problem, and during that time lapse, Mr. Chairman, many many hundreds of thousands of dollars I'm sure have been lost to producers in this province. The fact of the matter is that trade barriers have been escalating and we've seen egg prices in this province dropping the lowest that I can recall in the history of this province. There is a real critical situation in this area and part of it is brought about by artificial trade stimulants and artificial trade barriers. It is a question of very grave interest to the people of this province, Mr. Chairman, and notwithstanding that we have levity in this Chamber this is one in which I suggest the honourable member should consider to be one of the most serious questions and ought to be dealt with in that manner.

Now, Mr. Chairman, I want to touch lightly on an extensive number of matters in respect to my department. I won't go into great detail because honourable members I'm sure will want to question and prod in respect to some areas and I will welcome their questions and their motions to reduce my salary to \$1.00 and God bless you all. -- (Interjection) -- No, no, I'll welcome them, I'll welcome them. I love the debate. But let me report on just a few things, Mr. Chairman. You recall that we set up a legal aid fact-finding committee and that committee has reported. I have been quoted as being largely receptive to the entire content of the report. I have some disagreement with some aspects of the report but they're not the most crucial consequential aspects. I have requested and have been awaiting a meeting with the Law Society of Manitoba to discuss provisions of the report. I had had one preliminary meeting and I've been awaiting their decision in respect to further representations to me in respect to the report. I'm hopeful that we'll be able to introduce perhaps even at this session an Act incorporating a legal aid society for the province which would administer legal aid. And I want, Mr. Chairman, at this time to pay public tribute and put it on the record, as we say, the contribution of those who worked in respect of a fact-finding committee on legal aid; who worked, Mr. Chairman, without pay, who spent many hours travelling, meeting people, discussing, reviewing, writing reports, all in the interests of the better administration of justice in this province and a fair, more equitable treatment of persons who come before our courts.

The committee was chaired by Mr. Reeb Taylor, Q. C., and among its members were the following: A. Burton Bass, R. W. Brockway, Lou Greenberg, Chief Magistrate Harold Gyles, Ron Meyers, Reverend Kim Warne, Val Werier. Also on this committee were David Courchene and Morris Foyle.

I hesitate to leave the question of legal aid, Mr. Chairman, without making some passing reference to the anomaly which I see in this whole question of the administration of justice whereby from time to time statements are made by people in Ottawa about the need for a greater measure of equality of those who come before our courts, but when it comes to the administration of justice and the allocation of funds to insure the fairest administration of justice the Federal Government doesn't come through with any funding. In the past the Federal Government did provide the cost of defense counsel for people who are disadvantaged, particularly those -- they exercise responsibility for those who were Indian on recognized reserves. They don't do that anymore. We have to assume the cost of defense under our legal aid program. You will find that in our budget provision has been made for a continuance of the extent of legal aid which we provided for last year, the extent of \$300,000. I know that this is inadequate but

(MR. MACKLING cont'd) until the program has been developed and confirmed we have given assurances to the Law Society that the existing program will be carried on.

I will have, Mr. Chairman, further remarks to contribute in respect to legal aid but I think I'd better leave it at that or perhaps I could spend all afternoon on that one subject alone because it is very near and dear to me. It's one of the priorities that I have as a personal priority. Well, I think I'll leave it because there'll be other opportunities to either expand on it.

I should also say, Mr. Chairman, that members of the Legislature will be appreciative of the fact that the work of the consolidation and revision of the regulations is proceeding. We have continued the services of Mr. Gerald Rutherford whose excellent work in large part resulted in the Revised Statutes which we now have and with which we can work more effectively. That work is continuing and I'm hopeful that the committee will be called together during this session to approve some portion of the work that has already been completed by Mr. Rutherford.

Since last appearing in this very formal way before you with my estimates a number of sections of my department have changed inasmuch as I am now responsible for the Land Acquisition Branch and the Land Value Appraisal Commission which became my responsibility as of September, 1970. That Branch has been working effectively. I hear the admonition from behind "slowly" and appreciate that various Ministers whose departments are involved in land acquisition may from time to time feel that the Branch doesn't work as effectively as they think it might because it takes time to negotiate and arrive at reasonable agreements. I think the Branch works responsibly, responsibly in that it doesn't squander the taxpayers' money, on the other hand I have the view that they are not unfair. They arrive at most settlements effectively and with complete satisfaction. However, where purchase cannot be had by negotiation and voluntary agreement we have to resort to expropriation. But I am confident now, Mr. Chairman, that with the new Expropriation Act there is within it the reasonable provision for compensation and a reasonable right of settlement and satisfaction is provided under that vehicle for those whose lands are taken for public purposes wherever required.

The Expropriation Act as you recall was passed at our last session and during the month of December a Seminar was held for all interested parties, public notice was given, a very good attendance was noted. Mr. Ross Nugent, Q. C., who had assisted in advising as to the provisions in the Act during its final preparation conducted the Seminar and more than 100 persons attended and we felt that it was a very successful and worthwhile effort. We are now preparing, Mr. Chairman, a brochure on The Expropriation Act which hopefully will put into simple layman's language the essence of the Act so that those whose property are affected by an expropriation, by whatever level of government, will be assisted in an understanding as to what their rights are in accordance with that Act.

Since last coming before you the Law Reform Commission which was provided for in The Law Reform Commission Act which was passed at the last session, has now been fully appointed. The Chairman of the Law Reform Commission is Mr. Francis Muldoon, Q. C. He has on the commission Mr. Dale Gibson, Mrs. Myrna Bowman, Mr. Robert Smethhurst, Mr. Val Werier, Miss Sybil Shack and Dr. Kenneth Ralph Hanley. They have met -- (Interjection) -- Oh, yes I'll be answering that. -- (Interjection) -- Yes, indeed. Do you want me to go into the political affiliations? I think I have a pretty good working knowledge of the affiliations. Yes. -- (Interjection) -- Pardon me? -- (Interjection) -- Oh, I think that people all over Manitoba are joining the New Democratic Party. Yes, I still have hope for the Honourable Member for Sturgeon Creek. Mind you it's faint but nevertheless there. I'll pause to take a drink of water for a few more refreshing comments like . . . Well the chickens are scratching but they're not cackling very clearly so I'll carry on, Mr. Chairman. I must say, Mr. Chairman -- (Interjection) -- They might be hatching some eggs all right. Poor quality though.

MR. CHAIRMAN: I wonder if the Attorney-General would direct his remarks to the Chair.

MR. MACKLING: Yes, Mr. Chairman, I'll just reiterate what I said, that the chickens over there must be hatching some poor quality eggs because they're not . . . But, Mr. Chairman, I think that this province can take some measured pride in the composition of our Law Reform Commission. We are unique in Canada in having a Law Reform Commission which is not dominated by the legal profession.

MR. CHERNIACK: Hear! Hear!

MR. MACKLING: We have a Chairman who is a lawyer and we have six members, three members of whom are lawyers and three members from other disciplines and I think it's a tribute to the citizen members that my understanding is that they are working effectively. They have already had meetings and recommendations have been made for some specific changes in laws which have anomalies and I hope at this session to be bringing forward or making comment on recommendations of the Commission. -- (Interjection) -- Well I really don't know whether any of these people have farmed or not. I'm sure that they have fertile minds anyway, that's the important thing.

I hesitate to say anything about lotteries, Mr. Chairman, because after all there's a bill before the House, and I don't know the niceties of commenting about lotteries in general where there's a bill before the House, but I have the assurances that I'm a free agent. It sounds like I have lots of leave. Mr. Chairman, I'm not aware of the fact that I need leave but I will pursue my remarks in any event.

There has been comments, Mr. Chairman, suggesting that Bill 15 provides for the establishment retroactively of a Lotteries Commission and that this seems to be some unfair and improper thing. Well, I don't like retroactive legislation, Mr. Chairman, and really I suppose we don't need it at all, but it was felt that the Lotteries Committee which had been established by the Lieutenant-Governor by Order-in-Council ought to be provided for by legislation. Now I myself don't think it's essential at all but the department felt that when presenting a bill dealing with lotteries that it should be established, the formal establishment of the committee ought to be provided for within that bill.

Now you may well question, Mr. Chairman, and other members - well, you say that you don't need any, you don't need legislative sanction for it; what is your authority? Well, my authority, Mr. Chairman - and I could speak on lotteries for an hour or so too, but I hesitate to do that because I don't think that all members are excited enough about it - but -- (Interjection) -- Okay, okay, Mr. Chairman, through you, thank you very much the Honourable Member from Swan River, I'll take note of the time. But the provision for lotteries, Mr. Chairman, is made as a result of amendments by the Federal Government who, under the British North America Act, have complete authority for the Criminal Law, and by virtue of the Criminal Code of Canada gambling in any form is illegal, but there are exceptions and the exceptions are provided for in the Criminal Code.

For many, many years the Federal Government wrestled with the very awkward and untidy question of lotteries. Finally, after great soul-searching and debate, the Federal Government saw fit to introduce amendments to the Code and it is on the basis of those amendments that provincial administrations are permitted to act, and the provisions of Section 179 (a) are quite clear. They give this Legislative Assembly the authority to organize and conduct a provincial lottery for the whole province and administer it if we so wish. They also give the Federal Government the authority to have a nation-wide lottery if the Federal Parliament so wishes. I have many answers -- oh, I see.

The sections, Mr. Chairman, go on to provide that the Lieutenant-Governor-in-Council of the province may delegate, may provide by Order-in-Council a delegation to such persons as the Lieutenant-Governor-in-Council deems proper, the licensing of certain types of lottery, and various governments in Canada, provincial governments in Canada, our sister province to the East, Ontario, all the provinces and so on, immediately prior to the coming into force of the revisions to the Criminal Code were hard put to provide for regulations to deal with the large number of organizations who had been holding illegal lotteries for years and now felt that, properly so, they had to have a legal license to carry on their lottery.

So the Lieutenant-Governor-in-Council did, by Order-in-Council, provide for the holding of lotteries of a certain scale. The types of lotteries that were provided in the code, and the scale, is where the lottery is for a prize of \$3,000 or less, and this administration delegated to all municipalities and cities, and recently to Indian Bands, the right to conduct, to license lotteries in their jurisdictions where the lottery involves a prize of \$3,000 or less. But because, Mr. Chairman, this is an area where there is concern that there be no duplicity, there be no fraud or illegality, we laid down what we considered to be pretty stringent but otherwise reasonable conditions that the local authority must follow in respect to licensing, and this was only done after a careful consideration of what the probable consequences and problems that local organizations and local governments might face, and after a comparison with the regulations and provisions extant or being provided in sister provinces. I think that our regulations

(MR. MACKLING cont'd) are as good, in fact I think they are better than the best that there are elsewhere, and they do, so far as possible, provide for a fair accounting and reasonable conducting of lotteries by private groups who wish to obtain a license from their local government to hold a lottery.

Now that deals with lotteries, Mr. Chairman, under \$3,000, but my goodness there are many many organizations who wish to -- (Interjection) -- Yes surely, oh yes, I will.

MR. BILTON: Alluding to what he has just said with regard to a \$3,000 lottery that they have a license to run, as we proceed will the license commission in Winnipeg have to rule as to whether or not they can hold that lottery? And my second question is, those lottery numbers, will they be allotted by that commission or will the local authority continue to hand them out indiscriminately?

MR. CHAIRMAN: Order please. I will allow the Attorney-General to discuss under Resolution 21 the policy of the Department of the Attorney-General, and because it involves the policy of the Department I think he should be allowed to discuss lotteries, but I don't think at this time we should entertain discussions of bills which are before the House. I would rule that question out of order in that it is specifically directed to the bill before the House. The Attorney-General.

MR. BILTON: Mr. Chairman, you ruled my question out of order but you have allowed the Attorney-General to go for some time on the matter of lotteries. I wonder why you didn't rule him out long ago in order that he could give us this recitation when we are dealing with the bill.

MR. CHAIRMAN: Order please. I don't intend to debate with any member of the House. If you question the decision of the Chair there are proper procedures to be followed. I will repeat what I said. I allowed the Attorney-General to discuss lotteries in general terms. The Attorney-General.

MR. MACKLING: Well, Mr. Chairman, perhaps I'm going a bit into too much detail and encouraged the question.

MR. CHAIRMAN: . . . Attorney-General to keep his remarks general rather than directed specifically to any legislation before the House.

MR. MACKLING: Well, Mr. Chairman, I will have ample opportunity when a particular item in my estimates comes up in which there is provision for the payment of the Board to go into further detail, but I would like to just quickly round out the work of -- about two minutes -- so that I can get off that item, the work of what this committee does.

The committee will be dealing with lotteries of \$3,000 or more and particular types of lottery that are provided for in the Criminal Code for fairs and exhibitions and so on, and this type of lottery is handled by the committee. The committee has processed or has received 35 applications. The cost of the Board's operations to date, or pretty well to date - I don't know whether this is as of today's date or a few days ago - was approximately \$870.00 and the revenue from the licensing of the types of lottery which are in excess of \$3,000, not dealt with by the local authority, amounted to about \$1150.00. So it's kind of -- it's just paying for itself. It's not a loss to the government, but I hope it will just pay for the cost.

Now I hear someone saying 5.30 -- 55 seconds. Mr. Chairman, I don't want to spend much more time on lotteries. I can go on with other sections of my department after reconvening.

MR. CHAIRMAN: It is 5.30. I leave the Chair to return at 8.00 o'clock.