

THE LEGISLATIVE ASSEMBLY OF MANITOBA
2:30 p.m., Thursday, February 26, 1976

Opening Prayer by Mr. Speaker.

INTRODUCTION OF GUESTS

MR. SPEAKER: Before we proceed, I should like to direct the attention of the honourable members to the gallery where we have 30 students, Grade 5 standing of the Sacre Coeur School. These students are under the direction of Mrs. Gras. This school is located in the constituency of the Honourable Member for Winnipeg Centre, the Minister of Corrections and Rehabilitation.

We also have 60 students from the Belmont and Forest Park Schools. These students are under the direction of Mrs. Melnyk. This school is located in the constituency of the Honourable Member for Seven Oaks, the Minister of Urban Affairs.

On behalf of all the honourable members, I welcome you here this afternoon.

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

TABLING OF REPORTS

HON. LEONARD S. EVANS (Minister of Industry and Commerce) (Brandon East): Mr. Speaker, I would like to table the reports of the Department of Industry and Commerce, The Manitoba Trading Corporation, The Manitoba Research Council and The Manitoba Design Institute for the year ended March 31st, 1975.

MR. SPEAKER: The Honourable Minister for Education.

HON. BEN HANUSCHAK (Minister of Education) (Burrows): Mr. Speaker, I wish to table the Annual Report of the Department of Education for the year ending June 30th, 1975.

MR. SPEAKER: The Honourable Minister for Tourism and Recreation.

HON. RENE TOUPIN (Minister of Tourism, Recreation and Cultural Affairs) (Springfield): Mr. Speaker, I beg to lay before the House the Annual Report of the Co-operative Loans and Loans Guarantee Board for the year ending March 31st, 1975; and the Annual Report of the Arts Council for 1974-75; and the audited report and financial statement for the year ending March 31st, 1975.

MR. SPEAKER: The Honourable Minister of Labour.

HON. RUSSELL PAULLEY (Minister of Labour) (Transcona): Mr. Speaker, I'd like to table the Annual Report of the Manitoba Labour Management Review Committee.

MR. SPEAKER: The Honourable Minister of Consumer and Corporate Affairs.

HON. IAN TURNBULL (Minister of Consumer, Corporate and Internal Services) (Osborne): Mr. Speaker, I wish to table two reports: the report for the Queen's Printer for the year ended March 31st, 1975, and the report of the Public Utilities Board for the same year.

MR. SPEAKER: Notices of Motion; Introduction of Bills; Questions. The Honourable Member for Fort Garry.

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MR. L. R. (Bud) SHERMAN (Fort Garry): Mr. Speaker, my question is to the Honourable Minister of Urban Affairs. Can the Minister advise the House whether the province's financing support for the Fort Garry-St. Vital Bridge is pegged to a specified amount or whether it's open and dependent on final cost figures?

MR. SPEAKER: The Honourable Minister for Urban Affairs.

HON. SAUL A. MILLER (Minister for Urban Affairs) (Seven Oaks): Mr. Speaker, the city was informed as to the nature of the roadway and overpass that the province felt was adequate. That information was conveyed to the city. I believe the city last night dealt with the matter. There was an understanding that staff of the province and the city would meet to look at the proposed overpass and roadway - that meeting hasn't yet taken place. So to that

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(MR. MILLER cont'd) extent, the absolute figure is not determined but the general idea has been determined.

MR. SHERMAN: Well, Mr. Speaker, I thank the Minister for his information. I would just like to ask him a supplementary. Will the province's participation still be at the level of 50 percent?

MR. MILLER: Mr. Speaker, yes, the provincial participation will be 50 percent, but it will be 50 percent of a known figure and not 50 percent of just an open cheque.

MR. SPEAKER: The Honourable Member for Rock Lake.

MR. HENRY J. EINARSON (Rock Lake): Mr. Speaker, I direct a question to the Minister of Agriculture. The question pertains to the Order for Return that my colleague the Member for Lakeside placed and was accepted pertaining to the feasibility study re Crocus Foods. I wonder if the Minister could indicate whether we will have that report before we finish the Estimates on Agriculture.

MR. SPEAKER: The Honourable Minister of Agriculture.

HON. SAMUEL USKIW (Minister of Agriculture) (Lac du Bonnet): Mr. Speaker, I'm not able to give the answer at the moment.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. HARRY J. ENNS (Lakeside): Well, Mr. Speaker, a supplementary question to the same Minister, the Minister of Agriculture. This report is in his possession?

MR. SPEAKER: The Honourable Minister.

MR. USKIW: I presume, Mr. Speaker, that the normal approach is that we do research to determine what input was made into the feasibility study by all interested parties and the concurrence of those involved.

MR. ENNS: Mr. Speaker, a further question to the Honourable Minister of Agriculture. It's my understanding that current discussions are taking place with MANCO, the Manitoba Co-operatives, the Milk Organization, and his department with respect to the possible coming together of an ownership agreement or arrangement regarding Crocus Foods.

MR. USKIW: Mr. Speaker, I've indicated to my honourable friend on more than one occasion that that has indeed been the case and the discussions are continuing.

MR. ENNS: A final supplementary question then to the same Minister, Mr. Speaker. These discussions are taking place at the same time he is studying the inputs to the feasibility study that my friend from Rock Lake just asked about?

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

MR. HARRY E. GRAHAM (Birtle-Russell): Thank you, Mr. Speaker. I have a question for the Attorney-General, and I would like to ask him if there is any indication in his department regarding the possibility of raising the fees for Justices of the Peace in the province which haven't been raised since 1942.

MR. SPEAKER: The Honourable Attorney-General.

HON. HOWARD PAWLEY (Attorney-General) (Selkirk): Mr. Speaker, there have been reviews in respect to fees paid to Justices of the Peace. I do think, however, that this year probably would not be the appropriate year to allow for any increases; certainly if general catch-all increases were allowed because there was no increase since 1942, I think it would be interpreted in not too favourable a light. So I think it's the wrong timing though I will say that there has been constant review of the fees paid to Justices of the Peace.

If I could, Mr. Speaker, I'd like to answer some of the questions that have remained unanswered from the Honourable Member from Fort Rouge in respect to wire tapping. I'm informed that there were no unauthorized wire taps, that all wire taps in fact that did take place took place as a result of authorizations which were obtained from a judge in the Court of Queen's Bench, so that there were no unauthorized wire taps at any time in connection with the Pilutik case. --(Interjection)-- Some humour has escaped me. --(Interjection)-- That is an unauthorized tap, Mr. Speaker.

MR. SPEAKER: Correction, that is an authorized tap.

MR. PAWLEY: Secondly, there was no wire tapping involving Crown Attorneys. Then in connection with the question of material that is submitted to the Law Society, those allegations that relate to Mr. Pilutik's membership in the Law Society were developed as a result of a number of different means, and I cannot assure the honourable member that some

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(MR. PAWLEY cont'd) of those allegations would not have developed because of the interceptions in respect to communications. Some of them may very well have been. But I think it must be kept in mind at all times that, in fact, insofar as even the authorization to obtain wire taps in respect to former Judge Pilutik, that that wire tapping occurred as a result of information which was gleaned from earlier wire tapping. The Criminal Code is quite specific insofar as the use of wire tap information if it has been obtained in a lawful manner, which it was obtained in this case.

MR. GRAHAM: Mr. Speaker, I would like to then ask the Attorney-General if information gathered as a result of wire-tap on a particular individual if it involved other individuals, whether the information that the Attorney-General has would then be relayed to the Law Society regarding other individuals as well as Judge Pilutik?

MR. PAWLEY: Mr. Speaker, only if it was a matter which indicated criminal activity. As I have indicated, the wire tap involving Mr. Pilutik's phone occurred as a result of information which had earlier been obtained, but certainly not insofar as other individuals unless it was strictly within the confidence of the Law Society to deal with the particular matter.

MR. GRAHAM: Would that include conduct unbecoming a member of the Law Society even though it is not criminal?

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. LLOYD AXWORTHY (Fort Rouge): Mr. Speaker, if I might I would like to pursue with the Attorney-General matters arising out of his answers. The first question I would have is the question of whether wire taps were authorized for persons other than Judge Pilutik in reference to his case, which I believe was one of the questions that was taken as notice?

MR. SPEAKER: The Honourable Attorney-General.

MR. PAWLEY: Yes, wire taps were authorized insofar as others besides former Judge Pilutik; those others were not involved in the administration of justice system, but there were others that were wire tapped in respect to that case, yes.

MR. AXWORTHY: A supplementary question, Mr. Speaker. Can the Attorney-General indicate whether the other taps that were authorized were of people in the legal profession itself, who may not have been involved as members of his department or the judiciary but were in fact members of the legal profession in the city?

MR. PAWLEY: No, there were not, Mr. Speaker.

MR. AXWORTHY: A final supplementary, Mr. Speaker. In reference to these cases, can the Minister indicate whether he held discussions or consultations with Chief Judge Giles concerning the charges that were to be laid against Judge Pilutik and whether this kind of consultation if it did take place is customary between the Chief Law Enforcement Officer, with the law enforcement agencies and a member of the judiciary?

MR. PAWLEY: Mr. Speaker, there were no discussions pertaining to charges against Judge Pilutik because there were no charges at any time being discussed, certainly at my level.

MR. SPEAKER: The Honourable Minister for Assiniboia.

MR. STEVE PATRICK (Assiniboia): Thank you, Mr. Speaker. I have a question for the Honourable First Minister. I wonder if the First Minister can confirm that his statement of yesterday was correct, where he indicated that Manitoba Hydro will not submit its increase in rates to the Public Utility Board.

MR. SPEAKER: The Honourable First Minister.

HON. EDWARD SCHREYER (Premier) (Rossmere): I indicated, Mr. Speaker, that the increase in rates could come and, in my opinion, should well come before the Anti-inflation Board. I said yesterday that I assumed all along that such would be the case.

MR. PATRICK: Mr. Speaker, am I not correct, if they come before the Anti-inflation Board is not a public hearing and the citizens of the community and city will not have an opportunity to make representations to that Board because it's not a public hearing?

MR. SCHREYER: Mr. Speaker, I am not aware of the specific procedures that the Anti-inflation Board would follow, except I am satisfied of this, Sir, that they have a plenitude of legal authority to ascertain the facts and that is all that should matter.

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MR. PATRICK: A supplementary, Mr. Speaker. Would the First Minister consider having the Hydro come before both Boards, the AIB and the Manitoba Public Utilities?

MR. SCHREYER: Frankly no, Sir, unless my Honourable Friend is willing to put up the funds to cover the costs of hearing, which I would roughly estimate at being in excess of \$300,000.

MR. SPEAKER: The Honourable Member for Roblin.

MR. J. WALLY MCKENZIE (Roblin): Mr. Speaker, I have a question for the Honourable Minister of Tourism, Recreation and Cultural Affairs. I wonder if the Minister - he advised the House last year that he was selecting a committee to investigate violence in hockey and sports - I wonder was that committee selected?

MR. SPEAKER: The Honourable Minister of Tourism.

MR. TOUPIN: Well, Mr. Speaker, last year I did have a committee that was reviewing the problems of violence and foul language in hockey. Since that time Organized Sports has been transferred to my colleague, the Minister of Health and Social Development. I'm left with Community Sports and Recreation, and attempting to control violence and foul language at that level.

MR. SPEAKER: The Honourable Member for Roblin.

MR. MCKENZIE: I'd like to direct the question to the Honourable Minister of Health and Social Development.

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

HON. LAURENT L. DESJARDINS (Minister of Health and Social Development) (St. Boniface): Mr. Speaker, there's been some grants that have gone when this was under the former Minister to the MAHA, and staff from the department have been on loan to develop clinics to deal with referees because many of the people feel that this is where the trouble is. And I intend to resurrect the Committee on Fitness and Amateur Sports, and certainly there will be people from hockey that will participate to discuss that with them. But in all fairness, I think that the people themselves have been trying to keep it clean especially in Manitoba, including Bobby Hull, I think, who is a well-known hockey player who even went on strike to show his dissension. I think that all in all Manitoba is probably one of the provinces where at the professional level and at the amateur level that they've improved the most. I think that they've brought in certain rules with the juniors in this league, that if there's a fight on the ice all the other players that are on the ice at the time are supposed to skate directly to their bench. And if you leave a couple of people with the whole rink to fight with nobody stopping them, I think that not too many of them wish to fight.

MR. MCKENZIE: A supplementary question then, Mr. Speaker. I wonder can the Minister advise the House if correspondence or meetings are being held with the other provinces to hope we come up with the united approach to the problem, which seems to be growing.

MR. DESJARDINS: I have discussed it; I have had no correspondence. I have discussed it verbally with the Minister responsible in the West here. There are certain suggestions and it was felt that we would try to work in our own province at this time. I can tell the honourable member that I suggested that maybe the best way to stop that would be some kind of a law that it would be done federally where they would not show fights on television any more. I think that this would go a long long way.

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

MR. GRAHAM: Thank you, Mr. Speaker. If I may . . . we did get sidetracked when I asked the Minister a question earlier regarding the Justices of the Peace, and I would like to ask a supplementary question to that. Since there are no increases planned for the fees for Justices of the Peace, can the Minister then tell us if it was under his authorization that a letter was recently released from the office of the Inspector of Court Services reducing the fees of Justices of the Peace?

MR. SPEAKER: The Honourable Attorney-General. Order please.

MR. PAWLEY: Mr. Speaker, I would like to see the actual letter. There may have been areas where there was need for some reduction. I'm not aware of the particular letter that is referred to by the honourable member and I will certainly obtain a copy of same. If the honourable member has a copy I would check it out.

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MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, I would like to address further questions to the Attorney-General. On the issue of the authorized wire tape on people other than Judge Pilutik that . . .

MR. SPEAKER: Order please. Order please. I think we've almost thoroughly researched this subject and it would be better under the Attorney-General's Estimates. We've had seven question on that particular subject today. We must have had at least three dozen over the week. Three or four . . .

MR. AXWORTHY: On a point of order, Mr. Speaker. I don't think the number of questions on any topic in this House has ever been a reason for limiting those questions. I think if a matter needs to be pursued then that matter has to be pursued.

MR. SPEAKER: I am only . . . order please. I'm only suggesting there's a better arena for it and that is under the Attorney-General's Estimates. The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, if I may return to the question. On the issue of the taps that were authorized on other people as he described today, can he indicate whether those taps have been extended or whether they were informed of their rights . . .

MR. SPEAKER: Order please. The Honourable First Minister state his point of order.

MR. SCHREYER: Well, Mr. Speaker, I don't know if the Honourable Member for Fort Rouge has a point of order, but I feel that there is a point of privilege involved. The honourable member is persistently insinuating that the Attorney-General authorizes wire taps. That is not correct and he should not try to insinuate that.

MR. SPEAKER: The Honourable Member for Fort Rouge. The Honourable Minister of Public Works.

HON. RUSSELL DOERN (Minister of Public Works) (Elmwood): Mr. Speaker, I think it's a well known practice that a member is entitled to one question and two supplementaries and I would ask whether the honourable member had in fact not exhausted that privilege.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. AXWORTHY: Well, Mr. Speaker, if we are true as to the points of intervention, may I return to my question to the Attorney-General? I would like to speak to the point of privilege, in fact, if I may, Mr. Speaker, raised by the First Minister. I have never insinuated that it was necessarily authorized by the Attorney-General, but any authorization by a court must come on application from the Attorney-General. Now is that --(Interjection)-- I just made it clear. Okay. Thank you. You're quite welcome.

Mr. Speaker, if I may pursue the issue with the Attorney-General. On the issue of the wire taps that were authorized on other persons, could the Minister indicate whether those taps are still being continued, whether they have been discontinued; and whether the people have been notified that they have had their phone lines, or have been under surveillance, as required under the Criminal Code after 30 days?

MR. SPEAKER: The Honourable Attorney-General.

MR. PAWLEY: Mr. Speaker, first I do not know the answer to status of any wire taps. I think it would be destructive of any attempt to conduct a criminal investigation if in fact information along some of the lines requested by the Honourable Member for Fort Rouge was disclosed, except to assure the Honourable Member for Fort Rouge that all legal requirements such as notice, as is now required under the Criminal Code, will be given to any person's telephone which has been wire tapped.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. SHERMAN: Mr. Speaker, my question is to the Honourable the Minister of Labour and it relates to the Winnipeg Transit strike. In view of the fact that the City of Winnipeg now is evidently considering a list of names from whom they would be prepared to support the appointment of a mediator, can the Minister advise the House whether the union is similarly considering a list of names from which their nominee would come?

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: I think, Mr. Speaker, the situation is . . . in the first instance, it's my understanding that each side would consider possible nominees and then hopefully

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(MR. PAULLEY cont'd) submit a joint person, a mediator's name, to me for official appointment. I'm happy to be able to inform the House, Mr. Speaker, possibly as a result of some questions and answers yesterday, that the parties concerned, so I understand, are meeting at this moment to consider possible recommendations to the Minister, and also, of course, that if they cannot agree on an individual, it is my understanding that they would be making a representation asking the Minister to make an appointment. So it's on tap, thank goodness.

MR. SHERMAN: Mr. Speaker, I thank the Minister for his information. A supplementary - is the Minister still considering to propose himself as a possible mediator?

MR. PAULLEY: I'm glad my honourable friend asked that question because it gives me an opportunity, Mr. Speaker, to clarify a news item. I was called last evening immediately after the motion was passed by the City of Winnipeg, that it had changed its stance in opposition to my suggestion and by majority vote of the city council agreed that there was some validity in the approach that I was making in order to get the transit buses back on rail. The question then was posed to me: If in the event that the parties were not able to arrive at the naming of a mediator and if the parties made a suggestion that the Minister of Labour should be that mediator, I said in order to try and resolve this I would endeavour to act as a mediator.

MR. SHERMAN: Another supplementary, Mr. Speaker - would the Minister consider the appointment of any other member of this House as a possible mediator?

MR. PAULLEY: Yes, Mr. Speaker, but I think that in all fairness to those involved in this dispute I would hesitate, because of the approaches of my honourable friends opposite in the field of industrial relations, to nominate any of those on the other side of the House.

MR. SPEAKER: The Honourable Member for Virden.

MR. MORRIS MCGREGOR (Virden): Mr. Speaker, I would like to direct this to the Minister in charge of lotteries. Can the Minister confirm the government loss in revenue of \$600,000 within nine months of the changeover of the lotteries. And a supplementary - is he prepared to make a statement prior to the Estimates, and is any action contemplated to upgrade these lotteries or the problems therein?

MR. SPEAKER: The Honourable Minister for Health.

MR. DESJARDINS: Mr. Speaker, I've repeatedly stated that I'm most anxious and prepared to make a statement on the lottery. As far as asking me if some of the information is correct, he received the same Annual Report - that the press got. I might say to my honourable friend that there is no doubt that in Manitoba there has been a reduction of sales, but not of Manitobas; it was that Manitoba has the monopoly. They were selling these tickets in B. C. and Alberta and so on which the other provinces didn't like. Now the same tickets are being sold to the same people but the revenue is not - if you want to call it a loss to Manitoba - is spent on rinks, on sports and on culture in those other provinces where the people buy the tickets.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Speaker, I have a question for the First Minister. I wonder if the First Minister could indicate to the House that the Province of Manitoba has reached agreement with the Federal Government and accepted the 50 percent sharing of costs for upgrading and building airstrips in Northern Manitoba.

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, the Honourable Member for Assiniboia raises a matter which has been one that the Province of Manitoba would very much like to get resolved, and indeed about a month and a half ago I was under some hope that we would come to a meeting of minds with the Federal Government. However, Sir, with the appointment of a new Minister of Transport in Ottawa, it has been extremely difficult to agree on anything.

MR. PATRICK: A supplementary. Has the government, the province accepted the 50 percent cost-sharing with the Federal Government, where the Federal Government will be paying for construction, repairing and upgrading the airports in Northern Manitoba.

MR. SCHREYER: Mr. Speaker, we would indeed accept that kind of arrangement since that is what we proposed four years ago.

MR. PATRICK: That hasn't been accepted at the present time, and has the government started to negotiate with the Indian bands to resolve the land problem, or the land claims

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(MR. PATRICK cont'd) where the airstrips will be located.

MR. SCHREYER: Mr. Speaker, if my honourable friend has information which is perhaps a little more up to date by the hour than mine, if indeed there has been confirmation from Ottawa that they are prepared to cost-share 50 - 50 with respect to these northern airstrips, then I indeed would say that everything else is only a matter of detail and hopefully will be worked out. Insofar as land claims are concerned on the part of reserve communities, I'm not sure I understand what my honourable friend is alluding to since the airstrips are built at public expense for practically the exclusive benefit of those communities. So I don't think there should be difficulty on agreeing to land.

MR. SPEAKER: Orders of the Day. The Honourable First Minister.

MOTION OF CONDOLENCE

MR. SCHREYER: Mr. Speaker, as I indicated yesterday to the Honourable the Member for Minnedosa, Member for Gimli, we would consider this afternoon the Condolence Motions pertaining to two former members of this Assembly, now deceased.

Mr. Speaker, the first of the two Condolence Motions relates to the later Albert Edward Kristjansson, who was a member of this Assembly way back in yesteryear, so to speak, in the period 1920-22, and needless to say there is no one here any longer who would have been a colleague of Mr. Kristjansson back in the days when he was a member of this Assembly; although I would suppose that he was personally known to some members here, almost certainly I would think the Honourable the Member for Wellington.

Mr. Kristjansson was a member of this Assembly in the last two years, I believe it's correct to say, of the Norris administration and that must have been an interesting transitional period in Manitoba politics, being the turnover of administration from the Norris Liberal administration to the Farmers Party, or the Progressive Party of that era. Mr. Kristjansson himself was a member who described himself variously as a Farmer Progressive Party member, Farmer Labour Progressive Party, or simply Farmers Party. But he was of the tradition, both of populace, humanitarian, idealist, and perhaps one could rightly say, social democrat or democratic socialist.

I'm advised or informed that during his career that he did publicly indicate his, sort of intellectual affinity and sympathy with those who were generally regarded as social reformers in their day, and that he was a publicly self-pronounced admirer of Eugene Victor Deba who was the American socialist leader of that day and age, and that also a follower, intellectually speaking of course, of Ralph Waldo Emerson. Therefore, with credentials of humanitarianism and idealism such as that I can only express a personal disappointment that I did not have the privilege of knowing this honourable gentleman personally.

He attended public school here in Winnipeg, although he was born in Iceland and came to Canada as an 11-year old in 1888 and settled in New Iceland or Gimli of that day. Having graduated from Winnipeg Collegiate Institute he went on to Meadville Theological School, Meadville, Pennsylvania, from which he graduated in the early nineteen hundreds with a Bachelor of Divinity degree. Then he took up the Ministry in his pre-politics years and served in a pastoral or ministerial capacity in such places as Gimli, Hecla Island community, Merry Hill, Shoal Lake and Oak Point, places which have to do with both the northeast Interlake and I guess one could say, the southwest Interlake.

He was a member of the Icelandic Conference of Unitarian churches, a charter member of the Icelandic National League, Honourary Life Member of the Icelandic National League, decorated by the government of the Republic of Iceland with the Grand Cross of the Order of the Falcon; and on his retirement from active pastoral or ministerial duties was made Minister emeritus of the Icelandic church.

Perhaps some honourable members would have some attachment to this honourable gentleman if they were to have knowledge of the fact that he was the uncle of a rather famous Manitoba family, some of whom I know are well known to honourable members, Baldur Kristjanson - Dr. Kristjanson that is to say - Dr. Kris Kristjanson, Dr. Leo Kristjanson, Dr. Albert Kristjanson. So, Sir, we pause today in memory of a former member of this

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(MR. SCHREYER cont'd) Assembly, not a native Canadian but one whose entire career, adult life, best human instincts were associated with this country, this province and with humanity generally. And so, Sir, I would like to move, seconded by the Honourable Member for Gimli, that this House convey to the family of the late Albert Edward Kristjansson, who served as a member of the Legislative Assembly of Manitoba, its sincere sympathy in their bereavement and its appreciation of his devotion to duty in a useful life of active community and public service, and that you, Sir, be requested to forward a copy of this resolution to the family.

MOTION presented.

MR. SPEAKER: The Honourable Member for Gimli.

MR. JOHN C. GOTTFRIED (Gimli): Mr. Speaker, I would also like to extend, along with those of our First Minister, condolences to the family of the bereaved. Although I did not have the good fortune to personally meet Reverend Albert Edvald Kristjansson, I knew the family well in particular his brothers, Hannes and Tryggvi, who were well known figures in Gimli for many years. They along with his nephews and nieces frequently spoke to me of Reverend Kristjansson in glowing terms of admiration and respect. I have with me the personal impressions of Miss Sigurbjorg Stefansson, a retired teacher. Her account should give some idea of the measure of the man. Here it is:

"Having met Reverend Albert Edvald Kristjansson and his lovely wife Anna several times socially, taught three of their children in high school, heard some of his sermons and attended one of his main political meetings, I have distinct impressions of him. It is quite in accord with Mr. Wilhelm Kristjansson's estimate of him in 'The Icelandic People of Manitoba'. He struck me as a distinguished, cultured, highly intelligent man with a highly individual personality, not to be forgotten by anyone who had once met him. As a teacher, I had occasion to confer with him and was impressed by his objective attitude and complete fairness. I heard him in a campaign meeting which he had thrown open to the opposition; it was a very heated gathering with several speakers. Throughout it he remained entirely calm and argued persuasively on issues, never descending to personalities and totally disregarding any directed at him. However, he showed his expert debating skill by totally devastating his most brilliant opponent's arguments and reducing him to impotent fury and even to shouting, at which point the meeting broke up, all done with clear quiet logic."

Our First Minister has already given you the highlights or mileposts in the career of Mr. Kristjansson, so I would like at this point to make brief mention of some of the many honours that have been bestowed upon him. His name has been listed in the publication Religious Leaders of America, 1941-1942, and in numerous other publications. Judge Lindal has referred to Reverend Kristjansson in the book, Icelanders of Canada, as one of the first to propose the establishment of a chair in Icelandic at the University of Manitoba. In this respect, of significance was the fact that the Icelandic community raised the entire \$200,000 necessary without benefit of grants and entirely by individual donation.

He was one of the founders of the Icelandic National League and was its President from 1923 - 1925. He was, as our First Minister has already informed you, a member of this Legislature in the years 1920 - 1922, representing the constituency of St. George as a Labour Member, or more properly the then Farmers Progressive Party. But in 1939, Mr. Kristjansson had his work as a great humanitarian recognized by the government of Iceland, when it conferred upon him one of its highest honors that of the Grand Cross of the Order of the Falcon.

In closing, I would like to quote one of his better known expressions, which I believe fully exemplifies the humanitarian views held by the late Albert Edward Kristjansson, "No man on this earth will ever be completely happy as long as there exists others who are unhappy."

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: Mr. Speaker, Her Majesty's loyal opposition would like to associate themselves with the remarks made by the First Minister and those of the Member from Gimli in expressing condolences to the Kristjansson family. Not having had the privilege of knowing the late Reverend Kristjansson personally, it is not possible for me to add further personal comments. However, we note with interest that the contribution to public service made back

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(MR. ENNS cont'd) in those years referred to by the First Minister by the late Reverend Kristjansson didn't stop there, indeed succeeded to other generations and is continuing to this day. We pass on our sincere condolences to the bereaved. Thank you.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. PATRICK: Mr. Speaker, while none of the members of our group were know to Mr. Kristjansson, but it has already been said that in public life he was a religious leader, a pioneer, a legislator, and he was very much involved in Icelandic cultural affairs; he was a humanitarian. So, Mr. Speaker, I wish to associate our members of the Liberal Party with a motion of condolence to the family of Mr. Kristjansson.

MR. SPEAKER: The Honourable Member for Wellington.

MR. PHILIP M. PETURSSON: Mr. Speaker, inasmuch as I - and as far as I know I am the only man in this Chamber who had a personal acquaintanceship with Albert Edvald Kristjansson. My acquaintanceship with him extended back over a long period of years, from the time that I was a boy, during and before the 1920's, and to the day of his death. When last I saw him he was in the Senior Citizens Home in Blaine, that was in 1973, he was then 96 years of age; he had become blind at that time, but otherwise he seemed quite well. He still had a sharp wit and an exceptional memory, he recited verse from both English and Icelandic poets and recalled many events during the early days of his ministry in the rural parts of Manitoba.

It has already been mentioned that he served here in Manitoba in several rural Icelandic Unitarian Churches, as well as later on in Blaine and in Seattle in the State of Washington. I used to meet him fairly regularly in earlier times at Unitarian Church conferences, and later we kept up a somewhat sporadic correspondence. Mr. Kristjansson's first church was the Unitarian Church in Gimli. He began his ministry there in 1910, and it was sixty-four years later, almost to the day, that a memorial service was held for him in that same church. It was in accordance with his wishes, as he had indicated to me on my visit to him in Blaine, and his remains now rest in the cemetery at Gimli.

In outlook and character, Mr. Kristjansson was a rationalist, a free thinker; he had little use for pretence or ostentation; he lived his life neither seeking the heights of public acclaim nor expecting them. But even so, his work and devotion did not go unrecognized, as has already been indicated, with honours and awards. Without such men as Albert Edvald Kristjansson, their devotion and their concern for the people whom they served, life would have been the poorer; the ties that bound men together in fellowship would have been less secure. I pay my tribute to his memory at this time.

MR. SPEAKER: In accepting and agreeing to the motion of condolence, would the honourable members please rise for a moment of silence.

(Moment of Silence)

MR. SPEAKER: The Honourable First Minister.

MR. SCHREYER: Mr. Speaker, I should now like to draw the attention of honourable members to the service in this Assembly of the late Earl James Rutledge who was a member of this House, actually served for quite some number of years, 1927 - 1948. He served in this Assembly as a member of the Conservative Party of that day, and I suppose must have, obviously had to do with the understanding and trying his very best to bring his opinion and judgment to bear on deliberations in this House in those days through the depths of the depression itself, the great depression of the 1930's, and the turbulent years of the early 1940's. That is the time which coincides with the late Dr. Earl James Rutledge's service in this Assembly.

I, in this case, Sir, again must say that I did not have the privilege of knowing this honourable gentleman personally, but he too, Sir, must have had a very active adult life. He was born at Rutledge County Pontiac in Quebec, which I believe - I am guessing, Sir, but I believe to be the eastern townships, southwestern Quebec - and received his early education in that province and later graduated in medicine from Queen's University. During World War I he served overseas in England in the Dardenelle's campaign and in France; represented the constituency of Minnedosa; and in addition to that served as municipal doctor in Erickson and later was Medical Director of the then Rural Municipality of East Kildonan for a period of time.

MOTION OF CONDOLENCE

(MR. SCHREYER cont'd)

It is obvious from looking at the information provided here that he was an active member of several organizations including the Elks, the Masonic Lodge, Khartum Temple, Past President of the Red Cross, member of the Royal Canadian Legion and the United Church of the communities he was living in. I, Sir, should there move, seconded by the Honourable Member for Minnedosa that this House convey to the family of the late Earl James Rutledge who served as a member of this Assembly, sincere sympathy in their bereavement and its appreciation of his devotion to duty in the useful life of community and public service, and that you, Sir, be requested to forward a copy of this resolution to the family.

MOTION presented.

MR. SPEAKER: The Honourable Member for Minnedosa.

MR. DAVID BLAKE (Minnedosa): Thank you, Mr. Speaker. I am pleased to have the privilege of seconding the motion on behalf of the Progressive Conservative caucus. I did not know Dr. Rutledge personally, although he did telephone me just after I had taken my seat in this House, and I know him only through that telephone conversation. But I have had the opportunity to speak to many of the older residents in the area in which I represent and have gained some knowledge, I think, of Dr. Rutledge through my conversations. He represented the constituency for some 21 years and resigned in 1948; but he represented the constituency through those difficult years, as the First Minister has mentioned, the depression years, and in those days trying to commute to Winnipeg to attend the sessions and have a fill-in doctor presented considerable problems for him.

He was the first municipal doctor in the Erickson district and showed great concern for his fellow man; there are many stories around that particular area of the poor conditions that he worked under travelling to tend the sick in his charge through blizzard conditions with the poor inadequate snowmobile facilities that were available in those days. There are many stories of tonsillectomies and various other minor surgery I suppose today being performed under very very primitive conditions and most often in the home with little or no pay, very often some chickens or some such thing in repayment. But Dr. Rutledge enjoyed rural life; he expressed, not a dislike, but he did not care for the city life; he enjoyed the smaller rural communities, and I am told that he was greatly concerned with the small person or the relatively unimportant person in the community.

He was a Conservative and represented that area for all those years. As a Conservative he believed strongly in the rights and freedoms of the individual, and he was also a firm believer in the work ethic. I think the compassion that he showed for his fellow man has been amply demonstrated by the years that he served that particular area, both as the municipal doctor and as a member of the Legislature. In fact, I think that he had a great deal of difficulty making his decision to leave politics because he felt the loyalty to those people who had elected him year after year. But there was one particular point that kept cropping up in my conversations with people throughout the community, and the reason that he left politics, I am told, is the fact that he was literally without funds; that he had to go out and establish a practice of some sort before he became too old to practise medicine. This was his reason for leaving politics, and the people of that particular area, I am told, on his farewell started a fund and provided him with an automobile, and it was the first automobile that he had owned. So politics, financially, were not too kind to Dr. Earl.

I could relate many many more stories of his service to that particular area but I would only be repeating some of the other tales that have been told. He certainly served the constituency with distinction and will be well remembered by all of those people he served.

So Mr. Speaker, in closing I would like to second the motion on behalf of the Conservative Party, a Motion of Condolence to the family, and have the name of the Progressive Conservative party mentioned with it at this time.

MR. SPEAKER: The Honourable Member for Assiniboia.

MOTION OF CONDOLENCE

MR. PATRICK: Mr. Speaker, I did not have the privilege of knowing the late Dr. James Rutledge, but as was indicated he served for many years, for over twenty years during the difficult times, and still he was committed to the community work which he was involved in, such organizations as the Elks, Masonic Order, Red Cross and the Legion. So he was certainly committed to community work. I wish to associate the members of the Liberal group with a motion of condolence to the family to be sent to the family of the late Dr. Rutledge.

MR. SPEAKER: The Honourable Member for St. Matthews.

MR. WALLY JOHANNSON (St. Matthews): Mr. Speaker, ordinarily I would not speak on this motion, but I did know the late Dr. Earl James Rutledge. He was my constituent and I met him a number of times, and had some correspondence with him. In fact I met him during two election campaigns and we had some very lengthy and interesting conversations. As members have said, he was a man who lived through the period of the depression and the period prior to that and after that in rural Manitoba. He had a wealth of knowledge, a wealth of stories to tell about that period, both about his role as a municipal doctor in that area and also as MLA, and he stressed very strongly to me the fact that he was a Conservative. I doubt very much whether he ever voted for me, but that did not prevent us from having some very interesting conversations. He was a man you could talk to without any kind of political animosity, and he struck me as a man who had been very very active in the life of his community and in the life of this province. As his former MLA, I would like to also extend my best wishes and my association with the Motion of Condolence to his family.

MR. SPEAKER: In accepting and agreeing to the Motion of Condolence, would the honourable members please rise for a moment of silence.

(Moment of Silence)

ORDERS OF THE DAY

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: Mr. Speaker, I wonder if you would kindly call the adjourned debates on Second Reading as they appear on the Order Paper.

MR. SPEAKER: Thank you. Bill No. 2, proposed motion of the Honourable Attorney-General. The Honourable Member for Birtle-Russell. The Honourable Member for Morris.

MR. WARNER H. JORGENSON (Morris): Mr. Speaker, perhaps it would save time . . . I would tell the House Leader that we will not be prepared to go on with these bills until Monday.

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: Fine, Mr. Speaker, and I appreciate that information. Then, Sir, I beg to move, seconded by the Honourable the Minister of Agriculture, that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider of the supply to be granted to Her Majesty.

MOTION presented and carried, and the House resolved itself into a Committee of Supply with the Honourable Member for Logan in the Chair.

COMMITTEE OF SUPPLY - DEPARTMENT OF AGRICULTURE

MR. SPEAKER: The Honourable Member for Logan.

MR. CHAIRMAN: I would refer honourable members to Page 5 of their Estimates Book, Resolution 8(b). The Honourable Member for Rock Lake.

MR. EINARSON: Well, Mr. Chairman, I would like to continue with a few more comments and some questions that I would like to pose to the Minister in regards to the Beef Assurance Program that he established in October.

I read a paragraph out of the Country Guide that was given by the Canadian Cattlemen's Association, and it referred to the response that farmers were giving to this program in early December. You know, Mr. Chairman, I am wondering now, and I think that I have the information correct, but I've been given to understand, Mr. Chairman,

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(MR. EINARSON cont'd) that about the middle of December the Minister sent out a memo to all the Ag Reps in the Province of Manitoba indicating to them that they should drop all the activities within their portfolios and address it to giving full attention to getting out and selling this program.

I also understand from the Minister's introductory remarks, Mr. Chairman, that he indicated that no staff has been added to his department, but I am given to understand, Sir, that when this memo was sent out about the middle of December, the Ag Reps were put in a very difficult position because obviously the Minister was unhappy with the response, as I said, that the farmers were giving to this program. There were thereabouts - what - 1,600, I think, about that time had responded. I'm also given to understand - and I ask if it's correct, Mr. Chairman - that each Ag Rep went out to hire farmers or anyone that he could get to assist him in telling the farmers about this program, because he had already made his route throughout the province attending some meetings himself and the Ag Reps also going out and explaining the program to farmers, but by the middle of December apparently it wasn't receiving too much attention. So he put on a blitz - thanks to the honourable member for the word - a blitz to try to bring himself out of the embarrassing position that he found himself in, and as a result, I'm wondering how many people did he employ throughout the province to go around telling farmers about this wonderful program. I'm also wondering, Mr. Chairman, if he was so desperate, if the Ag Reps - in some cases - if they did not prove results for him their job was in jeopardy. I'm wondering about that, Mr. Chairman. You know, I think if that's true, Mr. Chairman, this is a serious state of affairs that we find ourselves, and the whole Department of Agriculture and all those who are employed with it. I stated early in my remarks yesterday, Mr. Chairman, that had the Minister consulted with the executive of the beef producers, the executive of the cow-calf operators, and had them have some input into that policy, he would not have had to spend the money that he did to go out and sell that program.

I too, Mr. Chairman, would like to know how much money did it cost the department to advertise that program through the local newspapers, over the radio and over the news media? How much did it cost him in the way of paying fees to these people that he had hired as extra staff, what did it cost him, say, if he was to ask a farmer or an Ag Rep had to go out and ask a farmer in the community, "Will you go out and sell this program?" It costs money to drive around the country, it costs money to sell that story. What did it cost them, \$40.00 a day for each one of these fellows, \$50.00 a day? I'd like to know, Mr. Chairman, what it did cost the department. These are all very important matters, Mr. Chairman, insofar as this program is concerned.

He indicated also that the deadline was December 31st, the deadline was December 31st, all of a sudden it came out I believe - and I stand to be corrected on this - I believe it was about the last week of December he indicated that that deadline would be extended to January 16th, and because of the blitzing he did put on he was able to talk more farmers into accepting this program. As I indicated earlier, Mr. Chairman, and I repeat again, that many of the farmers in the field of producing beef were in financial difficulties. I'm sure they owed money to the banks from previous loans that this government had advanced to them and probably weren't paid off, and the maximum that they could get was about \$5,400, probably it would come in handy to be able to take that and pay the loans that they had borrowed from the government the previous year. Well, you know, Mr. Chairman, this is a sad state of affairs when policies of a government come to the point where farmers are finding themselves in financial difficulties because of their policies.

Also, Mr. Chairman, the Minister in his travels they were giving a detailed cost to the farmer in producing a calf, and you know, Mr. Chairman, they forgot one item - the Minister he forgot one item, and that was the bull, there is a breeding program involved here. The Minister of Agriculture, I believe he does produce a few potatoes, and I don't know that there's any kind of breeding program involved with growing potatoes, so maybe that's why he didn't understand what that was all about. But anyway that was one aspect, and I think it's a very important one when we talk about increase in the production of beef.

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(MR. EINARSON cont'd)

Mr. Chairman, I'm also wondering, when the Minister is contemplating on bringing in a policy of this kind, what was the thinking behind it all? He talked about farmers holding back their calves to produce more beef, when it's not in fact the problem, we have a surplus of beef. How then does he find that this kind of a policy is going to solve itself in the next two, three or even four or five years? Because this is the thing that amazes me, Mr. Chairman - and here again I say, if he'd had the input from some of the industry that's in the business I think that he would have found that he would have come out with a different kind of policy that could probably have been just as beneficial to the producer and could have also probably saved the taxpayers some money in the Province of Manitoba.

Mr. Chairman, I also want to make a few comments in regard to our dairy industry. I know the Minister mentioned in his remarks that this was an area that was --(Interjection)--

MR. CHAIRMAN: He was in line when he was speaking on Farm Income Assurance. His whole contribution so far has been on that. He's now straying off the topic. Would the honourable member please bring that up at a later date when that item comes up.

MR. EINARSON: All right, Mr. Chairman. I was going to leave a few more questions here till later on, but I will deal with a few more questions here related to the Farm Income Assurance Plan for beef. I would like to ask the Minister if he intends to allow the producers of beef to hold a referendum insofar as a check-off is concerned. What is the position at the present time? I know the producers have had the referendum and we know what the results were, but if there is a better understanding - and probably this does require some selling job, but I'm wondering if they're going to have that opportunity again, because I think the intent of that particular idea is to help themselves. You know, Mr. Chairman, the beef producers of this country have always said, "We want to try to do all we can to help ourselves without having to have government interference." While we've had disastrous climatic situations in the Interlake country and in the north-west part of the province, that's something that no one can control or no one can help, but when that's a disaster that comes upon farmers then I think that we have a responsibility as government to come in with some assistance for these farmers when they are involved in losses of that kind because of weather.

I'm wondering, Mr. Chairman, if this whole program is going to lead us into a supply-management program, how much in the way of regulations are going to be applied? I know that there are a certain number of regulations that are going to be applied to the farmers involved in this five-year program but does this mean too, Mr. Chairman - you know the farmers have been concerned about a Marketing Board. The Minister, I believe, I understood him to say, well now we don't need a marketing board because I've got these fellows locked in now without a Marketing Board. Do I have the Minister's thoughts on that correctly, Mr. Chairman? If that's the case, Mr. Chairman, there are a lot of farmers, and I want to warn them, who have made application to get into this program and if they find two years down the road that this is going to be in a marketing board or if it's going to be the kind of supply management that they have to live under, then they may withdraw from the program. But you know, Mr. Chairman, there are a number of farmers who are in such financial difficulty today and by taking on this program now, two years down the way they may want to go out of it, but financially they won't be able to do so. So the Minister knows he has them locked in. That's what I meant yesterday when I said it's a carrot in the first year to lock them in for five.

What about some of these farmers in the Interlake country, Mr. Chairman, who don't grow any grain? They have a cow-calf operation and they produce their calves and they normally sell them in the fall. This program means that they're going to have to hold back some of those calves and feed them through. Are they going to be in a position where they can do that? Is this not going to cause a difficult situation for some of these farmers? When he was developing this policy - did he take this into

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(MR. EINARSON cont'd) consideration when he was establishing this program?

So, Mr. Chairman, with those few thoughts in mind on the questions that I posed to the Minister, I would like some further details from him and through the debate we may have further questions. I know my colleagues are going to have something to say on this and so I'll leave it at the present time as we now have it.

MR. CHAIRMAN: The Honourable Member for Lakeside.

MR. ENNS: Thank you, Mr. Chairman. I just have one or two questions to ask at this time. We've now come to the pragmatic aspects of our deliberations in this House. I'll heed my former leader's advice and leave philosophy alone for a little while and we'll talk about the management of the affairs of the Department of Agriculture.

My first question to the Honourable Minister would be, Sir, that in his introduction of this item, The Farm Income Assurance Plan, he used the figure \$18 million on several occasions. Yet the Estimate item in front of us is \$14 million and so I would ask him to explain that difference of \$4 million. I would hope that that's not an indication of the kind of overruns that we can experience throughout the rest of this Estimate Book because, of course, Mr. Chairman, if that should be the case, then that somewhat conservative figure of expenditures presented to us by the First Minister the other evening would change in complexion considerably. So that's just something that caught my attention during the Minister's remarks: the difference between the \$18 million that he referred to or the 17 and the \$14 million indicated in the Estimates.

Well my understanding, Sir, if the Minister is asking me from his seat, that it's two separate years. But we are talking about a program that has a beginning and an end; it has a first year, it has a second, third, fourth and fifth year. I assume that this is the first year and we're talking about that kind of money. Fine, Mr. Chairman, I feel that the Minister will be able to set our minds at ease with respect to that item.

Mr. Chairman, I want to just raise this other point at this time which the Minister dwelt with some conviction on in speaking about this program as an income stabilization program. Mr. Chairman, I will refer just in passing to another aspect of the agricultural industry which I know is not in order if I were wanting to debate it and that is the milk industry. But I raise it in the same context and in the same manner as the Minister did in discussing this program. I believe, Mr. Chairman, the Minister referred to . . .

MR. USKIW: Mr. Chairman, on a point of order.

MR. CHAIRMAN: The Honourable Minister of Agriculture.

MR. USKIW: I did not enter into debate on this subject as yet. The only thing I did deliver to the House was my opening address on the totality of the Department. So that if the Member for Lakeside is trying to suggest that the door is open to get into discussion on dairy policy then he's wrong.

MR. CHAIRMAN: The Honourable Member for Lakeside.

MR. ENNS: No, no, Mr. Chairman. The Minister seems very touchy this afternoon and I want to put him at ease. That's not my case but I will in a moment receive his assenting nod when I pursue the thought that I have in my mind just briefly.

He did indicate in his opening statement with specific reference with the item under discussion, the Farm Income Assurance Plan, and talked about it in somewhat glowing terms of the advantages this program had in stabilizing incomes in this specific area and we're speaking about the beef area right now. But in so doing, Mr. Chairman, he, by way of example, referred to the Federal Minister of Agriculture, the Honourable Mr. Whelan as acting - and I believe his words were "if not criminal but just about criminal fashion in his cutbacks." I'm getting the nod now, Mr. Chairman, that I'm on the right track. I would think that he would certainly agree with the statement "his arbitrary cutbacks" with respect to the overall milk industry in this country and the very severe effects it has, not only in terms of the long-term planning in this province, but in the individual planning that individual farmers find themselves in.

I think he also mentioned about the actual situation where farmers were in the process of expanding their operations, were in the process of borrowing money for their operations and that this kind of a situation is intolerable. Well, Mr. Chairman, it's only in this kind of comparison that I mention this. The Honourable Mr. Whelan, the

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(MR. ENNS cont'd) Federal Minister of Agriculture of course believes that he is supplying managing and providing stabilization for a group of people in the farm sector.

My question to the Honourable Minister is: what then really is the difference, if criminal negligence can just about take place under supply and management, then what's so dastardly about letting the ups and downs of the marketplace take place? In fact, Mr. Chairman, given a choice I would sooner be at the mercy of the marketplace, which I can perhaps logically understand, anticipate and defend myself against, rather than the whims of a particular government or a particular politician at any time.

Or is he, Mr. Chairman, suggesting that only in the hands of that minister or of that government will constantly the right supply management decisions be made. Well, Mr. Chairman, I'm even prepared to buy that. But I'm sure if he believes in political democracy that he may not always be the minister and that there may be some other decisions made that affect. My point being, Mr. Chairman, that it seems in his opening remarks, in his somewhat harsh indictment of the Federal Government's action in this respect, in this stabilization program within the milk industry, all he served to do, Mr. Chairman, was to point out that the stabilization programs entered into all too often build in us an artificial, distorted pictures of values, market values, of the commodity being stabilized, whose security is no greater than the government or the person or the minister that at the moment is doing the stabilizing or at the moment has got the necessary funds to do the stabilizing.

Now, Mr. Chairman, I really wanted to open my remarks to the Honourable Minister by paying him his full credits that are due to him. I have some respect for the Honourable Minister for Agriculture for having been able to persuade his colleagues, in a year of restraint, to come up with the necessary funds - \$14 million for the coming year if that's the case and the \$4 million at the close of the last year, 18 last year and 14 this year - well we'll get it straight yet. It's getting to be a big chunk of money, Mr. Chairman, for people that he is ready to admit rarely vote for him and that's to his credit. But, Mr. Chairman, what I'm trying to say is I'm prepared to acknowledge that the Minister saw a very serious situation within the industry; he responded to that situation; there was an extreme cash shortage in the cattle industry generally and has responded to that. To that extent he deserves, you know, full marks and full credits.

My honourable friend the Member for Rock Lake has given fair indication about the concerns that will continue with that program, the question of whether it is indeed a degree of entrapment that's involved in the program; whether it is indeed a ploy to gain what, up to now, when the question was directly put at any gathering of cattle producers, and when the question was put to any association representing cattle producers, it was firmly and with conviction denied, namely the request for non-involvement by government with respect to basic tinkering with the marketplace. That position, Mr. Chairman, is eminently clear. It was clear a year ago, it's clearer today as witness the remarks entered into the record and read by my friend and colleague the Member for Rock Lake from such organizations as the Canadian Cattlemen's.

But that doesn't take away from the fact that the cash flow situation was desperate and the Minister responded. How that program will work out in the longer term remains to be seen. But I did want to just take this occasion to point out that the stabilization that he talks about and that he offers is only as stable as the will and the intent of the Minister currently in office and only to the extent that we have some assurance from his colleagues that they are prepared to continue to support this program infinitum to the extent that he is speaking about at this time. If priorities, pressures on this government, indeed priorities, pressures of over-supply as it happened in the case of the Federal Minister of Agriculture when we had mountains of milk powder beginning to develop within the country, when stores' costs on stored butter and powdered milk became a national problem then any government, Liberal, Conservative or NDP would find itself in much the same position that the Federal Minister of Agriculture found himself in, namely by ordering very quickly, acting very decisively in terms of reduction of that stockpile of surplus material.

Well, Mr. Chairman, the Honourable Minister can shake his head but it seems that when you put the incentive in front of somebody, when you put the carrot in front

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(MR. ENNS cont'd)of somebody, they respond in a particular manner. If you take it away they also respond in another manner. But, Mr. Chairman, on one point I agree with the Honourable Minister, that it is harsh, it is very rough justice and it can be extremely injurious to the individual involved, extremely injurious to the regions involved if they have in fact not had their fair share of development of that particular commodity. And that I think is what the Minister and I can agree with that that is happening right now in that particular industry. But it seems too good of an occasion to miss, Mr. Chairman, seeing that the Minister introduced it himself when he labelled somebody else's income stabilization program as bordering on the criminal.

MR. CHAIRMAN: The Honourable Member for Gladstone.

MR. JAMES R. FERGUSON (Gladstone): Yes, thank you, Mr. Chairman. I would like to make a few remarks on the Income Stabilization Plan. Many of them that I was going to make have already been made so I'll try to stay away from repetition.

I think that the Minister does deserve some credit which I don't very often believe in handing out to him, in the fact that he has committed himself and the Government of Manitoba for \$18.5 million I take it. As the Member from Lakeside said the situation was desperate in many areas. But again yesterday he sowed the seeds of distrust when he said we didn't really want to get into the program, but in December when he found that it wasn't going over very well he - as the Member for Rock Lake said - gave instructions to the ag reps to start pushing the sale. He hired extra staff throughout the province --(Interjection)-- 40 bucks a day, I guess, that's fine. However, that's beside the point. But if he wasn't wanting to push it why was he going through this?

Here we have a very good diagram of what was going on. It's a full page ad showing a heart flush and the best darn beef deal going these days. --(Interjections)-- Some of my colleagues are putting words in my mouth but it is a stacked deck. I feel that this particular program tied in with the land lease program is putting a lot of our young farmers in a situation whereby they never are going to have any hope of bailing themselves out.

A lot of the units that are being established are too small; they're never going to be an economically viable unit. Consequently this is just adding a little bit more to it. A lot of the public again saw a chance for easy money and I think that they just plowed themselves in a little bit deeper.

I would like to see the Minister come out with a shorter program. I think it would have shown more sincerity on his part. When you start signing your name for five years you're digging yourself in pretty deeply and to say that you're going to buy out - I'll tell you that I don't think that we're heading into a very bright future in the livestock industry, particularly the beef cattle. I think that we're possibly all right in the pork industry but I think we're going to be very disappointed in the market situation. I can see no improvement in sight anywhere. Australia is still building up their beef herds. The European Common Markets are still building up; Americans are starting to balance off and I don't think that in the next 18 months anyway that we're going to see any marked improvement. I think the Minister may be in this business a little longer and possibly a little heavier than what he may be planning on.

We on this side of the House, as I say, do deeply distrust the Minister and his Deputy to the degree that we see this as a supply management - I don't know just what you'd say - vehicle I guess. I was phoned by one of my constituents today in a very irate mood and he said that, are you aware of the fact that the hogs in Manitoba are the lowest in Canada today - or this was yesterday. Well I wasn't aware, I haven't been watching the market that close. But something seems to be wrong in the Province of Manitoba.

We have too, Mr. Chairman, another little gimmick that goes along with this great program. It's called the Great Grassland Game. I understand it's available to anyone that has tied in with the Income Assurance Program. Unfortunately I didn't get the opportunity to play it yet. I just picked it up at noon but I would be very happy to sit down with the Minister and we could possibly play a round and see whether or not we're well informed. I see though that it only goes for two years and it starts with 50 and there's a lot of pitfalls along the way. There's pregnancy tests and scours, 1BR

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(MR. FERGUSON cont'd)rustling, lighting, hunter's trap one . . .

A MEMBER: Is the Minister in there someplace, he's the biggest trap of all.

MR. FERGUSON: . . .poor fly control. And when we come to the end . . .

A MEMBER: Are you in there some place?

MR. FERGUSON: No, unfortunately I'm not. But I certainly would like the pleasure of sitting down with the Minister. I would like to know if the next three years are going to be cumbered by another series of games, if they're patented or franchised or if this is possibly going to go along towards paying for the program. But we will be looking forward and watching the antics of the Minister and on this side I don't think we have any doubt, we know the road that he's taking, we know it's getting a little expensive for that government on that side. But we're quite aware of the fact of what's going on, that the Minister is trying to get his foot in the door in south-western Manitoba where he claims \$6,000,000 were paid out under this program. I would hope that I am wrong on the market situation. I don't think I am, but we'll be watching as I said, Mr. Minister, and with these few words I would let you reply. Thank you.

. . . continued on next page

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MR. CHAIRMAN: The Honourable Minister for Agriculture.

MR. USKIW: Mr. Chairman, the comments of my colleagues and friends opposite are most interesting. Mr. Chairman, I think the members opposite would appreciate that because of the rules of the House that there would not be enough time for me to reply to almost every member that wants to speak from that side at one particular time. I think that perhaps I should take my thirty minutes now and then maybe again. I would prefer it that way in any event.

MR. JORGENSON: . . . Minister is not under any misapprehensions, Mr. Chairman. He says the rules of the House prevent him from doing something. I want to advise him that the rules of the House permit him to take all the time he wants, and it provides us with equal opportunity. If he thinks he's going to be saved by some time limitation, if he's under that misapprehension, he'd better think again because he isn't.

MR. CHAIRMAN: Order please. I think for the edification of the members we should know that the rules state as we are operating under now, that the Minister in his opening address has up to sixty minutes but no more. In other replies in the House every member, including the Minister, is limited to thirty minutes. I think that's what the Honourable Minister was referring to. The Honourable Minister of Agriculture.

MR. USKIW: The point I was trying to make, Mr. Chairman, was that if we allow all of the people who want to speak on this item, speak before I do, that I would need more than thirty minutes to respond and therefore it would be better if we break it in about two portions or two times.

The Member for Rock Lake who began his comments the other day, yesterday, made a number of observations, Mr. Chairman, that I think we should respond to. One of them was the fact that in his opinion the government entered into a fairly substantial program of income stabilization without seeking the advice and the opinions of those people who are going to be involved and affected by such a policy. He referred to the Canadian Cattlemen's Association and people that are involved in various other associations having to do with livestock production. I should like to remind my honourable friend that we have had a great deal of discussion now for two or three years with people representing those associations with respect to problems in the beef industry.

We have had demonstrations. My honourable friend should remember that a year ago we had a march on the Legislature by another association demanding some redress to the market condition. One thing that escapes the minds of my honourable friends opposite is that when the free market is bad, the tendency is to encourage demonstrations against the state, who does not control the free market, Mr. Chairman. Really the advice I can give to anyone who wants to play the free market is to go and demonstrate in front of the steps of the buildings at Canada Packers and Swift's, because they are the ones that are buying the cattle. The taxpayers of Manitoba have not been in the cattle buying business up until this point in time. --(Interjection)-- Well, Mr. Chairman, the reason we are in it is because of the failure of the free market system. That is the only reason why we are in it, and we are now in the process of propping up an inadequate marketing system in this province and in this country and indeed, in North America. My honourable friends opposite know it.

If, Mr. Chairman, the members opposite were consistent they should be today arguing that no way should the Province of Manitoba put in one penny in the support of the beef industry of this province. If they were philosophically consistent they would argue against any money going into this program. But my honourable friends opposite are afraid to make that argument, Mr. Chairman. --(Interjection)-- Mr. Chairman, the Member for Lakeside likes to indulge in commentary from his seat and he talks about compassion. I want to talk to him about responsibility.

In a free market economy there is no responsibility on the state to bail out the private sector whenever they get into trouble. They should go bankrupt when things are tough and new people should rise to the top when things improve. That's the name of the game. That's the way you roll the dice in a free market system. My honourable friends opposite, Mr. Chairman, because of their inconsistency would be shouting to the roof tops if indeed there was nothing being done to alleviate the problems of the beef

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(MR. USKIW cont'd) industry in this province. One thing one can surely demonstrate, that while my honourable friends opposite like to take pot shots at the Liberal Party who they claim has never a principle or do not operate on the basis of principle, I now want to suggest to you that they have exposed themselves likewise.

Now the Honourable Member for Lakeside and indeed, the Member for Gladstone, the Member for Rock Lake have all raised the same point: the sinister motivation of government through this program and wherein lies the marketing board. Is this the way to get into a marketing board? Well, you know, I don't know why they pose that question and certainly the Member for Lakeside should know better having had the responsibility of administration in the Department of Agriculture for a period of time. He should know that what we have here far surpasses a marketing board. It is a contract, a contractual arrangement on a price and on quantity. You don't need a marketing board under this system. This is superior to it from the point of view of the producer who knows exactly the price for which he's to produce before he has produced. This is far advanced beyond the concept of a marketing board.

Now for those people who are not in the program perhaps a marketing board may have some relevance. The only relevance that it would have in my mind, Mr. Chairman, is in connection with the way in which the market now functions as to grading and pricing and the differentials and so on, and over which we are going to table a report very shortly. If there's any function to be performed by any marketing agency, it would be in that direction, but not as an agency to establish a bargaining position for the producers of beef in this province. Because this is far more advanced than that. It would be a step backwards to now talk in terms of a marketing board being able to do the job that is now being done under a program of price guarantees on certain amounts of production.

Now let me illustrate for my friends' edification, that this is indeed a socialistic program. I don't know whether they realize that - because it has a floor below which the price should not fall, but it also has a ceiling above which the participant does not realize any benefits. The extra amounts of money that happen to come through the marketplace when the market is on the other side of the ledger will flow back into the fund to repay to some degree, at least, the taxpayers who have propped up the industry in the first place. It is not a system based on the marketplace, whatever, it is the exact opposite. I appreciate the fact, Mr. Chairman, that my friends opposite are not so dogmatic as to oppose it because it is a socialistic measure. That does indicate to me a degree of hope for my friends opposite and maybe, Mr. Chairman, it has to do with the recent change of attitude through the election of their new Federal leader, I'm not sure. But certainly, certainly they have some full circle on that question, and if they haven't, they should move a motion dropping this item from the Estimates, Mr. Chairman. --(Interjection)-- Your circle's a square, well that may be so. But certainly to be consistent with their philosophy - often stated philosophy - they should be moving a motion to delete \$14.2 million out of these Estimates and they should argue that the marketplace should make the adjustment, and I challenge him to do so, Mr. Chairman.

Now, we talk about stabilization and we talk about the time frame. You know, how incredible! We bemoan the fact, Mr. Chairman, that under federal dairy policy there was an indication of a long time frame through which we would be somewhat secure in our minds as to investment inputs and so on, and that was cut short within six months of the announcement. Surely my friends opposite aren't suggesting that we play the same game here. The Member for Gladstone indicated a moment ago that there is some degree of insincerity because we're locking them in for five years. The reverse is true, Mr. Chairman, there is a greater degree of sincerity because we're prepared to say that we are going to back them up for five years; that the instability is removed for five years; that they know where they're going to be for five years. That is removing instability. That is what stabilization programs are all about. Now you can choose to be in them or you can choose to stay out of them. You know, that is a privilege for all of the cattlemen in this province. The majority, vast majority of commercial producers have decided that they want stability, and ideology has nothing to do with the question. They want some security.

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(MR. USKIW cont'd)

Now, the Cattlemen's Association. You know, I have had many opportunities to talk to people who claimed that they represent the beef industry of this province and the beef producers of this province. Well you know, I would venture to say that the Cattlemen's Association virtually - well, it doesn't represent more than one percent of the beef producers of Manitoba. I would hazard that guess, that they don't know what the beef producers of Manitoba want, because had they known that, we would have had the vast majority of the commercial producers into this program. I'm not so sure that they would have stuck their neck out when they did, to suggest that this program is not acceptable to those producers. You know, maybe this is worth revealing, Mr. Chairman, because there is a little bit of politics involved here, within the House and within people that happen to make up those associations that my honourable friends want to associate so much with. To give you an illustration, we had an attempted blackmail - and I don't know whether my friends want to associate themselves with it, I don't know whether they were party to it - but we had a phone call that said, "You know, it's a pretty good program. But we're not going to say it unless you give us a check-off." That's the kind of nonsense that is coming from across the way, and that's the kind of nonsense that is capable of being presented by friends opposite in collusion with the people that they claim that they are so close to or with. And, Mr. Chairman . . .

MR. CHAIRMAN: The Honourable Member for Morris.

MR. JORGENSEN: On a matter of privilege - the Minister has implied - he's done more than that, he has accused us of initiating or instigating or being a party to what he has described as blackmail. Now the Minister is either going to prove that statement, that I or anybody else on this side of the House had anything to do with that, or he's going to withdraw it.

MR. USKIW: Mr. Chairman, I think that if you read Hansard tomorrow, you will indicate that I indicated to the House that I believe that members opposite are capable of that. Now, if I am incorrect, I will make the correction.

MR. JORGENSEN: Mr. Chairman, that does not lessen the infraction of the rule. The Minister has implied something that is not in accordance with the facts, and I ask him to either prove it or withdraw it.

MR. USKIW: Mr. Chairman, I don't know whether there's a Point of Order there whatever.

MR. JORGENSEN: It's a question of privilege. He has implied that we are guilty of something that we know nothing about, and I'm asking the Minister either to prove that statement or to withdraw it.

MR. CHAIRMAN: The Honourable Minister of Labour.

MR. PAULLEY: Mr. Chairman, on the point, if it was an accusation directed to an honourable member of the House, then my honourable friend may have a - or any other of his colleagues - may have a point of privilege. I suggest that if the statement of the Honourable the Minister of Agriculture is broad in context, it's not a breach of the rules of this House; and while I can appreciate the stand of my honourable friend, it will be in my opinion, an onus to the opposition or other members of this House to refute the statements of my honourable friend; but it is not - I say in all respect - a breach of the privileges because it was not directed precisely.

MR. CHAIRMAN: The Honourable Member for Portage on the same . . .

MR. JORGENSEN: That's about the worst perversion of the rules . . .

MR. CHAIRMAN: Order please. The Honourable Member for Portage on the same Point of Order.

MR. GORDON E. JOHNSTON (Portage la Prairie): Mr. Chairman, I realize in the discussion that has gone on, and I realize that the Minister is speaking directly, I think, to members of the Conservative Party, but he has made a statement that includes all members of the Opposition, and I wish to state categorically that no member of the Liberal group has done what he has accused some people in this House as having done. --(Interjection)-- I can understand that he feels that defence is necessary for some charges that have been made. I wish he would phrase his statements in such a way that it is not a blanket accusation of all members in the Opposition.

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MR. CHAIRMAN: The Honourable Member for Morris.

MR. JORGENSEN: That does not lessen the infraction of the rule, and notwithstanding the somewhat garbled interpretation of the rules now presented by the House Leader, the fact remains that the Minister accused members on this side of the House - and he doesn't have to identify them, he's already identified them; he's identified them as members of the Opposition, and that's good enough for me. I'm suggesting that he withdraw that statement or prove it, and it must be a very simple matter, if he can make the statement then he must have the proof, and I ask him to produce it.

MR. CHAIRMAN: The Honourable Minister of Agriculture.

MR. USKIW: Well, Mr. Chairman, one of the unfortunate things is that I was not able to complete those remarks, and had I been able to, perhaps the context in which they were delivered would be acceptable.

I was going to suggest in another statement to the members opposite that their particular references and comments here with respect to this program could lead anyone to believe that that is the case.

MR. JORGENSEN: The Minister has not produced the evidence to substantiate his charge and I invite him to do that or withdraw it.

Now, Sir, we can stay here all day if we have to, but the Minister has made a charge that he cannot substantiate and I'm inviting him to retract that statement.

MR. CHAIRMAN: The Honourable Minister of Labour.

MR. PAULLEY: Mr. Chairman, on the point of order, I believe the words of wisdom spoken by the Honourable House Leader of the Liberal Party is an indication of what I meant and what I said, and that is, he wants to be divorced of the Liberal Party; to be divorced from the statements that were made, and he has done it. And I suggest to the Honourable Member for Morris, if the cap doesn't fit, let us know. That is the question. And I say in all my years in this House I have never as yet seen anyone - even though I may have some garbled approach to the rules as suggested by the expert from Morris, I accept the fact that I may not be knowledgeable in every case, but I will say this, Mr. Chairman, that at no time during 23 years have I been that I can recall, that on a loose sort of a basis of the breach of the privileges of the House as suggested by the Member for Morris that there has to have been any retraction; and I say that there is no point of privilege, if the cap fits, wear it.

MR. CHAIRMAN: The Honourable Member for Lakeside.

MR. ENNS: Mr. Chairman, the Honourable House Leader really isn't helping the matter. What he is suggesting, of course, is that the innocent now have to prove their innocence or else as he so aptly puts it, wear whatever accusation is hurled across from us by the Minister. Mr. Chairman, there are some jurisdictions where that kind of justice is practiced, but in our jurisdiction one is presumed innocent unless found guilty. Now the Minister has been given ample opportunity to either produce some form of proof or evidence of the general accusation that he made with respect to blackmail to the members of the opposition, or to simply withdraw. If he wishes to continue with the debate, then surely he can withdraw that accusation.

MR. CHAIRMAN: The Honourable Minister of Agriculture.

MR. USKIW: Mr. Chairman, it is not a very strong point with me one way or the other and I could certainly rely on your judgment in this connection. But I think, Mr. Chairman, that if Hansard would reveal that indeed, that indeed I had accused someone of anything other than being capable of doing something, then I would be prepared to withdraw that, but I thought that it was in context of what I observed to be the capabilities of my friends opposite.

MR. CHAIRMAN: Order please. The Chair will peruse Hansard tomorrow. I will have excerpts and I'll make a ruling tomorrow, one way or another. The Honourable Member for Rock Lake.

MR. EINARSON: I just wanted to speak on that point of personal privilege, Mr. Chairman, because of the statement that the Minister made - not the last one, the one previously, Sir. The one previously that he made identified those members on this side of the House if you will read Hansard carefully, because he said - my colleague the

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(MR. EINARSON cont'd) Member for Morris, the House Leader, was saying to the Minister of Agriculture that he was accusing all of us on this side of blackmail and he asked him to either prove it or withdraw it. And so then the Minister then rose, but instead of trying to alleviate the problem, he compounded it by saying that those members on this side who rose and spoke and posed questions, so therefore the Minister then was identifying myself, my colleague from Lakeside, and my colleague from Gladstone as being capable of blackmail. And so, Mr. Chairman, because of the comments he made the second time he rose, I say, Mr. Chairman, my House Leader is in complete order to ask for either a retraction or prove that we are performing blackmail.

MR. CHAIRMAN: Order please . . . Order please. I have already stated I am going to peruse the excerpts of Hansard. I'll make a ruling tomorrow. The Honourable Minister of Agriculture. Order please!

MR. USKIW: Mr. Chairman, that is acceptable to me, and if you so rule that there is a need to withdraw anything, I have no problem with that. I believe that I am clear on it; if I am not, I am prepared to make a corrected statement.

MR. PAULLEY: I believe they are capable of blackmail.

MR. USKIW: Now the Member for Rock Lake went on to pursue the program that we had in effect last year, and that was the interest free stocker loan, and he made the point that the farmers who borrowed money interest free from the province, an effort to alleviate a financial short fall last year, that they didn't do very well in that program; that a particular farmer that he apparently knew or had come to know in the last while realized a total of \$113.00 on the animal for which he got a \$100.00 advance against the year before, and that in his opinion that that was a very poor decision for him to have made, to enter into the interest free loans program. And that therefore for some reason the province had some obligation to this individual or anyone who found himself in that position. You know that is so ridiculous, Mr. Chairman. When a lending institution provides money to people in the private sector, whether they sink or swim is not the obligation of the lending institution, in any business. I've never heard of such nonsense, Mr. Chairman. I don't know what rules my honourable friend is trying to apply here.

Let me further point out that again he is trying to take the marketplace off the hook. He knows that the marketplace is a disaster and he is trying to suggest that somehow the province has a responsibility in this respect because the buyers of beef in the world have decided that the value of beef is much lower than it was a year or two ago. That is absolute nonsense, it is absolute garbage, Mr. Chairman, and my honourable friend knows it. It is the market system that he is attacking but he is trying to suggest that it is somehow the government that should be blamed.

Now my honourable friend suggested we stay out of it and I welcome that, Mr. Chairman. I welcome that, because I want my honourable friend to now stand up in this House and say we should stay out of it and vote against \$14.2 million. Mr. Chairman, my honourable friend is now inconsistent. --(Interjection)-- My honourable friend is now talking about other programs. There are other programs and we have one here before you and if you think that we should not have programs then I invite you to vote against the program that you think we should not have.

Mr. Chairman, I want to go back now to every year since I have been in this office - that goes back to 1969 - I do not recall one instance where there was a motion put forward on the floor of this Chamber asking that the House consider the deletion of the MACC program, the Loans Incentive Program, anything else that had to do with live-stock in this province. Not once, Mr. Chairman, that I can recall members opposite objecting to the spending of public moneys in those programs. As a matter of fact, Mr. Chairman, I am sure if one was to search Hansard the questions that came after those programs were announced were questions asking for clarification of eligibility and whether there couldn't be consideration of broadening of program or the eligibility criteria and so on. I think I can recall some of those. But I do not recall any moment in the last six, seven years when my honourable friends opposite have suggested that we should delete a certain particular expenditure. They had their opportunities at every session, many opportunities. So not let them try to hang their hat on that particular issue, Mr. Chairman.

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(MR. USKIW cont'd)

The Member for Rock Lake went on to suggest to us that the department had some difficulty in selling a program and I don't know why one has to sell a program. It is not a product on the shelf; it is not something that you market. But there is an obligation, Mr. Chairman, there's an obligation. I want to take my friends opposite to the Province of Ontario for a moment where they too launched into a program and they too had a deadline date. You know by the deadline date the participation rate was very low. I don't know, it's somehow the nature of farm people I suppose, I don't know what it is, but they too extended the deadline date and the bulk of the people that came into their program came in after the extension. I don't know why, but that happened in Ontario as well.

Now I have some knowledge as to why there may have been a delayed action here in Manitoba and that emanates from the discussions I had during the course of my travels across rural Manitoba talking about the program, explaining the program. One of the things that I ran into all of the time, Mr. Chairman, - and this may reveal to my friends opposite why I made the remarks a few moments ago - is that we had questions from the floor. "Mr. Minister, if we sign this contract, will we lose our land?" - were the questions that were thrown. Not by farmers who were there with a serious intent to gain information but by people who were motivated to discredit a program. I don't know who motivated them, Mr. Chairman. I leave that to the judgment of my friends opposite.

MR. CHAIRMAN: Order please. In accordance with rule 19(2) of our House rules I am interrupting proceedings of the Committee for Private Members' Hour and shall return to the Chair at 8:00 p.m. this evening.

PRIVATE MEMBERS' HOUR - RESOLUTION 2

MR. SPEAKER: We shall proceed with Private Members' Hour. The resolution before the House is Resolution 2 by the Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, I beg to move, seconded by the Member for Assiniboia that

WHEREAS the sentence on conviction for breach of Federal and Provincial statutes often gives the court the power to impose fines, and in lieu of payment, a term in gaol;

AND WHEREAS it follows that inadequate financial means of a person so convicted often requires that person to go to gaol instead of paying the fine;

AND WHEREAS this House should encourage even handed treatment of offenders regardless of their financial means;

BE IT THEREFORE RESOLVED THAT this House consider the advisability of

1. Amending the Summary Conviction Act to empower the convicting provincial judge to allow the offender a choice of gaol or community service work in lieu of fine,

2. Asking and encouraging charitable organizations and municipal corporations, and requiring provincial corporations to develop and provide suitable community service projects.

BE IT FURTHER RESOLVED that this House recommend that the Provincial Government request the Government of Canada to amend the Criminal Code to provide like authority for sentencing judges in participating provinces.

MOTION presented.

MR. SPEAKER: The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, this is a time in the country when various aspects of the administrative judicial system is coming under careful scrutiny and review. Members of this House don't have to be reminded that the Federal Government has just made a number of serious recommendations for changing the matters in the Criminal Code in the administration of justice in its own jurisdiction.

One of the important areas of examination that falls within the purview of this House is in the area of sentencing under Summary Convictions Act and in the area of how we treat offenders who are arrested for crimes under the Summary Convictions Act, which are generally minor offences. The evidence that is beginning to pile up, Mr. Speaker, is that oftentimes the choice that is now available, either of paying a fine or going to jail

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(MR. AXWORTHY cont'd) discriminates very distinctly against those who don't have the means to pay the fine. In fact, the Law Reform Commission of Canada in a report that it released this year indicated that close to 50 percent of admissions to provincial and local correctional institutions are by people who default in their payment of fines and therefore have to pay a jail sentence.

If you look at our own jails, Mr. Speaker, Headingley Jail in particular, Stony Mountain, which is under the federal jurisdiction, you will find that most of the occupants of those jails other than the hard-core criminal offenders are generally young males, between 18 and 25 many of them of native origin who are there on generally minor offences and oftentimes there simply because they can't afford to pay the fine because they're probably not working. Until they wait for the major upgrading of their status which will come about as a result of the development of those public works down in the core area, I guess that we will have to find some other means of helping them to cope with their problems.

One of the ways of doing it, Mr. Speaker, is to provide for a way of allowing alternatives to a jail sentence for default of payment of fines. The purpose of that in the first instance is simply to ensure that there is not discrimination so that if one of the members of this House receives a warrant or is summoned under the Convictions Act, I'm sure because of the generosity of the last few years in payment of indemnities, they could well afford to pay the fine and walk out basically free men. If however, they happen to be on low income without that kind of support then they would have to go to jail and that creates a major barrier that can stay with a person for the rest of their lives. So in part the purpose of this resolution is to find ways of alleviating that discriminatory aspect of the present sentencing system.

Another purpose within the resolution is to offset some of the increasing costs of jail itself. I believe the Minister of Corrections might confirm this, but I think the average cost of keeping a person incarcerated at Headingley Jail is probably somewhere between \$25 and \$30 a day, which is a very heavy burden on the taxpayer for people who are incarcerated for minor offences. In fact, Mr. Speaker, as I had mentioned in the estimates of last year - and we'll be returning to that subject - in many cases our jails are crowded; there is not much being offered in the way of rehabilitative work and in oftentimes the close proximity of offenders on minor offences with those from serious crimes or those who are there on re-admissions doesn't do much to either help their state of mind or deal with the conditions of the jail. So that many people, certainly first time offenders, younger offenders in particular, who are put in the jail because of their lack of funds and their lack of means are being put into proximity with hard-core criminals who can certainly influence them. No one in this House I am sure would want to see a system which would provide for the inducement to greater crime. In fact what we should be hoping and trying to achieve is ways in which those who find themselves at fault with the law in a minor way don't get led into a more serious progression of continually escalating nature of crimes. One way of doing that is to keep them out of jail.

So that the proposal that we are making, Mr. Speaker, is to provide what is called a community option, which is, rather than having to pay the fine if the money is not available, offenders could work off their sentence or the fine that has been imposed through some form of work. I have heard a great deal of discussion in the last two weeks about the requirement to promote the work ethic in this community. Well I suppose there is no better way of promoting that work ethic than requiring people to work at a minimum wage in a variety of community tasks. By that I don't mean frivolous ones but there are many occupations and many activities that go unattended in our society, Mr. Speaker. I can think in my own area for example of the serious problem or senior citizens getting people to shovel their walks in the midst of winter. There is just no service, no provision anywhere in our whole social service complex to provide that kind of basic requirement for senior citizens that need heavy work done, that need maintenance work done, that need snow shovelling done, that need different kinds of community work done. By providing that kind of option, organized through community agencies, then we would be able then through municipal and provincial corporations, who also need a variety

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(MR. AXWORTHY cont'd) of tasks done, the minimum wage could be assigned to that and the person could basically work their fine off.

Now, Mr. Speaker, this is not - as I'm sure the Premier would love to call it - some idealistic program because in fact the New Democratic Government of Saskatchewan has . . . The option would be, Mr. Speaker, up to the judge. He would have that option of imposing it. So that in effect rather than simply providing the option of fine or jail, the judge can also say it can be fine, jail or community service work depending upon the offender and the kind of judgment that the judge would make concerning the ability of the particular offender to fulfil that role.

A program like this has been working experimentally in the Province of Saskatchewan over the past year or so with very - from their accounts - very positive results. In the report that I have, Mr. Speaker, if I may be allowed to point to it. In the last year there has been close to 45 volunteer agencies and 18 reserves and band councils on reserves and several town councils offering this community option program for those that have been incarcerated and it has affected literally thousands of potential offenders in the Province of Saskatchewan.

Now in our own province, Mr. Speaker, we have, as the Minister informed me earlier on, an almost informal system whereby certain magistrates and judges allow this to happen at the present time. But in investigating further, one of the drawbacks to our present informal way of conducting this is the lack of any incentive or instruction or direction to municipal and provincial corporations or volunteer agencies to set up programs which could be utilized by these kinds of offenders. There simply isn't really any organized program for them to go into. The point of the resolution is to try and provide again the incentive for these agencies and corporations to set up programs that would be available. I say that much of the work is work that could be done in the repair of older homes, in the maintenance of senior citizens' establishments and the provision of heavier work in Age and Opportunity Bureaus and in child care centres and other forms of institutions where it would obviously be done by some supervision. But it would give this person that kind of opportunity.

We also have the example before us, Mr. Speaker, in our own community of the half-way homes - people on probation, young offenders who are given the opportunity of working outside of a jail setting and being under some supervision and performing tasks. Speaking to some of the people who are in these half-way homes and in fact I know certain members of this House object to them strongly, but they are doing an important job in many areas of providing opportunities for offenders to work their way back into society, to give them a chance. I think that one of the major requirements of that is the opportunity to do meaningful work and I think that I associate myself, Mr. Speaker, with those who say that the opportunity to do real work, to do meaningful work and to pay for one's omissions through that way is an important way of dealing with the problem. The question is that now we don't provide that option to perhaps those who need it most and who could benefit most by it.

I can recall, Mr. Speaker, just before Christmas attending a meeting at Stony Mountain Jail that was held by the inmates out there, the Native Brotherhood of inmates, and talking to many of them about some of the corrections and changes they'd like to see in our law enforcement system and our judicial system and this was one that came up time and time again: the opportunity for alternative sentencing, of providing other kinds of options, particularly in our case where almost close to 50 percent of the occupants of our jails are native people, of providing a way for them to provide other kinds of opportunities rather than simply being sent to jail because they can't afford to pay a fine because they were picked up on the street some night for vagrancy or whatever it may be. And I think that, Mr. Speaker, the kind of demonstration that is before us in the Province of Saskatchewan which shows that not only is the program plausible but it is in fact workable, I think should instruct members of this House to at least provide the instruction to the government to examine its feasibility, to put it up on a trial basis and to see how it works in providing an added feature to our court system and our sentencing system.

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(MR. AXWORTHY cont'd)

The other part of the resolution, Mr. Speaker, deals with this House advising or recommending to the government as it goes through its changes in the Criminal Code, that similar provision be written into the Criminal Code to apply to sentences under that particular statute which of course applies to a broader range of crimes than does our own Summary Convictions Act. And again it would, I think, partially provide for some amelioration of the increasingly hard line that we're beginning to take that in the administration of justice we must be sure always that there are proper balances set.

I want to emphasize in this case, Mr. Speaker, that we are not talking about hard-core criminals; we're not talking about allowing rapists and murderers and criminals of that to have this kind of option. Because I'm sure some members would dearly love to torture that meaning into my words. But we are talking about those under the Summary Convictions Act, those who are arrested for minor offences, those which are now given the option - given the option now if they have the money to walk the streets. So it's not a matter that we're allowing hard-core criminals out. We're simply saying that right now if someone has \$200 he doesn't have to spend the 30 days in jail. But if he doesn't have the \$200 he's thrown in jail and a whole series of problems can emerge, can follow out of that incarceration.

We only have to look at the real failure of rehabilitation in most of our institutions to realize that those are not institutions where someone becomes changed or rehabilitated. In fact if there is any effect of spending a period of time in jail, it is usually to promote and develop tendencies towards crime in future life. I was interested in a study that I looked at last year, Mr. Speaker, where we found out that, I believe - I would correct my figures, but I believe that close to 60 or 70 percent of those in Headingley Jail at the present moment had previous juvenile offences which shows that in effect our whole way of treating juvenile offenders is obviously failing because all we're simply doing is providing a transmission line into future crimes. Well this, hopefully, Mr. Speaker, is a way of breaking that transmission line, of providing a way of not putting a person into the institution in the first place. Jails are not nice places to be and they're not designed to be nice places so there is no reason why we should simply say again that if you're poor you have to go to jail, if you've got the money you don't have to go to jail. That seems to me, Mr. Speaker, is the basic inequity that presently exists under the system that we now operate.

I think that, having spoken to some magistrates in the system and criminal lawyers and others who are involved in the field, they would be supportive of this kind of measure because it would give the judge, the trial judge, the option and opportunity to provide this kind of choice to those offenders who need it, and would provide as a result of some kind - a very difficult choice when they know that the person simply for a lack of income and a lack of means is going to be incarcerated into a provincial institution for their 30 days. They realize that just simply will be a horrible kind of sentence to apply to them but they right now have no other choice whatsoever. If they don't have the money, they have to go to jail.

So, Mr. Speaker, I would hope that members of this House would give consideration to this resolution. It is something that would provide I think - we already have the example before us in Saskatchewan so the problems of implementation could be already worked out in many respects and that many of the bugs of the system have been examined and I would expect by this time perhaps members of the Minister's Department have already examined that particular system. As a result the implementation of it would be much easier and much more capable and it is something that we could bring in.

The other side of it, which I would like to emphasize, is that it also gives our society in part a way of fulfilling tasks that presently go unattended. Again I would emphasize that if members - and I think many members of this House would have received over the past several months calls from their own constituents who are unable to find any recourse for menial tasks or for labour intensive tasks. Unfortunately, Mr. Speaker, we have a society where you almost need a credential for everything you do and there are many important tasks in society such as shoveling snow on sidewalks, getting minor

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(MR. AXWORTHY cont'd) repairs to homes made and it's just not available because there's too many credentials not allowing people to do it. There are enough people there to do it. And so this would be one way of making sure that particularly for older people who need tasks like this performed that the volunteer agencies that work with them would be able to call upon certain kinds of labour for these tasks to be performed during the winter months.

So I think that it may be the kind of resolution, Mr. Speaker, that would have a double benefit. Not only would it offset and provide for a fairer treatment of minor offenders under the Summary Convictions Act but also would provide for some means and opportunity for our larger community to have tasks performed for handicapped people and older people which aren't presently able to be performed because there's simply no one there to do it.

On that basis, Mr. Speaker, I would recommend this resolution to the House.

MR. SPEAKER: The Honourable Minister for Corrections.

HON. J. R. (BUD) BOYCE (Minister responsible for Corrections and Rehabilitation) (Winnipeg Centre): Mr. Speaker, first of all I appreciate very much the support of the Member for Fort Rouge for this particular direction. Perhaps this is an occasion for us to update the House on what is being done in this particular area. There is, of course, as everyone will agree, a problem of some of the . . . in our criminal justice system and they will hasten to add that they understand the difficulty and complexity of the situation because of the federal-provincial involvement in this particular area.

I think this is the first occasion I have had to speak relative to this matter and I would like to commend the Solicitor-General for his efforts to resolve this particular area. The House may like to know that one of the things that the Solicitor-General did after first assuming that office was to establish a Continuing Committee of Deputy Ministers which meets about three times a year and the Ministers subsequently meet twice a year to try and resolve some of these problems which are inherent in the system. For example most would agree that there is no logical basis for the division between the federal and provincial systems on the two-year basis. Those people who are sentenced to less than two years are a provincial responsibility, those that are sentenced to more than two years are a federal responsibility. But nevertheless when we get down the road a little bit it's always who's going to pay for what?

So rather than wait for the total problem to be solved a few of the provinces are co-operating with the Solicitor-General through the offices of the Attorneys-General or Solicitors-General in some of the provinces, because there is some different alignments in the different provinces. We are trying to develop programs which fit into rather a complex system. We must remember that in our system that regardless of what laws we put on the books, it is the prerogative of the court to sentence, to make judgments. And to this point in time we put in place "support people" to help the judiciary make prudent judgments. This is one of my staff's functions in pre-sentence reporting. But nevertheless at the present point in time it is the prerogative of the court to decide, you know, what the disposition of that individual will be relative to the law. It becomes my responsibility subsequent to sentence to deal as best we can with the resources we have available.

But having said that, Mr. Speaker, I would report to the House that in this general area, in Geneva on the United Nations Conference on Crime I had occasion to be involved with some people from the United Kingdom who have gleaned some experience in this particular area and as a result of this involvement, with the co-operation of the Federal Government and my colleagues in Cabinet we have agreed to . . . one of our senior people in the person of Eric Cox who's the Acting Assistant Deputy Minister to work with the Home Office in England for a period of one year to resolve some of the difficulties as mentioned by the Member for Fort Rouge. I know that he does not intend to oversimplify complex problems but the experience that they gained in England is such that I believe it can benefit us here in Manitoba.

He mentions such things as the shoveling of snow and a few others which seems relatively simple. I will go into a few of the details of what is involved in the community related services which can be performed perhaps by a person who is sanctioned

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(MR. BOYCE cont'd) by society in a criminal justice system in a moment. But oftentimes people use statistics without, you know, covering the whole picture. When the member says the per diem cost in Headingley is probably in the area of \$25 to \$30 - and he mentioned it, I wish I had the answer for him right at the moment, but I haven't. The way the things are costed out at the moment is running roughly \$20 a day on 1975 figures. But relative to the people who are resident in Headingley itself, it's probably higher because the Headingley population includes all of those people who are technically in Headingley - they may be out on pre-release programs, day work programs, day parole, this sort of thing. But nevertheless there in the population of the Headingley Institution. So as soon as I have the specific figures, then I'll share them with the House and specifically with the Member for Fort Rouge.

When he uses the figures 60 to 70 percent of the people in the institutions, provincial institutions, could be considered recidivists, this may or may not be correct, I'd have to check the latest figures. But nevertheless it does sound as if, you know, 60 or 70 percent of the people who have been involved with our juvenile system are recidivists. This is not correct by a far cry. Most of the people who are involved - and I haven't got the figures specifically here today but I will have them during my Estimates and perhaps you could raise that particular point and we can go into it in some detail. But if you just in viewing the newspaper on a weekly basis, it has a report of the number of juveniles who are involved in some way with our constabulary people in Manitoba and the disposition of them, that the numbers are quite high. But the number that eventually become involved even in the custodial component of the system, is relatively low. Because when we say rehabilitative programs don't work, you know, it's so easy to tar the whole system with a few failures and then say that these statistics support that argument. I would suggest that we view these kind of statistics with caution.

But to the general problem of people who we sanction, I would much rather, Mr. Speaker, try and solve problems and do something about it than to get everybody all excited that I'm going to solve all the problems tomorrow and get their hopes up and get their expectations up. So that having this as a bias I have been working, you know, with the people in the system. I am informed, as the Member for Fort Rouge suggested, that some of the judiciary have rather on an ad hoc basis an informal community sentencing process in their courts. I wouldn't like to single out anyone who is doing it or is not doing it. It is just the case that that is so. But nevertheless before you can get people to accept a system I think it is incumbent upon us to work with the judiciary to explain to them what we possibly could do. Because I go back to what I said initially. The sentencing is the prerogative of the courts. I don't know how other people would act but if I were a judge I would only put people in a system in which I had confidence. So one of the first undertakings in meeting with the judiciary was that I said that I felt it incumbent upon myself to try and build a system in which they had confidence.

Now the things that we have made available to the judiciary on a discretionary basis through the total system - doubtless you have heard of the different types of disposition that a judge has available to him already relative to the points the Member for Fort Rouge made. A person can be charged before a court and it is within the prerogative of the court to discharge this person unconditionally. It's possible for him to be discharged conditionally; it's possible for the courts to sentence this person to a period of suspended sentence with parole, some sentencing followed by parole. So there is a range of alternatives available to the judiciary. I am not going to second guess our courts.

Now whether I agree with the particular judgment that a gentleman on the bench makes at any point in time - we all as human beings disagree on occasion, even my wife and I disagree, and my friends and I disagree, so I don't think it's responsible for me to second guess the judiciary on any particular case. Did you ever stop and think of the onerous job that we have given these people to do, to perform on our behalf. They have to make judgments relative to how a person is going to live or not live. So that they have an onerous job. I would just like it to be a matter of record that I appreciate very much the difficulty of the task of the judiciary.

But once the judiciary, the process has taken place and the bench has made a

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(MR. BOYCE cont'd) judgment, then it is up to us I would suggest to consider two aspects. One that I never lose sight of: society has the right to protect itself, that is absolute. I don't think that any one of us should lose sight of that. The second thing is we have to try to help those people who can be helped. Not there comes the rub. Who can we help and who can't we help? Here again it is a matter of having people in the system who can help people. I digress, but slightly I think in my mind, Mr. Speaker, from the main resolution because I don't think that this resolution can be considered in isolation. We hear such statements as we have to increase forensic services; we have to make better forensic services available; we have to make, you know, different things available. As I say I'm not second guessing the bench and even when some of the judiciary speak of . . . from the bench some of the programs that we should put in place.

You know we make demands of some of our professional systems which they are incapable of delivering. I would regret very much - I'll make it personal rather than relate to anyone else - if I was in my doctor's office and the doctor said, "Bud, you have cancer and there is nothing we can do about it. You know that's a sentence. You know there is no technical help that you can get, the professional knowledge in curing this particular disease is not such that we can save you. We can prolong your life." Well here in my particular area I think it is rather unfair, if I may use that rather gentle term, that some people keep making demands for the provision of services which are not available. You know no psychiatrist would suggest that he can cure all cases. There are some specific individuals who are in the federal system at the moment who were transferred from one penitentiary to another, and I would hazard the opinion that no psychiatrist in his right mind would say that he could cure these people. So that when we talk about the criminal justice system we have to look at it in its totality.

Back to the main thrust of this resolution: that we put in place a community service type of program. I fully concur with the Member for Fort Rouge and once again I will enjoy sending a copy of his remarks to the Solicitor-General because I know that he'll be glad that we have such support in the community. I wish that I could move more rapidly in this area. The people who have developed this in England, they started off in 1972 which is not that long ago and they did it in a few communities - I think it was five different communities that they set up a pilot project - and from these five pilot projects they learned one thing: that they can't do it until the community is ready to accept it. They have to have the people in the community ready to accept it. I digress for three minutes, I digressed but briefly.

One of the best communities in Manitoba in this sense of the community taking care of these kind of problems is one of our newest communities and is Leaf Rapids. Perhaps we should all look at this because this is a brand new community; it is a group of people that are getting together and they haven't built in some of the old bad habits of perhaps some of the older communities. For example if a young lad gets into mischief down there, the probation people take him home to the parents and they resolve it right then and there, type of thing.

But the main concern is that we don't do things in a cosmetic way. That what we put in place, it may take us longer, but nevertheless it will be more stable and the results will have been worth the delay and worth the effort. Because such things as if you get somebody into the system who is in this tiff for some reason or other and he has an accounting background, what can he do? If you get somebody in who is a painter, you know, how many flag poles can he paint? This is the kind of detail that's actually worked out by the community themselves. What can be provided? It may well be snow-shoveling in the wintertime; it may well be anything.

But there's two things. Once again I'll repeat it in closing, Mr. Chairman. I repeat my commitment to the court is to try and develop all of these programs in co-operation with the courts so that they are fully familiar with all the alternatives that we can make available to it and also to develop these programs in co-operation with the people in the community.

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MR. SPEAKER: The Honourable Member for Swan River.

MR. JAMES H. BILTON (Swan River): Mr. Chairman, I'd like to take a few moments of the time of the House. I've read this resolution with considerable interest and I too appreciate the endeavours of the Honourable Member for Fort Rouge. I can see exactly what he's attempting to bring forward and you know the problem has been eternal in its makeup, Mr. Speaker.

He says the choice of jail or community service work in lieu of fine. In ordinary language, Sir, that sounds good, but you know some of these people, not all of these people, but some of these people - as the old saying goes, you can lead a horse to water, but you can't make him drink. The same applies to a lot of these people unfortunately, who are in our institutions today. We have the habitual prisoners who are constantly in and out of our penitentiary service, and jail service, and I remember so well that the province released inmates from Headingley Jail and they put them to work in our parks - I think I've advocated that in speeches from time to time. This has been done, Mr. Speaker.

I remember a good camp in the Duck Mountains but there was nothing but trouble. There were people escaping and refusing to work, and it didn't work out itself at all. My honourable friend talks about charitable organizations and municipal corporations offering work to people. This too, is an excellent thought in theory. Mr. Chairman, I am all for supporting this sort of thing, and there is nothing more appalling than to see men in jails and penitentiaries living in cages because that's all it is, and it's a horrible life for any man. I can appreciate the Honourable Member for Fort Rouge having possibly witnessed this and felt that he could do something about it.

Whether or not society is ready for what he's suggesting is questionable in my mind. There have been good thinking people, many good thinking people thought these things out before. It seems to me today that it's the intention of penitentiary service, Mr. Speaker, to relax and open up relaxed security dwellings, and this is good and considerable money is being spent in that regard. I would have liked the Minister to have told us some of his experiences as to how those institutions are working. I'm thinking of the one close by Kingston and I'm thinking of the one they have in Regina, where security isn't the same as it is in the ordinary jails.

I made an issue one day at the fact that out here at Headingley Jail there is a tremendous farm there. Men were put to work on that farm. There are dairy herds, all these sort of things. For some reason or other this government closed it out. Why, I don't know. This is the sort of thing that the Honourable Member for Fort Rouge might have reminded the government. But there is good reason for him having put this forward and I would wish him well. But it's a questionable operation. The people are in jail, Mr. Speaker, for a reason, and if it's punishment that's what they should get if they break the laws of society. I've no reason to feel sorry for them in any shape or form.

I have three Indian reserves and from time to time I attend the local court and it is as the Honourable Member for Fort Rouge has said, it's often a question of them not being able to pay their fine and they're taken to the jail in Dauphin. This is a very unfortunate circumstance. But when you talk about the municipal people in Swan River for instance opening up jobs for these people, what about their employees? Are they going to set aside the employees that they have on their permanent payroll? Added to that, there isn't the kind of work envisioned by my Honourable Member for Fort Rouge, possibly outside of the confines of the City of Winnipeg or the larger communities. But certainly throughout rural Manitoba where a lot of these people commit crimes and have to go before the court, and because of the fact that they haven't got the money to pay their fine, they have to go to jail. I would like to see the Minister really get into that particular angle of things that are happening - remote from Winnipeg - and see if some way cannot be found to see to it that the Band Chiefs, if you like, will commit themselves to the judge and see to it that that individual does something on the reserve or in the community to offset the fine that has been levied against him. It can always start in a small way. I would hope that the Minister will take cognizance of what is intended in this resolution and what the Honourable Member for Fort Rouge has

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(MR. BILTON cont'd) brought forward because there is an avenue in which something can be done, no matter how small it may be, for the Indian people who don't know the ramifications of justice of what they are up against.

In many cases the Department is providing interpreters, and free legal aid. This is all very fine, Mr. Speaker, for offences that require that sort of thing. But a lot of these cases where they are answering charges for drunkenness or fighting and all this sort of thing that goes on then the fine is permissible and they can't afford the fine, then they have to go to jail. I agree with the Honourable Member for Fort Rouge particularly the young Indian people, and white people if you like, of poorer families that are confronted with this, that the Minister would do well to take cognizance of this and set up some program, no matter how small, and build up from there to assist with this problem.

MR. SPEAKER: The Honourable Attorney General.

MR. PAWLEY: Mr. Speaker, I would like to address a few words to this resolution. I think that in dealing with this resolution one has to analyze the basis of our society and the roots from which our existing laws flow. Too often I think that our existing laws and the methods by which we deal with those convicted before our courts, depend upon antiquated provisions which have occurred of the class nature within our society. Too often, Mr. Speaker, we find that those laws which so often pertain to offences that generally deal with professionals, white collar groups, tend to be more lenient than those offences which relate to the poor and the disadvantaged within our society. For instance one need only to look for a few moments at the building code, might look at the professional associations to ascertain that in general infringement of provisions dealing therewith, generally satisfied by way of a fine. Mention has often been made of the experiences that we've had in the Kasser case, and the ability that one has that has accumulated vast sums of money, to too often avoid the criminal justice system. On the other hand we have too often that majority of our citizenry which generally finds itself unable to survive and to be treated equitably within that system.

Now, for instance, insofar as our native people are concerned. Many of our native people, of course, do find themselves in prison, in prison because they have been unable to meet the fine that has been rendered to them as mentioned by the Honourable Member for Fort Rouge. For example, a fine of \$50.00 to a native or to any other person that is poor, in respect to any liquor offence such as for instance, open liquor in a vehicle, can be an immense hardship to that individual. It may in fact fasten the impossible burden upon that individual and make that individual incapable of really being in a position to respond without finding himself faced with incarceration. But on the other hand to one of substantial means a \$50.00 fine is but the payment of a licence fee. For some in our society a fine of \$50.00 would be like receiving a fine to others of us of a \$1,000.00 so that of necessity, because of the nature of our system, the rendering of decisions by the court and the sentencing of individuals certainly varies insofar as this impact is concerned from one individual to another because of that individual's social economic means and experience.

So that insofar as this resolution is concerned, I welcome the opportunity to examine alternatives to the fine system, and I think first, speaking from the point of a principle, I think that there is much to commend it. I can recall, for instance, when I was practising law, two juveniles who had broken into a church and had done a great deal of wreckage in that church were sentenced by the presiding judge to attend in church each Sunday morning to usher for a period of one month and to repair all the damage done to that church. No fine. An alternative was presented to those youths that had committed that act, Mr. Speaker, those youths never again appeared before the courts whereas I suppose that if a fine had been levied probably their parents would have paid the fine and before long again they would have appeared in court. It would have been looked upon as probably a little more than a licence.

I think what we have to determine is not - and I think we all agree with the principle. I would hope that most of us in the Legislature would agree with the principle that we should minimize the utilization of fines for purposes of rendering a sentence

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(MR. PAWLEY cont'd) . . . because it is inequitable, it imposes a harsh burden on some and an extremely light burden on others. It's an archaic system which relates I think to an economic and social environment from whence we are moving away from.

As an alternative to this, the proposal as presented by the Honourable Member for Fort Rouge is constructive and positive and there is really only one problem that I think we have to attempt to come to grips with and that is the practical administration of such a program. It's true, municipal organizations, the reserves, the reserve bands, voluntary organizations can be utilized. There will still be difficulty though in enforcing the sentence that is handed out. But I think that the problems that one has to deal with can be overcome and I believe that the Honourable Minister of Corrections can point, in fact, to many successful efforts by the court system within Manitoba in providing that alternative.

But I think we can go much further than we have. I think for instance that a fine of \$50.00 could very well be worked off by payment for services rendered to one's community say at minimum wage so that a fine of \$50.00 could be worked off for say a period of 22 hours work within his community. That work could involve projects - projects including the cleaning up of community rinks, beaches, roadsides, many different areas of assisting and working in the community. On the other hand I think we have to be very conscious of the fact that there may be those within the community that would destroy some of the very fine concept behind that to, in fact, abuse the principle and to translate it as a form of imposition of slave labour rather than responsible labour within the community. I think that is an area that one has to certainly guard against. But I think it can be done and that we can come to grips with that.

Now, Mr. Speaker, we have been attempting to examine the Saskatchewan experience with the fine option program. This matter is presently with the Law Reform Commission and they have been studying the fine option program in Saskatchewan. I'm informed, in fact, that within the last little while Mr. Muldoon, the Chairman of the Law Reform Commission and the Chief Provincial Judge Harold Gyles and Mr. Eric Cox, Director of Corrections in my honourable colleague's Department of Corrections, have all attended in Regina to study and to receive reports insofar as the success of the fine option program in that province. I understand they are preparing a report to present to us as to those aspects of that program that could be enacted within Manitoba.

I look forward also to receiving the reports from the Law Reform Commission. I might mention that when we attended a conference in Edmonton last February, the Natives in the Criminal Justice System, that there was a great amount of alienation by our native people expressed to the present criminal justice system and the techniques that that system uses to attempt to come to grips with sometimes rising criminal rates within the native community. Fines don't seem to work effectively and we must, I think, come to grips with alternatives to fines.

We see too often in our society as I indicated at the beginning of my remarks, a dual system. There are those, Mr. Speaker, within our society that do most of their drinking in private. They get drunk in private. And there are those within our system that get drunk in public because they don't have the private places that they can, in fact, get drunk in. We find that there are those in our society that get their air on the golf course rather than the street corners. We find there are those that take their chances at a bingo game and there are others that, yes, fly to Las Vegas for their fun and take their chances. So that there are those within our society, because of their lack of means, do find themselves much more frequently in difficulty with the law than others. There are certainly as a result those that do find that the sentences that are levied are much harsher than others when they are tied into a rigid scale of fines. I think, therefore, that for the son, or daughter of a wealthy family to receive a \$50.00 or \$100.00 fine, it really does very little for their soul, for their spirit, and that there are alternatives to such a system.

So, Mr. Speaker, in general I support the principle of the resolution before us and I would look forward to debate from other members of the House.

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

MR. GRAHAM: Mr. Speaker, I look at the clock and wonder if the House is willing to call it 5:30.

MR. SPEAKER: Is it agreeable? (Agreed) The honourable member will be next. The hour of supper hour break being arrived at, I am leaving the Chair, but the Honourable Member for Logan will resume at 8 p.m. in Committee of Supply.