

TIME:2:30 p.m.

OPENING PRAYER by Mr. Speaker.

MR. SPEAKER, Honourable Peter Fox (Kildonan): Before we proceed I should like to direct the attention of the honourable members to the gallery where we have 40 students of Grade 6 standing of the Tuxedo Park Elementary School. These students are under the direction of Mr. Shore. This school is located in the constituency of the Honourable Member for Charleswood.

We also have 70 students of Grade 10 standing of the Churchill High. These students are under the direction of Messrs. Alex Sabeski and Hatcher. This school is located in the constituency of the Honourable Member for Osborne, the Minister of Education.

On behalf of all the honourable members of the Legislative Assembly, we welcome you.

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

NON-POLITICAL STATEMENT

MR. SPEAKER: The Honourable Member for Lakeside. ,

MR. HARRY J. ENNS: Mr. Speaker, I don't have a question at this time but I want to take the rare opportunity that I use to occasionally correct an error that the members of the media have attributed to me and I want to do it at the earliest possibility to the fishermen of Manitoba that I am aware that the whitefish species is not a rough fish, in fact it is a very highly desirable fish. There are other rough fish that fall into that category.

The other correction, Mr. Speaker, that I feel I have to make is that, while I would have, as would have my colleagues perhaps, been only too prepared to sign and conclude the necessary legislation and agreement that brought Manitoba into the Freshwater Fish Marketing Corporation, I remind the members of the House that that was one of the pieces of legislation that got left sitting on the table at the time the House dissolved in 1969. It was subsequently left to the honourable members of the present government to conclude that agreement and to pass that necessary legislation in this chamber.

ORAL QUESTIONS

MR. SPEAKER: The Honourable Member for Birtle-Russell. **MR. HARRY E. GRAHAM:** Thank you, Mr. Speaker. I have a question for the Honourable Attorney-General. I would like to ask the Attorney-General if Legal Aid is acting on behalf of CAIMAW on the Griffin strike?

MR. SPEAKER: The Honourable Attorney-General.

HONOURABLE HOWARD PAWLEY (Selkirk): Mr. Speaker, not to my knowledge. I have been contacted on numerous occasions by the lawyer for CAIMAW, Mr. Sid Soronow, who is not a Legal Aid lawyer.

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

MR. GRAHAM: A supplementary question then. Can the Minister indicate whether or not Legal Aid is contemplating a class action suit in the Griffin thing?

MR. HOWARD PAWLEY: Mr. Speaker, I think I would have to say that I was surprised to receive a letter from a group of Legal Aid lawyers pertaining to the dispute. In fact I was forewarned by the news media that such a letter was on its way to me before I had even received the letter and all I can comment in connection with the letter, it seems to me to demonstrate a deficiency in legal knowledge.

MR. GRAHAM: A further supplementary. Is the Attorney-General prepared to give instructions to Legal Aid to look after the affairs of their clients rather than the affairs of some other party?

MR. PAWLEY: Mr. Speaker, that is certainly the understanding that Legal Aid r lawyers are to be working under. And I am at loss as to the letter which I have just received, as to on what basis that letter has been forwarded to me, and I believe the Minister of Labour also received a letter from the Legal Aid lawyers and I was surprised and puzzled by the letters.

MR. GRAHAM: A further supplementary. Is the Minister then prepared to review his Estimates of expenditure for legal aid in the coming year?

MR. SPEAKER: The Honourable Member for Rhineland.

MR. ARNOLD BROWN: Thank you, Mr. Speaker. My question is directed to the Minister of Health and Social Development. I wonder if the Minister can tell this House how the new federal guidelines in regard to equipping cancer research laboratories will affect the Cancer Treatment Center in . . .

MR. SPEAKER: Order, please. The question can be asked under the Estimates. The Honourable Minister of Consumer and Corporate Affairs.

HONOURABLE RENE TOUPIN(Springfield): Mr. Speaker, can I have leave to make a non-

political statement?

MR. SPEAKER: The Honourable Minister have leave? The Honourable Minister. Order, please.

MR. TOUPIN: Mr. Speaker, I would like on behalf of my colleagues to wish every Manitoban a Happy St. Patrick's Day. Especially those of Irish descent, or those that would like to be, including the Minister of Health.

MR. SPEAKER: The Honourable Member for Assiniboia.

MR. STEVE PATRICK: Mr. Speaker, I have a question for the Honourable Minister of Labour. Can we expect legislation this session dealing with involuntary overtime?

MR. SPEAKER: The Honourable Minister of Labour.

HONOURABLE RUSSELL PAULLEY(Transcona): That, of course, is a question of policy, Mr. Speaker. If I took the advice of my honourable labour critic of the Conservative Party I would be bringing in legislation for a limitation of compulsory overtime, which I refuse to do.

ORDERS OF THE DAY

ADJOURNED DEBATES - SECOND READING

MR. SPEAKER: The Honourable House Leader.

MR. PAULLEY: Mr. Speaker, I wonder if you would kindly call the adjourned debates for second reading as they are listed.

MR. SPEAKER: Thank you. Bill No. 2 proposed by the Honourable Minister of Consumer and Corporate Affairs. The Honourable Member for Wolseley. (Stands) Bill No. 4 proposed by the Honourable Minister of Public Works. The Honourable Member for Fort Rouge. (Stands) Bill No. 5, the same. Bill No. 15, The Honourable Member for Wolseley. (Stands)

BILL (NO. 3) - THE FARM INCOME ASSURANCE PLANS ACT

HONOURABLE SAMUEL USKIW(Lac du Bonnet) presented **Bill (No. 3), The Farm Income Assurance Plans Act**, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister.

MR. USKIW: Mr. Speaker, because of the complex nature of this proposal I have copies of my comments for members of the House. I wonder if the Pages would distribute them to the House.

Mr. Speaker, I want to draw to the attention of the members of the House the fact that over the last three or four years because of the chaos in the marketplace involving beef marketings in Canada from coast-to-coast, indeed worldwide market disruption, many governments in Canada have become involved very aggressively in income stabilization programs and indeed after a number of provinces became so involved the Government of Canada decided to move in that direction, as well; so this particular bill will have the effect of integrating the provinces' Beef Income Assurance Plan with the new federal Stabilization Program; so that there will not be a duplication of subsidy to any one individual but rather complementary arrangements between the Federal Government and the Province of . Manitoba.

Mr. Speaker, the Farm Income Assurance Plans Act which we are asking the House to approve is intended to facilitate the joint administration by the governments of Manitoba and Canada of farm income stabilization programs. When this government launched the Manitoba Beef Producers' Income Assurance Plan, it did so with reluctance because economic stabilization had traditionally been the responsibility of the Government of Canada and legislation respecting agricultural stabilization has been in the Statutes of Canada since the end of World War II. However, by 1975, the financial difficulties faced by many cattle producers were so severe that action had to be taken. There can be little doubt, Mr. Speaker, that the introduction of beef producers income assurance programs by the governments of British Columbia, Ontario and Manitoba has prodded the Government of Canada into designating cow-calf operations as eligible for support under the Agricultural Stabilization Act.

The announcement by the Honourable Eugene Whelan on January 4, 1977 contained the following statements: "The federal program will cover cow-calf producers in provinces where there are no provincial stabilization programs. In the other provinces where existing programs continue into 1977, it will cover producers not enrolled in provincial stabilization plans. However, in any provinces where provincial stabilization levels are lower than the national support level in 1977, payments will be made to bring all producers up to the national level. Although we are trying to set a uniform stabilization level for cow-calf producers across the country, we realize some provinces are committed to continuing their own programs for the time being. We will, however, be prepared to pay producers enrolled in 1977 in provincial plans, 50 percent of any federal stabilization payment, with the province supplementing this payment up to the maximum provided under their plan or under the federal plan, whichever is greater." That is the statement of the Honourable Minister of Agriculture

for Canada, Mr. Speaker, so the logic of this particular bill is quite obvious.

The Federal and Provincial Governments are anxious, Mr. Speaker, to arrive at a uniform system of price stabilization for beef producers across Canada. We have pledged our full co-operation to bring this about and I am happy to say, Mr. Speaker, that Agriculture Canada has shown an equally great desire for integration. The co-operation between officials of the Agricultural Stabilization Board and of our department is splendid. I should add, however, that it has not been possible to persuade the Government of Canada to make equal payments to all producers in Canada whether or not they are covered by provincial plans. The Government of Manitoba remains opposed to that discriminatory element in the federal program. On all other points regarding the integration of the two programs, the negotiations have been virtually completed.

Although no exchange of letters between myself and the Federal Minister has yet taken place, the Federal and Provincial Governments have agreed to the following points.

1. The producers enrolled in the Manitoba Beef Producers' Income Assurance Plan will receive payment from both governments up to the maximum provided under the provincial plan. In certain circumstances, it is conceivable that in some cases the federal payments would be higher than the provincial guarantee. In such cases, no provincial payments would be made. (We have examples, appendixes attached for the benefit of the members of the House.) In such cases, no provincial payments would be made. (Example II) In effect federal and provincial payments cannot be stacked one on top of the other.

2. The 50 percent of federal support payments applies only to 60 percent of the producer's herd since under the Manitoba contract, producers are required to keep 40 percent of their 1977 calf crop for feeding to slaughter weight. Also, the "5 cow deductible" in the federal plan will be taken from the 60 percent mentioned above. On all other cows, the federal payments will be 100 percent. This assures that federal contributions to producers in the provincial plan are maximized within the general constraint of the 50 percent clause.

I know, Mr. Speaker, that this sounds very complicated. I have therefore prepared some examples for the distribution to the members of this House to indicate the effect of this arrangement under certain assumed conditions.

3. The administration of the federal and provincial programs will be integrated to the extent possible.

054 (a) The Federal Government has accepted our records on farmers enrolled in the Manitoba Beef Producers' Income Assurance Plan as adequate for their purposes. This means that producers enrolled in the provincial plan do not have to fill out application forms for the federal plan.

(b) The Federal Government will inform the Provincial Government of its payments to farmers enrolled in the provincial programs in order to avoid double payment.

(c) In addition, the Provincial Government will provide Agriculture Canada with the mailing list of producers who registered for the vote on the establishment of a Beef Producers' Marketing Board so that Agriculture Canada can communicate directly with those producers.

(d) Application forms for participation in the federal program will also be available in all provincial offices of the Department of Agriculture and our staff will assist producers in the completion of the applications.

4. The Federal Government has indicated that they will not be able to issue payments before the third week in January 1978. This is because the Federal Government bases its payments on the annual average market price for calves which cannot be calculated until the end of the year. Because the provincial payments will supplement the federal payments, the province also has to wait until the federal payments are known. It will, therefore, not be possible for the province to mail out the cheques in December as we have done in the past two years but producers should receive both federal and provincial payments in about the third week of January 1978.

5. Now that the Federal Government has introduced a Cow-Calf Stabilization Program, it is possible that some farmers who are enrolled in the Manitoba Beef Producers' Income Assurance Plan may wish to withdraw from the provincial plan and may wish to rely on the market supplemented by federal deficiency payments. At the request of producers, the province is prepared to terminate their contract without requiring the producers to refund the payments made to them in the past two years. Producers wishing to terminate their contract, should notify us before June 30th, 1977 since that is the deadline for registration with the Government of Canada.

6. A letter will go out shortly from my office explaining to producers enrolled in the provincial plan, the federal stabilization program. The arrangements have been made between the Federal and Provincial Governments and the options open to them.

Mr. Speaker, in brief, those are the important points of the arrangements made between my department and the Agricultural Stabilization Board for Canada. I suggest to members opposite that when they have some time that they might want to analyse some of the examples that we have attached to give them a very clear picture as to how this program is being integrated and how it works

out financially on a given set of circumstances.

Mr. Speaker, I would like to close my comments by pointing out to members that this Bill does not suggest that this is the only plan that we will be involved in with the Government of Canada. As I said in my opening remarks, it is enabling legislation. It's conceivable that there may be other plans in the future although I am not in a position to indicate today that there will be but it does provide us with an opportunity for further and greater co-operation with Agriculture Canada in order to bring about a better degree of income stabilization to producers of agricultural products in Canada. Thank you, Mr. Speaker.

MR. SPEAKER: The Honourable Member for Rock Lake.

MR. HENRY J. EINARSON: Mr. Speaker, I beg to move, seconded by the Honourable Member for Gladstone that the debate be adjourned.

MOTION presented and carried.

BILL (NO. 4) — AN ACT TO AMEND THE LAND ACQUISITION ACT

MR. SPEAKER: I am given to understand — the Honourable Member is ready to go on Bill No. 4.

MR. PAULLEY: Mr. Speaker, if it is agreeable to all members of the House which I have to have, I believe, in order to revert back to an item that is passed, I am asking for on behalf, in some respects, of the Honourable the Member of the Liberal Party to give him permission to go back to Bills 4 and possibly 5. With that consent, then the honourable member can be called.

MR. SPEAKER: Is that agreed? (Agreed) The Honourable Member for Fort Rouge — Bill 4.

MR. LLOYD AXWORTHY: Thank you, Mr. Speaker. I thank members of the House for their courtesies in allowing the debate to continue on this particular bill. I was unavoidably detained outside the House. I had intended to speak so I thank the members for that gesture.

Mr. Speaker, Bill 4 is one of those deceptive type bills which come in the form of what looks to be like very simple amendments usually described in the common vernacular as being housekeeping and yet contain with them, I believe, the seeds of both some important principles and also some fairly important questions related to the management of government's affairs.

What we're really talking about in Bill 4 is an amendment to the Land Valuation Commission in this province which really, when you get down to it, is really the only ostensible form of control that we have for the purchase and acquisition of land by the Province of Manitoba. It is designed to be an instrument to protect the public purse against any extravagances or exaggerations or attempts to use the purchase of land as a way of providing for government purposes and to do so in a way that would ensure that there is a fair degree of stewardship and a high degree of accountability provided. And yet, Mr. Speaker, what this particular amendment really symbolizes or portrays is the fact that the commission itself is almost nigh useless in providing that control and accountability and that all the amendment is really doing is a frank admission that the commission doesn't have much ability to control or manage or hold accountable government purchases in the area of land. What the amendment in fact is doing is simply, legally recognizing what has been a common practice and that is that any time there has been a variance in any form of appraisal that has been given to the Land Control Commission the commission has, in fact, just gone along with it anyway.

So all that this amendment really does is bring up to some legality what has been a very bad practice. So we are legalizing a bad practice in effect, and in so doing, I think, really saying to the public that at the present moment we really don't have an effective system for controlling the government public purchase of land and are just holding some form of pricing accountable.

Mr. Speaker, that particular amendment happened at a time when I think that there is a much higher degree of awareness and sensitivity amongst the public about the potential for abuses in public purchasing of land, that at the very time when we have now hopefully reached the stage of consciousness about the need to provide more control and more accountability, the government is simply saying, "Look fellows, what we're doing here is we realize the commission can't really perform its role anyway, so we'll just bring the law up to a frank admission of that."

So, Mr. Speaker, the objection that I would like to raise on behalf of our own group, is the problem that the commission as it now stands is really a little bit of a subterfuge, it really does not perform a real effective control function and that this amendment really only compounds the crime by trying to legalize what is already really a peripheral activity.

Frankly, Mr. Speaker, I guess if we were being more honest about it we'd simply get rid of the Land Commission because it is admittable by those who appear before it, members of the legal fraternity who are involved in it, that it really is nothing more than a certain kind of genuflection towards it and it really doesn't have any act of control. And I think certainly if there was any evidence of that it appeared in the descriptions of what was going on in relation to the MHRC land purchases where in fact the government was, in part — I don't want to say cooking the books — but certainly let's say fudging the figures to some degree to come up with different figures than what were really accepted in order to get the thing to the Land Valuation Commission. They were loading up the so-called item

of development costs which were really land costs, and then sort of pushing those through the Commission, and I think that, Mr. Speaker, was just simply the tip of the iceberg, with a whole range of practices which have nothing to do with making sure that the land costs would be according to some kind of effective appraisal were being recognized.

Just take one simple fact alone, Mr. Speaker. The Land Evaluation Commission has no staff of its own to make any check against those positions put forward by the government's own appraisers. Now I have a great respect for the land appraisal people in the Government of Manitoba. But the fact of the matter is that if you look at many of the cases that have come before the Valuation Commission they go back for a whole series of variances anyway. So what happens is, the government wants to purchase a piece of land for housing purposes or for whatever reason, they come in with a price based upon an appraisal by their own appraisal department, the Evaluation Commission says, "Yes, we agree with that appraisal." They go back to the original purchaser, he says: "Sorry, you guys, I want an extra \$1,000 an acre," so the government comes back and says, "Hey, we need another \$1,000 an acre," and the commission says, "Well, I guess we have to give it to you," and they give it to him. So there's been no control or accountability, there's been no independent check provided upon those land purchases that would make sure that there was some balance being kept.

So really when you get down to it, what's the point of a commission at all if it doesn't have some independent power to really provide that accountability? Almost I suppose taken up to the position of being in maybe an equivalent status to a thing like an auditor where there is some ability to make an independent verification of whether the purchase price really is an appraised price according to proper markets, and not simply a price based upon the fact that someone thinks they're going to hold the government up for a steal, which takes place more often than not.

One of the things that I think can be fairly stated is that oftentimes the government purchases of land have been a contributing cause to accelerating land costs, both in the City of Winnipeg and outside the perimeter. That you can go through as I have had here in front of me, at least, the number of purchases made by MHRC inside the perimeter route. And you'll find, if you do some careful analysis, that oftentimes the base price is higher than the market value that was surrounding it, and that once that price is paid everything rises to that limit.

Now if a Land Valuation Commission was performing its proper function it wouldn't allow those purchases to go ahead, but it obviously has and therefore provides pretty good evidence that it's not doing much of a job.

So, Mr. Speaker, the concern that we have about Bill No. 4 is that it simply legalizes what is already a bad practice and is continuing the hoax that somehow the public is being protected against exaggerated land prices paid for by government. —(Interjection)— That's right, or whatever it may be, you'll have to set up a separate commission for that.

Now, Mr. Speaker, what is also surprising, and I bring it in simply because it deserves some comment there has been a great deal of rhetoric stalking the land lately about the question of management, certainly by my friends to my right who have been making the case that they are going to be "the managers." And yet strangely enough, when you get down to a real bill that counts, just let it go by.

It's interesting commentary, Mr. Speaker, on the political position of the respective parties in this province, that there is more sound than fury signifying nothing in these questions about management than first meets the glance. Because I think that not only does this particular bill demonstrate, I think, the degree of dedication and commitment that my other friends here also bring to the same issue. Because here was a time and a place in which a proper statement could have been made.

Now, Mr. Speaker, from our point of view we feel that the amendment to the commission, it really is a little bit of a stalking mark — there's no point in adding nothing to nothing other than I suppose to legitimize something which is fairly illegitimate now in the way that the commission has been operating.

Now it would seem to me that a much more effective position would have been either to very honestly, that the Land Valuation Commission is not performing its function, let's get rid of it, let's save the cost of those commissioners and everything else and put the onus directly upon the Minister and his Land Appraisal Department so when they buy land we know where the buck stops, it is going to be that Minister. The land purchases are publicly registered in the proceedings, by regulation, we know what the prices were and we stick with them. That, by the way Mr. Speaker, is what goes on in the City of Winnipeg. I don't think that they are necessarily the paragons of all virtue when it comes to land dealings but at least it's very clear that the city council itself must give its stamp of approval on those land purchases and agree to the price.

So the politicians, when it comes down to it, must bear the responsibility. Here we have set up a kind of intermediate commission and the Minister of Public Works and the government can neatly slip aside and say, "Well, I got this commission over here that's certifying this land." So that would be one option, simply get rid of the commission and go back to a position where the government and, as

the Minister of Mines and Natural Resources is always fond of saying, prepares to take the heat when the heat is on and maybe that's what they should do. I've just found that we have won concurrence on that position and so it may be, Mr. Speaker, that when Law Amendments comes up we will be moving an amendment to that effect. Let's just get rid of the commission and put it back where it began or the other option, which would have been a much more realistic one, was to have given the commission the kind of power to give it some sort of independent survey, to give it the ability to say to the government, No you can't buy that land because it exceeds proper market appraisal and I don't care what you want to do. —(Interjection)— Look at the record, I would suggest. Let's find how many variances, Mr. Speaker. If you go back to the kind of submissions made to that commission and look at the number of times in which the prices kicked up and recertified and revalued, you begin to see that commission only performed its duties in the rare occurrences on the majority of cases.

Mr. Speaker, that really is our concern about Bill 4 because it really is not a good bill, it's not a good amendment and it doesn't get to the central problem that we really do not have a proper mechanism for ensuring proper accountability for the public purchase of land and I think that that is an issue that deserves much greater concentration and attention of this House than it has received up to this point.

MR. SPEAKER: The Honourable Minister of Urban Affairs.

HONOURABLE SAUL A. MILLER (Seven Oaks): Mr. Speaker, in listening to the honourable member I wasn't sure whether he was talking about Bill 4 or Bill 5. Well, Bill 4, I frankly can't quite understand how any of what he says applies to Bill 4. However, you've given a certain amount of latitude so I assume I'll have the same latitude.

I'm rising simply because I find the honourable member's statements objectionable, if not somewhat distorted.

You know, the Land Value Appraisal Commission was set up for other reasons than just enunciated by the member. The Land Value Appraisal Commission was also set up to protect the seller who, in years gone by — have been cases apparently and this before my day, and I'm not critical of any former government because I think it's just one of these things that happen, I don't think it was meant by them either — but where situations develop where government was interested in buying some land for a road or highway or a floodway or what have you, approached people, made a deal, others were somewhat less willing to sell, held out and a higher price is negotiated. And, inevitably when that happens, the first party who was an agreeable good, ' kind, good citizen, co-operative and says, "Well, that's a fair price, I'll accept," and then learns that down the road a piece, somebody had sold their land for an extra \$100.00 an acre or \$1,000.00 in total, they were very incensed, the first party was because, somehow, they had been jobbed by the government.

The purpose of having a Land Value Appraisal Commission come into being was to say that there shall be a public hearing and that the seller shall be notified of it so that the seller can be at that hearing to know what is being offered, that a body can listen to this, examine it and say, "Uh uh, Mr. Government." Although this little old lady may be very fine, a good citizen and maybe she really doesn't know what the value of her land is, it's been in the family for 50 years, but that kind old lady is really being taken advantage of if you're going to offer her \$15.00 an acre. That may have been good in 1910 but it's not good any more and we, the Land Value Appraisal Commission, will not permit you, the government, to pay that \$10 or \$15 to that old lady or anybody and so it performs a double function.

It performs a function on the one hand to have a group of people, outside of any department, outside of government, so there can be no question that somehow somebody was playing around, that there was something underhand going on in government, to see to it that a certification was placed on that land which, in the opinion of the Land Value Appraisal Commission was a fair price, that the government might pay, not pay more but might pay, would be allowed to pay. On the other hand, to protect the seller from selling something which that person didn't know the value of and, you know, it's not uncommon, it's human nature. Somebody comes along and presents himself from the Government of Manitoba, with all the accoutrements that go with it, the identification, the car with an emblem on it. We are the Government of Manitoba, we need your land for whatever purpose and people, I think, do tend to shy away from that and if they're told, "We've looked at your land and we're going to make you an offer of \$500," and it has happened, people have sold and only afterwards, when their neighbours laughed at them and said, "\$500? We got \$2,000;" then the resentment would build up and the purpose of it, this government, the former governments, was to try to avoid that kind of situation and I think it has worked and worked well, so that both the buyer and the seller are protected.

A suggestion has been made that we have somehow worked around this. I've said it in this House and I'll say it again for the benefit of the Member for Fort Rouge who either doesn't want to understand or is incapable of understanding. Manitoba Housing and Renewal Corporation had a mandate. It was to get housing in place. I take full responsibility for urging and getting the board of Manitoba Housing and Renewal Corporation to say, because you, the Corporation, don't own land;

because land is not readily available and because we have to work through the LVAC and because there is urgencies, there is a timetable to be met. There are Federal funds which will lapse at the end of a calendar year if it's not spent and which are not known about until mid-term. In that short period of a few weeks' literally, you advertise for a complete package, land and building or an apartment block, for town housing, whatever it is, let the developer, the builder, the contractor come to you MHRC and give you an entire package, whether the land cost a dollar and the units cost a million dollars, the apartment block, or the land is one million dollars and the apartment block costs one million doesn't matter. You are buying a finished product. You are buying a car with four wheels, whether somebody wants to charge a thousand dollars a wheel and nothing for the car or vice versa, doesn't really matter. You're buying a total package and a total product. The result was, we were able to put housing on the market which would never have gone on the market otherwise. We would be able to get them in place which we never would have achieved. If the member says that's sort of weasling out of the LVAC, so that's his opinion. I was interested in building homes and we achieved it. On the other hand, where land is being purchased for use of a highway or for future housing, sometime in the future, it could be six months later, could be six years later, where it is the straight acquisition of land then it has to go to a Land Value Appraisal Commission who will then look at it. And they are human beings, and because the market in the last 36 months was so volatile, that between one week and the next great changes took place, I could conceive this happening that they come along and say, "Look, we've looked at this and we think it should only be \$6,000 an acre," and they made their ruling and the seller says, "No way, I will not sell at \$6,000." and MHRC might have come back and asked for reappraisal and have the person who wants to sell the land also appear at the meeting and try to convince LVAC that, in fact, they were somewhat conservative in their estimate and would they reconsider. And I can tell you there are cases when they have, and there are cases when they haven't. And much to the chagrin of MHRC they have had to turn their backs on what, in subsequent with hindsight, six months later, might have been considered a good price because the escalation was so rapid and so continuous that when they said no to somebody at \$4,000 an acre in January it was selling at \$8,000 in July. And somebody could have said, "Ah, now why didn't you have the foresight to know that the market is going to go up, double in six months?"

They didn't have the foresight because all through the sixties and early seventies the growth was very steady. No one could foresee; no one could know the kind of escalation that would take place. If everyone here now had the foresight at that time that now was to have the hindsight, everybody here would probably be millionaires. They would have bought like crazy in 1970, and 1971, and they would have all sold out in 1975. But of course that isn't the case. And LVAC are as human as anyone else. And the land acquisition and appraisal people are equally as human. They may have a knowledge of what going prices are, at a particular point in time, but they cannot foretell in the future because just as they may guess that the land might double, they may guess very badly. And in fact the land might not double and then the criticism would be, why did you approve and certify land value at \$10,000 an acre, you must have had rocks in your head. It was selling at \$4,000, you assumed it was going to go to \$10,000. What kind of crazy assumption is that?

Mr. Speaker, the fact is LVAC has done a service to this province. The procedure was right. It was right by the former government. It was right by this government. To suggest that somehow it suddenly is all false and phoney is incorrect, it's misleading the public, and introduces a factor which I regret I see is simply being thrown in as straight, crass, political grounds.

MR. PATRICK: Mr. Speaker, I didn't intend to get into the debate and I'm not prepared. I didn't intend to speak but I did listen to the Minister, quite closely, to what he has said. I hope that this House rejects what he had to say and I hope the press rejects what he had to say. Because I cannot accept when a Minister gets up and he said, "We had MHRC, had a mandate, had a mandate to build houses and build houses quickly." Does the Minister try to tell us that MHRC had to build houses, at any price. At what price, and at what cost to the province? Is this what he is trying to tell us? That at any price they had to build the houses and that was their mandate. I reject that, Mr. Speaker. I listened quite carefully and that's what the Minister said, they had a mandate to build houses. But I ask the Minister, at excessive prices? And that's what has happened here.

The second thing, he doesn't put much value in appraisers, in the professional people that he has got. I think that it's time that we did because I believe that they have a pretty good knowledge what the value of the land is. I think that they are a professional group of people that will not jeopardize their profession to jack-up prices. They will tell you what the market is at the present time and that's what they have been doing. The Minister is shaking his head, is nodding. The point is you are legitimizing in this bill, right now, what is a bad practice. What you are doing, you are getting values from the appraisal people, professional people, what you were supposed to pay for the land but you paid, you know, much more, a great percentage more, and then you are trying to say in the bill, well we should make it legal, and that's going to be all okay. That's what you are trying to say. So, you know, you are taking some more powers away from the people that I think are most responsible and

are doing a good job. I think that we should rely on the professional appraisers and if they indicate that the price of land is too much, then there is all kinds of land available that you can get. Again, the Minister indicates how much the land acquisition branch has done, purchased so much land, but does he not realize and he knows that 70 percent is not available for construction now and for many years down the road — 70 percent.

The point that I'm trying to tell to the Minister, and I'll indicate to him, this is where you have gone wrong and this bill is going to continue the practice. It is extremely wrong. The Minister knows the piece of property I'm talking about that was on the market for eight months, for a year, for \$44,000 in this city. It was offered to MHRC. What did MHRC pay? \$125,000. Somebody purchased a piece of property that was on the market exposed to everybody, on the multiple-listing service, to everybody, for \$44,000. Nobody bought it. It was there and it was offered to MHRC. Somebody purchased it for \$40,000 and a little while later he sold it for \$125,000. Well not to MHRC but he sold it to a builder who used a proposal system and MHRC okayed it. That's what has been going on and now the the Minister is saying that we will legalize this practice. I think it's wrong. I'm saying to the Minister, start relying more on your professional people. You've got a good group. They're professional people and why not accept their advice instead of using the system that you're using at the present time.

He's saying what a good job the land acquisition branch has done. They've purchased so much land. But the point is 70 percent of that land is not for today, it's for many years down hence. So that's what happens.

So, you know, somebody says well ask how much profit did the corporations make that used the proposal system. Well I'm not prepared and I'm not the type, and I've never used it in this House. I'm not prepared to name. But the Minister knows who used the proposal system and I think that it was wrong for the government. I've indicated in this House before maybe it was okay to use it to some extent, if the Minister is right to say that we needed houses so quickly, we had to put so many units on the market. Well, maybe, if that was one way of putting homes on the market very quickly, well maybe I would accept, to some extent, to use the proposal system. I understand that the other provinces that used it got into it (Ontario) in a big way and abandoned it pretty quickly with a lot of people involved in court and in fact it's still before the courts. In many situations they have disbanded that system. But for the Minister to say that everything is A-okay, you know, it's okay for the appraisal people to come in with an appraisal of \$80,000 but it's okay for the MHRC or for the government to pay \$125,000. I say look, there is a lot of property around. Use your professional people. And if they say, look, that's all that the present market is of a certain piece of property and if somebody wants more don't give it to him. He will probably come back to you in four months and be happy that you made the offer and offer it to you at a less price. It will happen. That's the facts of people that are holding land for speculation. That's what has been going on. And from my own experience, you know if somebody is holding a piece of property you bring him an offer and he will say no, I want \$500 or \$2,000 more per acre but he will come back in two months to you and say, well would you take . . . I'm ready to accept that. That's give and take. The owner wants the highest possible price and the purchaser is trying to buy at the best price. And here, when you've got professional people, they say look, the maximum you are going to get for this piece of property is so much per acre or so much per parcel. Why should then the government say, well we will go 30 percent more than what the professional people value it at. I think it's wrong and what's happening in this bill, you are legalizing a bad practice.

MR. MILLER: Mr. Speaker, I wanted to ask the member a question. He indicated that I said we had a mandate, at any price, and he asked the question, is there no limit on it. And of course he should know that the "any price" referred to the criteria guidelines and ceilings established by CMHC which could not be exceeded and therefore so long as the unit, including the land, came in at that price CMHC had to approve it and otherwise it could not go forward. So that was the mandate and that was the "any price" I was referring to.

MR. PATRICK: Well, I can answer it, but perhaps the Minister would indicate to the House, is \$35,000 per unit, is that a proper price or what is the proper price?

MR. MILLER: Mr. Speaker, at the price of housing today \$35 per square foot, depending on what was built, might be valid. On the other hand, I can indicate that the proposal calls had come in at equal to, or even less, than on those lands where it was designed by an architect and subsequently built.

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

MR. GORDON E. JOHNSTON: Mr. Speaker, I move, seconded by the Member for Assiniboia, that debate be adjourned.

MR. SPEAKER: I'm sorry, technically I can't accept the Member for Assiniboia since he already spoke on the question.

MR. JOHNSTON: The Member for Virden, Mr. Speaker.

MOTION presented and carried.

MR. SPEAKER: Does the Honourable Member for Fort Rouge wish to go on Bill No. 5.

MR. AXWORTHY: I'll stand, Mr. Speaker. (Agreed)

MR. SPEAKER: In that case, we'll go back to Bill No. 7, the Honourable Attorney-General.

MR. PAWLEY: Mr. Speaker, instead of calling Bill No. 7 now I'm prepared to introduce, for second reading, Bill No. 18.

BILL (NO. 18) - THE RETAIL BUSINESSES HOLIDAY CLOSING ACT.

MR. SPEAKER: The Honourable Minister of Labour.

HONOURABLE RUSSELL PAULLEY(Transcona) presented Bill (No. 18), The Retail Businesses Holiday Closing Act, for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Minister.

MR. PAULLEY: It does appear, Mr. Speaker, that this is rather a peculiar year for the Minister of Labour, that he seems to jump from one kettle of hot water to another one, if one is to believe some of the comments that are particularly made outside of this House either by members of the House or those oracles that we have conducting open-line shows and the likes; oracles who are never wrong in their assessment of anything that happens in this House or for that matter, Mr. Speaker, anywhere in the universe. I only wish that I was as knowledgeable as some of them so that I, too, could take a position that they can take, of making statements and then ducking them. But such is not the case, so far as I am concerned, and I would suggest that when statements are made in this House they are recorded and it's rather tough, I suppose, at times that we may be taken to task within this House by reference to the record for statements that are made.

In introducing, Mr. Speaker, Bill No. 18 for second reading, I want to make it amply clear that this is not a hasty decision that has been made within the last few months, but a matter that has been given consideration for a considerable number of years and that the bill, itself, while it may be imperfect in some respects is subject, of course, to a review by the committee to which it is reviewed and subject to amendment and there has been no suggestion otherwise. This is a stance that I take as a member of the Cabinet and the Treasury Board, and I'm sure that this was the stance that was taken by the former Minister of Agriculture in the Roblin regime, that there have been numerous bills that have been subjected to amendment when reaching committee. And, if I read correctly, or hear correctly, some honourable members feel that the provisions of this bill in some of the sections are wide enough to drive a truck through, because of deficiencies, particularly in one or two sections of the bill.

But as I've said, Mr. Speaker, this isn't a matter which has been considered lightly. It is not a matter which has been considered hastily, but is the result of a number of years of enquiry and investigation, endeavours to try and provide at least the basic principle of one day's rest in seven, in the province of Manitoba that has been the objective of many over the years. I can appreciate and realize that on first glance, for instance, Mr. Speaker, of a choice between Saturday and Sunday for store opening or store closing, in certain instances, that it may be subject to misinterpretation. As a matter of fact, I heard some comment over the air to the suggestion that because of those alternatives within the bill, that I was knocking the observance of Sunday all to hell, figuratively speaking. My honourable friend who made the statement has just repeated it. I want to say to him, particularly, and to all the members of the House and the general public, and to all of the members of the community, that the intent and the objective certainly is not that, but to recognize and realize, Mr. Speaker, that we don't all observe the same sabbath. While I appreciate there are those that feel that maybe we should exclude the Seventh Day Adventists, who observe Saturdays, and that we should serve those who attend the synagogue on their sabbath, which is Saturday, that we should say in effect we're not concerned with you. You have to observe that day of rest on what we, as Christians, consider the sabbath.

Now I'm not alone, Mr. Speaker, as a member of a New Democratic government, in making the suggestion to this Assembly because, Sir, in the province of Ontario, particularly, which certainly is not. . . —(Interjection)— that's right, it's a good — I want to emphasize the word "good" — and I'm sure my honourable friend from Swan River will say that it is good Conservative country insofar as that bill is concerned, on store closing hours, that they recognize as I recognize in their legislation, the observance of Saturdays insofar as store closing or store opening is concerned. I recommend to my honourable friends that if it's good enough for good Conservatives — and I want to re-emphasize the "good" Conservatives — I want to say to you, Mr. Speaker, and to my colleagues in this House, the least that we can do is to recognize the fact that there are others who observe a different Sunday or Sabbath than we who follow the Christian religion.

Now, Mr. Speaker, if my honourable friend, the Member for Fort Garry or any honourable member wishes to introduce motions declaring otherwise or amending the

legislation, they have the perfect right to do so and I would not deny them of that. But when one deals with a matter of principle, I suggest that the basic principle of recognition of the fact that we have different days of observing the Sabbath should be at least worthy of consideration on the introduction of this bill in respect of the hours of closing.

The general intent of this legislation is to require labour or large retail establishments to close on general holidays and on Sunday or another Sabbath day to ensure that workers have at least one day's rest on the weekend to spend with their families and friends.

It may be helpful to the Assembly if I review, in a general way, the background to this bill.

Some two or three years ago, I, as Minister of Labour, in co-operation with the discount stores and the larger retail stores, arrived at a gentlemen's agreement whereby those commercial outlets would agree to remain closed on statutory holidays. While this gentlemen's agreement was adhered to for most of the two or three year period, there has been an increasing tendency for outlets in the retail field to disregard this gentlemen's agreement. For this reason, we have found it to be necessary to introduce legislation to restrict the opening of retail establishments on general holidays and that's part and parcel of Bill No. 18.

Another area of concern stems from the extension last fall of store opening hours by larger supermarkets in the province. This practice, of course, has decreased to a large extent but only because of the fact that this government and the Minister of Labour indicated in definite terms that it would be introducing legislation at this session of the Legislature to prohibit larger retail stores from opening on Sunday.

Part of the problem relating to Sunday — and I'm using Sunday and you can substitute the word Sabbath if you care to, Mr. Speaker and colleagues — part of the problem relating to Sunday opening stems from the fact that some larger or medium-sized stores were remaining open on Sundays. As a result of these stores opening on Sunday, the larger grocery outlets indicated that they were beginning to feel the financial pinch and that they would have to commence opening to maintain their competitive positions.

Prior to the opening on Sundays of larger grocery outlets, spokesmen for major food chain stores indicated to me that they would not begin opening on Sundays if they were given the assurance that legislation would be introduced prohibiting Sunday openings. At that time, I was unable to give them such assurance and consequently several of the larger grocery outlets began opening on Sundays. Subsequent to this, I was able to assure the larger stores that prohibitive legislation would be introduced at this session of the Legislature and, of course, that was an item contained in the Throne Speech. As a result, some of the larger stores agreed just prior to Christmas to close on Sundays.

Let me now repeat the general intent of the bill and review its main provisions. The general purpose of the new proposed Act is to require the closing of all larger retail store establishments on Sundays and on the seven statutory holidays. There would, however, be certain exceptions to this general requirement. The owner or operator of a retail business will be permitted to remain open on Sundays provided that he remains closed on Saturday and that, Mr. Speaker, is where I bring in the concept of recognition of the fact that there are other denominations than that of the Christian faith. In a case where a person who owned or operated more than one retail business establishment decided to remain open on a Sunday, he would be required to close all his retail establishments on that Saturday. In other words, just to use an example, under the terms contained within the bill, Safeways would not be able to have one store open on Saturday and another on Sunday throughout the community. They would all have to open or close on one common day.

Furthermore, the general requirement to remain closed on Sundays and holidays will not apply to a retail business employing no more than three persons including the owner for the sale of goods and services at all times and to certain other retail business such as news and tobacco stands, etc.

I frankly confess, Mr. Speaker, that at one stage in my consideration of the type of bill that I would be introducing for the consideration of my colleagues and the members of the Assembly, I had under consideration a total abolition of any store opening on Sunday, including the small convenience store. However, on reflection, I considered that that may be too severe, at least to start at this time.

In addition to the provisions that I have outlined, a person may apply to the Cabinet or a designated member of the Cabinet for a special permit exempting his retail establishment from store closing requirements. Such a permit could be issued where the Cabinet or the member was of the opinion that requiring the establishment to close as provided for in the Act would work a hardship on the public. Terms and conditions could be attached to such a permit.

Although the provisions of this Act will supersede the provisions of any other Act authorizing a municipality to regulate store closing hours, a municipality could still require stores to close on days other than the store closing days provided for in this Act. For instance, I would suggest, Mr. Speaker, that if there is a community that may have followers of the Moslem faith, I believe it is, that observe Friday, then there would be no problem there except of course it would also have to adhere to the closing day under this legislation.

Also the provisions of this Act will supersede the provisions of the Federal Lord's Day Act which

prohibits the sale of goods or services on Sunday.

The will be authorized to make regulations for the effective carrying out of the Act and such regulations could include prescribing the maximum number of hours in any day or the maximum number of days in any week that a retail business may remain open. The purpose for this, Mr. Speaker, that in surveys that I have caused to be conducted across the country, some of the larger stores are trying to circumvent the principle of the one day's rest in seven by almost opening continuously for twenty-four hours a day, which I am sure honourable members would not think a desirable situation.

Then, I would say, Mr. Speaker, that there are several provinces with legislation at the provincial level requiring retail establishments to close on Sundays or general holidays or on both Sundays and general holidays. The province of Ontario, as I indicated, the provinces of Quebec, New Brunswick, Newfoundland, for example, have such legislation and also provide for exemptions similar to those contained in the bill which we have before us.

I also want to say, Mr. Speaker, that at one stage in the game, — if you call it a game, that is a game of reviewing what is going on across our fair Dominion — that I had under consideration a recommendation that all stores be prohibited from having store hours beyond 5 o'clock on Saturday so that more people would be able to enjoy the benefits of being together but on reflection, again, I thought that this may be too advanced for this stage of the introduction of this bill.

I want to say, Mr. Speaker, to honourable colleagues that I feel that I am introducing a bill of a non-political nature. I don't think that anyone in this House can accuse me of the introduction of such a type of a bill having an influence on the voter in any forthcoming election because, Mr. Speaker, I have announced, without equivocation, that I am not going to seek the support of the electorate in my constituency or any other in the forthcoming election. I was accused in some quarters of doing this. I want to say, Mr. Speaker, that in my years in this House, I have never ever received such united support for any bill that I have had the honor of introducing or even commenting on when I was in opposition. People of all faiths and all inclinations have indicated to me support for this legislation and I have received literally thousands of petitions and letters firmly supporting this legislation.

In conclusion, Mr. Speaker, I want to end where I began. I appreciate and I realize that there may be some who, taking a look at the legislation, can see flaws in it — of course, that's the reason why this Assembly meets every year invariably to correct flaws in legislation — and I appreciate that and I can respect members for it. So I say, here it is, members of this Assembly, you have the opportunity to accept or reject the basic principle of this bill which is to provide at least a minimum of one day's rest in seven and that because of the cultural mosaic we have with varying adherents of varying faiths, there is that provision. If honourable members are worried about that aspect, if they want the bill only to apply to the Christian Sabbath, all it needs is an amendment in committee to remove any reference to the Sabbath that is adhered to by other than the Christian community.

I sincerely feel, Mr. Speaker, that the principle contained within this bill is worthy of support of all members of the House; certainly from the representations that have been made to me from people of all faiths and denominations at the religious level, from people of all of the retail grocery unions, they are satisfied with the endeavours that we have made in this bill. I want to reiterate, it may not be perfect but neither are any of the rest of us. But I have united support outside of the House and I only trust and hope that with some qualifications possibly, Mr. Speaker, and some varying facts, that we can have the united support of all members of this Assembly. I have received from some members in opposition a letter or two of an indication of support for the bill. — (Interjection) — Pardon? Who are they? I would say that the Honourable Member for Crescentwood wrote me a letter — (Interjection) — Holy Moses? I don't know if he's Holy Moses or not. All I do know is that he attributed to me in that letter a logical intelligent approach to the problem that we've been confronted with and that was an indication to me, Mr. Speaker . . .

MR. SPEAKER: Order please. Order please.

MR. PAULLEY: The Honourable Member for Minnedosa says that was before he was re-nominated which would be contrary to my concept that I am not using it for the purposes of re-nomination or re-election but on a basic principle of what I think is good for the community. So my honourable friend, the Member for Lakeside, asked me to name one — I did — I'll send him a photostat of the letter because I do believe that the Honourable Member for Crescentwood, Mr. Speaker, sent me that letter in good faith and I received it in good faith and I commend to all of the Conservatives that they follow the good example set by their fellow member from Crescentwood.

MR. SPEAKER: The Honourable Member for Fort Garry.

MR. L. R. (BUD) SHERMAN: Mr. Speaker, I move, seconded by the Honourable Member for Swan River that the debate be adjourned.

MOTION presented and carried.

BILL (NO.7)—AN ACT TO AMEND THE PROVINCIAL JUDGES ACT

MR. PAWLEY presented **Bill (No.7) an Act to amend the Provincial Judges Act** for second reading.

MOTION presented.

MR. SPEAKER: The Honourable Attorney-General.

MR. PAWLEY: Mr. Speaker, the changes in connection with this Act are basically ones of a technical nature and will proceed towards ensuring that the present legislation is clear and less ambiguous and I would like to deal with the various changes one by one.

The first change deals with the original draft of the Provincial Judges Act in 1971 and provided that at the time of appointment, the person should be a member of good standing of the Law Society of Manitoba. In drafting, the words "or serve" were added at that time. This creates an anomaly because a judge is not entitled to practise law. Further, virtually all members of the Law Society are barristers and solicitors.

Another change deals with a simple amendment that provides that where the Chairman of the Judicial Council is absent, that the members of the Judicial Council, the remaining members of the Judicial Council, can appoint the Chairman and if there is inability by the remaining members to appoint a Chairman, then that Chairman can be appointed by the Chief Justice of the Court of Queen's Bench.

Also a provision which permits the Judicial Council to determine its own procedures and rules. At the present time there is no indication as to procedures and rules and it seems to be only reasonable to anticipate that the committee should determine procedures in order that it can conduct its enquiries in respect to matters referred to it.

Another provision deals with suspension. The Chief Judge may suspend a judge pending the result of an inquiry under the Act. Presently, there is no provision for suspension of a judge pending the result of an inquiry and that certainly is a serious deficiency in the existing legislation.

Also, the amendments make it clear that a judge shall not receive his salary while suspended unless otherwise recommended by the Judicial Council. That, of course, too is a reasonable request.

Also, provisions which deal with the ambiguity that exists in the present legislation in which there is some question as to whether or not the Attorney-General can require the Judicial Council to meet by law. We wish to remove any uncertainty there, to make it clear that the Attorney-General can require that the Judicial Council hold an inquiry.

One other change which I would like to mention, which is not included in the bill before us but I would like to serve notice that it is my intention to move an amendment in Committee in connection therewith, is a provision dealing with an inquiry being held in public or in private. The present words are "and the inquiry may be held in public or in private unless the Minister requires that it be held in public." It is my view and although unfortunately it slipped through the drafting, that it would be better if the Judicial Council itself determines whether or not the hearing be in public or in private, just as in other quasi-judicial and judicial matters. I think it's better that that body make that decision rather than, in this case, the Attorney-General. So I would like to just serve notice that it would be my intention during committee stage to move that amendment to make that clear that that decision-making, which I think can be better dealt with at the Commission level, be dealt there.

Another provision deals with appointment of legal counsel, just to make it clear that legal counsel can be appointed at the request of the Attorney-General.

Another provision deals with prohibiting the publication of information or documents placed before the Judicial Council that relates to an inquiry investigation under the Act where it is of the opinion that the publication of that information is not in the public interest. This is taken from other Acts throughout Canada dealing with publication and is intended to not unnecessarily embarrass innocent parties where the inquiry is held in public, so that the committee can feel that it can proceed in public without necessarily embarrassing people that are completely innocent.

Then there are provisions that have been taken from the British Columbia legislation in connection with the grounds for suspension and reprimanding of a judge and those are all set out.

There are a number of other technical changes but those are the basic changes proposed in the bill.

MR. SPEAKER: The Honourable Member for Swan River.

MR. JAMES H. BILTON: Mr. Speaker, I move, seconded by the Honourable Member for Roblin that the debate be adjourned.

MOTION presented and carried.

MR. SPEAKER: The Honourable Minister of Labour.

MR. PAULLEY: Mr. Speaker, I beg to move, seconded by the Honourable the Minister of Health that Mr. Speaker do now leave the Chair and the House resolve itself into a Committee to consider the Supply to be granted to her Majesty.

MOTION presented.

MATTER OF GRIEVANCE

MR. SPEAKER: The Honourable Member for Virden.

MR. MORRIS MCGREGOR: Mr. Speaker, I rise on a point of grievance and I guess I would have to direct it — I'd hope to direct it to the Acting Minister of Tourism and Recreation— but even the ex-Minister of Tourism isn't in his seat so I direct it to that side of the House.

I am not one to rise very often on a grievance and I was just looking back in Hansard and it's about ten years ago today I think I rose on the first grievance and —(Interjection)— Yes, I was and the grievance of that hour was that we were considering not to go to the Brandon Winter Fair. While this isn't the point of my grievance, it is a thought and I hope that all members will give that a consideration because that is coming up even though we now call it the Manitoba Royal Winter Fair and I think it would be a shame. . . In 1967, while we were on the government benches, there was a feeling that we wouldn't go but indeed we did go and I hope this year, likewise, the House is shut down because I think we owe something to that part of Manitoba.

But my main point, Mr. Speaker, is to do with the harness racing industry. I used it in the Throne Speech and I was followed by the Minister of Tourism and the questions that I was putting at that moment — he went on an educational high-flyer I guess, and two days later, I brought it up in the Question Period regarding the program to do with the rural racing circuits and while there was a statement out in the Tribune and in Information Services, the people that are running the racing industry in rural Manitoba had nothing but the odd phone call and the same news clippings from the Tribune and the Information Services. Is that good enough, Mr. Speaker, if you were president of an association involving many hundreds of horses and many many owners, breeders and trainers? It's a fact, Mr. Speaker, that we're all aware — if I call it the harness when I could say standard bred or thoroughbreds maybe some members would be confused so I'll refer to the gallopers or the harness people — it's a fact that they will not be running at the Downs and I certainly have no animosity towards Mr. Jim Wright and associates at the Assiniboia Downs; he owns it; he runs it; he made that decision and hopefully it works out at least well for the thoroughbreds even though at this hour, it is certainly threatening the harness. Maybe one would think it's a falling or a sliding industry. In 1975 the betting aspect of the harness racing in Manitoba was \$5,638,000.00. Last year it was \$7,584,000; an increase of over \$2 million dollars.

A MEMBER: That ain't hay.

MR. MCGREGOR: The provincial tax or the provincial take was \$530,910.00. A small bit of that was paid back to some rural circuits but it's a fact that if action isn't taken, that this will be lost to the economy of the province and I'm one, regardless where I stood or sat, I've been always trying to promote and make the treasury of this province richer. It is to cover the two industries. If you look nationally across Canada, last year there was excess of \$700 million bet on harness racing. The gallopers or the flats, there were some \$300 million bet so I think it shows which of the two industries has the real promise. Well it isn't so here in Manitoba and there's reasons for that. It's true the Honourable Minister of Labour, when I mention betting he almost cringes, but really is betting a bad word? If you look at the dollar put into any on a national average into our lottery, the pay-back is 34 cents. —(Interjection)— Well, all right, it's 34 or 32 I admit it. But if you look at our great bingos that are in many of our raffles and our good religious organizations, what is the pay-back there? Seventy-four cents. All right. If we look at the racing industry, what is the pay-back of every dollar bet across Canada? Eighty-two cents. Is it indeed such a bad thing? And some might say that I'm a betting buff, I'm really not, I enjoy watching it and I do bet a very little bit.

The harness horse people have to know now. They have to have the real promise, a direct communication. Do they really have to communicate through a particular favourite in Regina in order to get from the Department what is verbally promised or by a phone call? As I said earlier, all the people that are in this industry, all they've got is these same press clippings. There's a real lack of communication here —(Interjection)— Certainly. You only have to talk to Ian McKenzie of Portage La Prairie, President of the Great Western Racing Circuit or the ex-president, Dave Mooney, who is in my leader's constituency, or John Clarke from Virden, the Harness Horsemen's Incorporate. —(Interjection)— Yes, he is considered the king of the harness racing, Mr. Clarke, and a man that I'm proud to have known, a man that when he promotes something no matter what it is, he goes at it with everything he's got.

These people are working hard to save this industry for Manitoba but at great odds. At this hour, if you were in the business, you'd have applications on your desk, stall applications for Regina and Saskatoon and in a week or two you'd also have the applications from Calgary and Edmonton, followed by Cloverdale, B.C., St. Louis. These owners and trainers want to know now what the rural circuit is' what hope there is for there, because they can't go and raise horses, train them and stay around for a few days racing.

Also points like Glenboro, I just finished talking to a Morley Cullen and they're going to come back into the racing providing they can get something on paper that says what the purse structure assistance is, what the breeder incentive grant, what the sire stakes are. But again, they're working only on faith that the word in the press has been right.

Also points like Carman or Portage La Prairie — again I talked to Doug Penner at Carman a couple

of days ago. They're thinking of asking for an extended race meet because they're outside of the distance of 50 miles and as you know, Ottawa rules on this that two tracks must be fifty miles apart or else they don't race the same day. There is the possibility one of these two centres that are close enough to Winnipeg draw some of the harness horse people, fans, from Winnipeg and, as you know, this training program, we've had a lot of famous horses here from Manitoba that have gone to other circuits into a bigger purse structure and that's progress. But colts, it takes a good six months and they're in training now and the experienced horses are only being conditioned but the owners have to know, are they zeroing for a June 15th date to get that particular horse in its top form or are they zeroing on the later circuit in Saskatchewan maybe in July?

This is the point of my grievance that these people, the owners, the promoters are all waiting for something positive. Surely this department, this Minister, owes a hearing to these people outlining the department's plan for this year and future years. —(Interjection)— Yes, the past minister was very co-operative and I'm sorry that he isn't in that position because this wouldn't have been in the bind it is. I realize I'm speaking with an absent minister and I don't like to do that. Oh yes, the Acting Minister has returned but I really believe the past Minister knows more of this subject than the Acting Minister.

MR. SPEAKER: Order please.

MR. MCGREGOR: These presidents, be it the racing circuit or the Horsemen's Association, they were told a month ago at Portage, "Don't talk to the Racing Commission; talk directly to the Minister and his staff." Now they're told by the long distance phone to work and operate through the Racing Commission, don't contact the Minister. Well, I don't know, Mr. Speaker, which is the right route but I do know, it's critical and, Mr. Speaker, are we going to send this business out of the province? The business is here now; the question is in your Minister's ballpark and the horsemen and the promoters of this are expecting him to step up to bat now. Thank you, Mr. Speaker.

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

MR. TOUPIN: Could I ask a brief question the 'honourable member? Mr. Speaker, is the honourable member aware of the policy that has been announced by the Minister in regards to a complete rebate of pari-mutuel tax to the industry that he and I are concerned about?

MR. MCGREGOR: Definitely. But not through a letter, I think what they would like is a note of the whole program over the commission chairman's signature, or over the Minister or his Deputy. Because indeed the Minister sent out they had hoped, some advice to the Portage meeting and I won't name the staff member, but he just came there as an observer, no help whatsoever to their future plans. Yes, they're all familiar if the news releases are right.

MR. SPEAKER: Motion before the House is to go into Committee of Supply.

QUESTION put, MOTION carried, and the House resolved itself into a Committee of Supply with the Honourable Member for Logan in the Chair for Health and Social Development and the Honourable Member for Ste. Rose in the Chair for Renewable Resources and Transportation Services.

COMMITTEE OF SUPPLY

ESTIMATES - HEALTH AND SOCIAL DEVELOPMENT

MR. CHAIRMAN, Mr. William Jenkins (Logan): When we adjourned yesterday we were on Page 28 of your Estimates Book. Resolution 60(a)(1) Community Operations Division, (1) Salaries \$217,400—pass; Resolution 60(a)(2) Other Expenditures \$88,900—pass. The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Chairman, I didn't want to let this item go on the whole question of the administration of community resources because we just started getting into that debate yesterday afternoon and I think we opened up what I consider to be perhaps a much more important issue than it first appeared on the surface. I tried to indicate to the Minister that I thought that one of the primary responsibilities of the government should be to begin decentralizing the delivery of these field services on to a community based concept where there would be, in fact, community based centres where there would be an integration of the services.

Now I think, Mr. Chairman, that in part the Minister misinterpreted some of the remarks that we were trying to make and suggesting that we were talking about a whole range of vast new programs. I'm not talking about that at all. What I am talking about is that the present delivery of Health and Social Services are far less effective than they otherwise would be simply because they are delivered by a multitude of agencies, departments, divisions, each dealing with a bit and piece of one client, without any integration at the community level. There really is almost virtually no coming together of a combined service being delivered in a local neighbourhood or a local community. So I was concerned, Mr. Chairman, that we not leave that particular topic because I spent some time last evening and this morning going back over some of the positions that have been taken in the past and I discovered some interesting things' Mr. Chairman.

Speaking to a person who I know is involved in the delivery of social services and health services

in the City of Winnipeg, they point out a meeting that was held about a month ago, there was representatives of 18 different agencies sitting down to have a conference about one family. One family was receiving, in some way or other, the ministrations of 18 different organizations and that gentleman who sat in the meeting with his little pad and paper estimated that probably the total cost of that kind of multitude and pouring in of services would probably come almost close to \$100,000 of staff time, institutional time and treatment time in any one year. Now when you have a situation, Mr. Chairman, where that kind of institutional fragmentation is taking place where it almost borders on the absurd, that that kind of delivery in such a fragmented way would be allowed to happen and that we would, in fact, be engaging in what is becoming a highly expensive way of delivering services. Now the other angle to that point is that it is an increasing fragmentation simply because each agency has its own line of authority that runs back into the Department of Health and Social Development or City Health Department and that they each are more concerned about aiming their service at the particular part of the problem that they have. It may be one part of the problem is the delivery of a wheelchair, maybe the other part of the problem is a home care service, maybe another part of the problem is social assistance. But the fact of the matter is that you've built up an organizational line of authority all devoted to that singular part of the service and yet, when you get down to the individual or the community, they find that there are many gaps in the services, that there is a lot of things that fall in between.

One of the reasons for that is that there really is no mechanism certainly at the city level, to provide for any kind of community level planning of these services. The point I was trying to make yesterday is that if you look at the treatment or the services available to senior citizens, to elderly people, every-one states, you know, there is the recommendation of the North Winnipeg area health study that we need a central referral agency, that central social services should be encouraged to use the same building, that there be the development in neighbourhood councils. There's a study, Mr. Chairman, that was just issued by the Canadian Council on Social Development on the same grounds. The statement here is there's still an appalling lack of co-ordination at all levels amongst those delivering services to the elderly. I'm quoting now from the Canadian Welfare magazine, January 1977. The most crucial relationship is between Health and Social Services, here there are gaps and duplication. In many provinces ever larger empires appear to increase their competition with one another. So that one of the problems that you have in the lack of this approach is that there is no opportunity for individuals at the community level to become involved in the planning of those services. As a result the planning and the description of what should be done is being done in an office somewhere according to some regulations and when it gets down to fine-tuning to deliver those programs, whether it's in Fort Rouge or Deloraine, there is no capacity to apply the program to fit the needs.

As I pointed out yesterday, one of the really serious gaps in services in my own area is the lack of mobility or transportation for people to get from one service to another. Going into elderly persons housing, talking to them in their own homes you say, is the problem a lack of medical care? No it's not that, it's the fact that they can't get there, there is no transit system to be able to move a person from Stradbrook Avenue over to a medical clinic because the bus system, the whole urban transportation system is not geared towards it. But, if given the opportunity with the resources that are presently available, to sit down and map their own program in their own community, they could design a program that fits their need as opposed to having it designed by somebody who has a kind of an abstract notion of what has to be delivered. Therefore, Mr. Chairman, the point I'm trying to make is we're talking about first that if we're really serious about preventative approaches to health and social care, that you're only going to get that prevention when you do it on a community level base and I'm saying I haven't seen any significant signs of progress that there has been in developing the organizational means or the structures or even the initial planning on a community level to bring those about. We are still delivering services on this kind of system of individual units and assemblies.

I guess maybe the primary point of evidence which I thought was most interesting is that one of the former chief officers in the Department of Health and Social Development, Evelyn Shapiro who, at one time was head of the Home Care Services, in a speech given just before Christmas to the convention on health care, indicated that community wide continuity of care for the aged is one of the most serious absences of public programs. She went on to say, "I consistently say that the older person now is encountering in an eight-hour setting acute care, he's encountering a series of barriers rather than systematic approach to continuing care." And the recommendations that Mrs. Shapiro comes up with, having had several years' experience inside the department, is that the program has to be decentralized to a community level delivery and that you have to integrate those programs on the community level and it's not happening, Mr. Chairman. And yet the bill was passed two years ago, to enable it to happen.

So I guess I will really pose first a couple of questions. Perhaps the reason it's not happening is there is a fair degree of bureaucratic protection of the variety of agencies in the department to prevent it from happening or that secondly the government has not made a priority of decentralizing its care down to community local level or that thirdly, there really is no understanding of how it would

come about and yet I think that the weight of evidence is very very heavy in terms of developing that approach to it. If it's not developed, I'd say any pretence at saying we're interested in preventative medicine, preventative health care, preventative social care, really is just that, it has no real substance to it because I think the substance only comes about when you actually see the organizational structure to enable it to take place. And so, Mr. Chairman, I would hope the Minister will now understand what we're trying to say in this area and we're not talking about new programs, we're talking about new ways of delivering the present programs to make them more effective.

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

HONOURABLE LAURENT L. DESJARDINS (St. Boniface): Mr. Chairman, I do understand very clearly the point my honourable friend is trying to make and I must admit that I agree with him that there is a real problem. I don't agree if he's suggesting that we're not moving in trying to change this. We are. First of all, I think that if the honourable member wants to be helpful he would give me the particulars about that person that was dealing with a family and the name of that family that had 18 different people. Now I know that has happened, but I have never heard 18, that seems to be impossible to me and I would like to have that information and that is the only way that we will be able to correct it.

Now the duplication of services existed, there has been a moving away from the direction — that even existed in the department of the work of the government at one time. Now, with the single unit delivery, this is changed but I think that my honourable friend and the members of the Committee certainly know that many of the agencies are delivering some of the services and it is true that you have agencies who are protecting their . . . the same as government is accused of doing at times and you have different social workers that are interested in certain things and we are trying to stop that. We've met and, in fact, many of the associations are co-operating with us on this. They see the difficulties and they are meeting, they are trying to help us to bring in a policy on this question. I can tell my honourable friend that I have instructed our people that are looking at the budget and so on of the different associations, that this will be reviewed with them and that we will have certain rules and we will have to try to at least co-ordinate this work. But I want my honourable friend to be patient then when we do things like this and not accuse the government of interfering. You know, the only way we're going to do that is if we decide and I think the politicians have to decide the policies and then they'll have to decide the standard or the limit if there is going to be a limit on any programs. Don't forget that all these groups become pressure groups for the same reason that my honourable friend has stated, they want as much as possible and it's a good thing because the pressure is always on government. They always want to improve the service.

But the decision must be made by the politicians, by the elected members of this House and the government and there has got to be co-operation or you're going to keep on seeing what my honourable friend talked about. There is no doubt that this problem that my honourable friend has brought to the attention of this House exists. I will not try to deny that but we are moving' as I say, we are moving in the direction. At this time the office of Residential Care won't have the staff and so on to go into that; the other part, the other group — if you remember I said yesterday that the arm that was dealing with the . . . will now be divided — the other group, the people that are looking at the budget and so on will look at that. We will certainly go in that direction.

Now, it won't be done from one day to the next. This is not something that could be done so fast, but it would be very helpful if my honourable friend and any other members of this House, if they have any concrete examples, and it won't be a witch-hunt, it is just to find out, to try to be able to determine how this is being done. I know this is the case and I know that even in the department it has been the case at times but we are moving to try to rectify that.

As far as the community, well, the community must be willing and we need the co-operation of the community on that also and there are a lot of people that are not interested. We brought in legislation that would certainly indicate where the government wants to go. We believe that at first it will be mostly the people in the rural areas where the services might not be as easy to get as in this area here in the city. In the city there are certain priorities, of course, we must build personal care homes, we need those beds for the growing population of older people, to try to get some of these people who should be in these beds who are now occupying acute beds in the hospitals, which has been happening for years and years and also people that are very patiently waiting at home.

We are moving also on the Home Care Program, but these programs, when they are new programs they are to be put in place and it is a little more difficult. When the people have more experience and so on, the move is, to be delivered by our community groups and so on that we are considering here.

So although I agree that the problem exists, if the suggestion is that the government is not aware of it or is afraid to tackle it, I say this is wrong.

MR. AXWORTHY: Mr. Chairman, I take note of the Minister's acknowledgement that the problem exists. I guess I'm still not much satisfied that he's provided us with any clear direction as to what he is

going to do about it and in particular I would take exception to really the philosophy that he states and that is that it is up to the government to decide what that service is going to be. The point I am trying to make is that much of the wastage that we now have and the duplication is simply for that reason, that the decisions and policies have been made in a fairly abstract way by people who are far removed from where the real problems are and that if we began to provide for a much closer base of community planning for the delivery of these services involving the groups and organizations who are concerned in their own communities and areas about the nature of the service, then I think you would find a much more effective delivery of the service probably at far less cost to the government than it now has.

I again use the example of the provision of services to the elderly, that again you can go into my own area which has a large percentage of older people in it, something like 28 to 30 percent of the population, that there are again 12 or 13 different agencies delivering a variety of services as Meals on Wheels, Home Care and Continuing Care and a variety of services, almost too many to operate, and they all have their own administration, they all have their own particular overhead, they all have their own particular delivery or programs. Yet many of them are overlapping and when it comes down to it, many of the essential ingredients to make the program work are not there and if there had been some effort to begin organizing whether you want to call it community councils as the North End Health Study recommends, or inter-agency groups that would involve a very high degree of local planning and development of these programs, I think the Minister would find that he was getting a better program for the money he is spending. And while I don't argue with the ultimate responsibility of the politician to make the decisions on policy, I think the decisions on implementation and delivery of those can be much better handled on a local neighbourhood community base than being handled by a large organizational base that we now have. That, I think, does come down to the really fundamental approach of the way you go about delivering services. I think our problem so far has been that we have tended to assume that the traditional organizational structure of delivering social services is the only way to do it. And I'm simply saying that it's about time that we had a fairly radical departure from that system and move to ones which have a very strong planning and community involvement base, I think then we would be getting at their programs, program' and I would say that there is a very major point of departure without it.

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

MR. DESJARDINS: Well, Mr. Speaker, you know last year the same member was accusing us of trying to kill the associations that we were dealing with. Now I'm saying today that we brought in legislation to show exactly the direction that we want to go. We have certain clinics as referred to by my honourable friend. We're told by some of the people we shouldn't have these clinics, we're not going to duplicate. The first priority is to do something in the beds in Winnipeg. We have no request, are we supposed to impose it on these people? I wish my honourable friend would be clear. We have had no request from the people in the community other than the Mount Carmel Clinic, the Klinik and the Citizens Health Action, those are the three, we have had no other requests and so on.

The legislation was brought in two years ago. There are some people in the rural area that are looking at this. We know, we have said very clearly that we've tried first of all to co-ordinate the work of the government, and we are having this single unit delivery. Now we're moving another step with these associations, and we are planning with the associations all the time. But the associations are interested in certain things, and if there's nobody that's going to decide, if it's going to be left to them what they deliver, what the government is ready to do, we're not there to dictate to the people. If somebody wants to start an association and it volunteers, then I encourage the volunteers. And it would be a sad day, although we are going in that direction with government involved in everything, I say that it's going to be a sad day when we kill out the volunteers because everything is going to be paid, you'll have no volunteers. Every program is started like that, somebody is a volunteer, they want to start a program, they're all enthused and so on. So the first step the government makes a grant towards that and then in this House some people say, "What are you doing? This is what you're giving them."

Old age pension for one thing, it's supposed to pay for everything, where programs were devised to help the people that need some help. Now all the associations that come in become pressure groups and they go and see their MLA, and then the MLA will attack the government — and that's fine, that's the system, I'm not crying, I'm not criticizing — but somebody has to make darn sure that only the programs, what the government, right or wrong, but only what the government, has decided that the government, the people of Manitoba, will fund will have to be done and at that level. That's exactly what happened in Day Care, for instance. We'll have a chance to talk about Day Care. It has to be at this level.

So what are we doing now? We brought in the legislation; we have set up some clinics, they are working, we've had no other requests. We have tried to go in that direction of single unit delivery by our own staff and we are re-organizing the staff not to duplicate this, and we have started programs although they've been brought in slowly until they are solid programs, then they go back more and

more through the single unit delivery.

Now, the second step, or the last step, we are working with these associations. We are getting good co-operation from them to try to sort this out. First of all that there would not be any duplication. Certainly, of course we'll say to some of them, "Fine. We would agree that you will deliver this service for us." But it is not up to them to duplicate another service; or if they want to do it they do it on their own, and sometimes they want to do it' and then the pressure comes in. Now we will co-operate with these people, but all of a sudden — and I don't know if my honourable friend feels that we can from one day to the next, change these things or that we are going to impose it on the different communities. As I say and I repeat, we have had no requests from the public, from any communities to look at any more clinics in the City of Winnipeg, apart from those three.

As I say, we are moving. The whole program is more and more and more. Look at the estimate look at how much money there is in this. We have said, and you yourself have said, that it is so big it's hard to administer; that we're weak in certain areas. I admitted that last year; I'm admitting it now; I think we've come a long way in changing. First of all we've re-organized the department, now we're working in different issues, we're working in co-operation with these associations. I don't think we've had a better relationship than we have now. They are volunteering to look at programs with us. We have changed. At one time we have announced certain things when there was interest shown by different groups in society who have offered to work with us. We've never refused that at no time. We are constantly working with these people. My honourable friend can point out a problem, but to say that there is no co-operation, that we're not working in that direction to change that, we know the progress.

Maybe we were not correcting it as fast as my honourable friend would like to do it.

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

PRIVATE MEMBERS' HOUR

MR. SPEAKER: Order please. First item, Thursday, Private Members' Hour is Public Bills. Bill No. 9. The Honourable Member for Flin Flon.

MR. BARROW: Stand, Mr. Speaker. (Agreed)

MR. SPEAKER: Bill No. 17, the Honourable Member for Fort Rouge.

MR. AXWORTHY: Stand, Mr. Speaker. (Agreed)

RESOLUTION NO. 1

MR. SPEAKER: Resolution No. 1 and the amendment thereto and sub-amendment by the Honourable Member for Lakeside. The Honourable Member for Fort Rouge.

MR. AXWORTHY: Mr. Speaker, in the two minutes left to me I think it's just important to reiterate and re-emphasize one singular fact and that is, that the importance of this issue has been underlined by all parties. And what is important is to have a resolution coming out of this House that signifies and symbolizes that.

I think that the Minister of Mines and Natural Resources introduced a conflicting element, a divisive element in that consensus. I believe that the amendment put forward by the Member from Lakeside is in some effort to repair that artificial division that the Minister tried to create for his own personal reasons. I therefore say that while I felt that the original resolution that the Member for Portage had introduced, that perhaps that had the most accuracy to it. We're quite prepared to accept the sub-amendment of the Member for Lakeside because I think it does have a certain positive tone, whereas the position taken by the Minister of Mines and Natural Resources in his amendment was totally negative and totally out of character with the importance of this issue.

MR. SPEAKER: The Honourable Minister of Municipal Affairs.

MR. URUSKI: Thank you, Mr. Speaker. I have the opportunity of going on with the remarks I started a week or so ago and I happened to be away from the House when this motion came up again. I have the opportunity because of the amendment that had been put to be able to speak and continue my remarks.

At the time I last spoke I indicated that the Member for Fort Rouge who I felt was sitting on a picket fence and really didn't know which side of the fence he really wanted to be on, whether it was too prickly on that fence or what it was, I cannot say. But he has continuously, in my mind, been on both sides of the issue. He wanted the Province of Manitoba to take a firm stand, even to take up arms if they had to, or go to the U.S. courts, these are the kinds of statements that he's been making.

MR. SPEAKER: Order. The Member for Fort Rouge state his Point of Order.

MR. AXWORTHY: Yes, Mr. Speaker. This Minister persists in using false statements. I have never said that I am prepared to take up arms, and I think he should just expunge that particular thought from his limited range of thought.

MR. SPEAKER: The Honourable Minister.

MR. URUSKI: Well, Mr. Speaker, that's certainly the impression that has been continually left in my mind by the Member for Fort Rouge in the statements that he has been making in the last several years in this House.

He has continuously, and I recall in the questions that he has put to the Minister of Mines as to whether this province is going to court and what kind of strong statements this province is going to make and are we going to protect our borders, and what kind of avenues of force are we able to have in protecting our borders. Now, Mr. Speaker, if that does not give you an impression of anything different than that, I . . .

MR. SPEAKER: The Honourable Member for Fort Rouge state his Matter of Privilege.

MR. AXWORTHY: Mr. Speaker, I have never said about defending borders. I would ask him to quote explicitly where that is, and then if not he should desist from using those phrases.

MR. SPEAKER: The Honourable Minister.

MR. URUSKI: Mr. Speaker, the words "arsenal" have been used by the Member for Fort Rouge, and the impression that has been left in my mind is no different than exactly what does that mean. Mr. Speaker, there is no doubt in anyone's mind that this matter is uppermost in the minds of people in this province within my constituency, within the interlake, the concerns expressed by residents throughout my area about what the possible effects will be, or would be if the diversion is proceeded with.

Recently, in fact, I received a letter from the President of the Fishermen's Association from my constituency, from Riverton, indicating concern of what may be the harmful effects if species of fish or plants and water life are introduced into our Manitoba streams and lakes, what detrimental effect it might have on the fishing resource of Lake Winnipeg which has been over the years a very positive income stabilization and resource venture in this province.

The fishermen around Lake Winnipeg have, over the years, been able to — other than several years when the lake was closed to mercury pollution from the Province of Ontario — have enjoyed some very good fishing years. In fact the last several years the catches have been extremely good on behalf of the fishermen, they have been able to complete their seasons in a very short period of time.

But, Mr. Speaker, the position of the government through the Minister of Mines and Resources and the Premier at the International Joint Commission hearings, has been consistent throughout since 1970. And although the position put forward by this government to Ottawa and to the U.S. has been the same there is still that suggestion, and I can only attribute it to some members in the Liberal Party and/or some members in the environmental groups in this province as giving the suggestion, the note that the province hasn't taken the proper or as hard a stand as it should be.

Well, Mr. Speaker, I would hope that if some of those suggestions that were put forward by the Member for Fort Rouge, at least stated — I believe in the last session or the session before — he was asking whether the Minister was going to be taking this project to the U.S. courts; whether it would be stopped in the U.S. courts. That's exactly I would think that proponents of that scheme in the U.S. would want Manitoba to do, that if it got into the U.S. courts it would be on the plane that they could deal with it right in their own country.

And I believe that the position taken by this government through the Federal Government, through the Department of External Affairs has been correct, and it has been without waiver, without any change in position from Day One, from 1970 when the Minister of Mines wrote to the then Minister of External Affairs, Mitchell Sharp, and he indicated this province's concern about the Garrison Diversion and the position that was stated in 1970 has continued. And in fact the studies that have been undertaken by the U.S. and by the International Joint Commission have proven out the stand taken by this government. And the U.S. position has been to the effect that they will not violate the terms of the Boundary Waters Treaty of 1909, and what better position can the people of Manitoba and the people of Canada be in other than the fact that the people of the United States recognize that there are going to be harmful effects, and they have given the undertaking that they will not violate the Boundary Waters Treaty of 1909.

So I believe that that position is about as strong a position as you could get having that project undertaken in their country, recognizing that the damage or the problems that this will create are being recognized. And if they are being recognized the position put forward by this government that there shall be no pollution of our rivers and streams in this province, and even stronger than that, that there shall be no deterioration of the quality of water to the Province of Manitoba and to Canada, as put forward in the recent submission of March 8th, by the Minister.

I think, Mr. Speaker, it would be fair to even quote from the statement given by the Minister in March to the International Joint Commission, that to reiterate what I have said and I quote from that submission: "It should be apparent to the International Joint Commission that it was considered by the United States authorities that all construction engaged in up to the present time was construction work which was considered to be of value to the United States authorities, whether or not the Red and Souris Rivers were or were not to be utilized."

This possibility is further emphasized by the joint *communiqué* issued by the Government of Manitoba and the Government of North Dakota following a meeting on November 26, 1974, participated in by the Governor of North Dakota and the Premier of Manitoba where it stated: "The start of construction on the McCluskey Canal, the second of three major components of supply works followed in 1970, and it is now more than 70 percent completed. The Lonetree Reservoir scheduled for December, 1975, is the third major component.

The construction of none of these three principle supply works predetermines the areas which are to be irrigated since these works are necessary for any irrigation to take place. Thus present construction does not necessitate the use of Red or Souris Rivers as recipients of return flows. Utilization of these rivers or return flows is conditional upon compliance with the Boundary Waters Treaty. Current estimates by the United States Bureau of Reclamation are that construction is projected to be lead for the East Oaks area, which area affects the Red River, in March of 1977, with first waters being applied to the irrigable areas in the spring of 1980. Construction is not projected in the Souris loop area until after 1980. These dates represent the earliest time at which final decisions for construction can be made in the areas to be irrigated."

Mr. Speaker, "On the basis of these commitments and on the basis of the findings of the study board report which have been concurred in by officials on both sides of the border, I would suggest that the International Joint Commission should make a finding which would preclude the use of the Red and/or the Souris Rivers. The study board proceeds to indicate measures by which some anticipated adverse results in the province of Manitoba could be ameliorated if these rivers are utilized. In suggesting these measures it should be emphasized that the study board has not recommended that the Red and Souris Rivers should be used. It has simply said that if these rivers are utilized the protective steps should be taken. With respect to these measures the province of Manitoba takes the following position:

The harmful results which Manitoba would experience if use of the Red and Souris Rivers is permitted have been assessed in as conscientious a manner as possible and can be expected to be reasonably accurate, subject to a normal margin of error that would be characteristic of any scientific prediction based on hypothetical contingencies. These contingencies are generally one step removed from existing actualities."

And I could go on, Mr. Speaker, I believe I should give the other two positions that were taken by the Government of Manitoba, and I go on.

"The predictions relative to the remedial measures suggested by the study board are, in many respects, based on situations which contain additional variables removed from existing actualities and the margin of error which one could apply to them would accordingly be much larger than that which will be applied to the problems themselves and would accordingly be more speculative.

Given the most favourable view of predictions, Manitoba could still expect deterioration of its water quality through use of the Souris and Red Rivers as part of the Garrison Diversion Program.

In view of the above Manitoba has no alternative but to continue to resist any deterioration of its water quality through the use of the Red or Souris River as part of the Garrison Diversion Irrigation Program."

We have not indicated at all that the Garrison Diversion Project should not go ahead within the State of North Dakota, but that no waters from that state that may do harm to the quality of water in our province be diverted.

So I believe, Mr. Speaker, that the stand taken by the province through the Minister of Resources has been the right stand continually from 1970 on. And with respect to the sub-amendment proposed by the Member for Lakeside, I believe it does disservice to the position put forward by the Minister in outlining what has taken place to date. And I personally would suggest and I would recommend that the amendment as it has been put forward, in the position that it has been put forward, not be concurred in. It is all encompassing within the main body of the amendment that has been put forward by the Minister and I would think that members could support the resolution as it has been put forward in the original amendment.

MR. SPEAKER: The Honourable Member for Lakeside.

MR. ENNS: Mr. Speaker, I would give the floor to the Honourable Minister recognizing that I would be closing the debate on the sub-amendment if I had it for a few moments.

MR. SPEAKER: The Honourable Minister for Corrections.

HONOURABLE J.R. (Bud) BOYCE: Mr. Speaker, I was much intrigued by this debate. My mind can't help going back over how things have changed over the last twenty-six years or so. In 1950 I was employed as an industrial chemist in a particular plant that was established in California. And not to draw a causal relationship too directly to the plant, but nevertheless all of the grapes within the immediate vicinity of this particular plant disappeared. The attitude in this particular community has changed to the degree that the same area turned down a \$500 million expansion in the past few months because of the environmental considerations, or impact. But nevertheless this particular company was successful in having its plant established in the State of Texas, I'm informed.

But in listening to the debates, Mr. Speaker, there are some that would leave the impression that things could have been done otherwise. I'm a little bit surprised at the Member for Lakeside offering this particular amendment because I had the thought that he would support the Minister of Mines' amendment because he is thoroughly familiar with the system. I don't often get off into first principles — or at least I haven't for the past four years or so because they tarred me with a brush for being a philosopher or something — but nevertheless in the field of dialectics if you are going to have a thesis and an epithesis to come up with a proper synthesis, then you have to at least ensure that those who are in antithesis are in an equal position to those who are presenting the main thesis. I'm sorry if this is a wee bit esoteric for some, but nevertheless this government, one of the first things that they did was to ensure that the people in the community had a mechanism which could voice their concerns. And this government established the principle of funding people to make the case for environmental concerns in the community.

And while I'm on my feet, Mr. Speaker, I wish to commend . . . who I've known for a long time. He's a most responsible young man, while I don't agree with him in everything that he does, nevertheless he is a responsible young man. And he said this hiatus that has been created because of President Carter's withdrawing support of it at the present time may be overridden by Congress. And for people to suggest that we could do otherwise relative to Manitoba's position within the Federation of Canada — it's still one country and we still operate under the British North America Act which divides responsibilities.

It was perhaps an unfortunate choice of words by the Member for Fort Rouge when he used the word "arsenal," that we should take everything that we have from our arsenal to oppose the project. I am of the opinion that he did not mean some of the things that people are reading into that particular choice of words.

But, Mr. Speaker, we're faced with a reality. As Churchill said, "It's a lousy system but nevertheless it's the best one we've got." And if people were to recall that the thesis in this particular case, or the point that was made by the Cain Mutiny, was that you're still left with the system; and no matter how much you may desire that things were otherwise, nevertheless you're still left with the system. And I find it somewhat irresponsible on some people's part to suggest that the government of the Province of Manitoba could act otherwise. And for the Member for Lakeside, in particular, to involve himself with this sub-amendment which really . . . well, he makes his judgements on how to do things but I am a little bit shocked to see him take this position.

In the final analysis I would like people to go out and tell the constituents of Manitoba just exactly what they would do if Congress overrides the President, if they try to proceed to do just exactly what they intend to do. What are the alternatives?

A MEMBER: War.

MR. BOYCE: Well I wouldn't say that. But I think that the only alternative we have is to proceed as we have proceeded and I, for one, intend to vote against this sub-amendment and support the position of the Minister of Mines as set forth in the original amendment to the motion.

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

MR. WALLY JOHANNSON: I wanted to rise on a point of order, Mr. Speaker.

MR. SPEAKER: Is the point of order in respect to the amendment being closed?

MR. JOHANNSON: The point of order is in respect to the proposal of the Member for Lakeside that he had the right to close the debate. According to my reading of Beauchesne, Section 166, he does not have the right to close debate on an amendment because an amendment is not a substantive motion. If I am incorrect, I would like to be told so.

MR. SPEAKER: No. That is the correct position in respect to procedure. Therefore I can't recognize the Honourable Member for Lakeside because he has already spoken.

MR. ENNS: Not on my own amendment?

MR. SPEAKER: That's correct. Are you ready for the question. The Honourable Member for St. Matthews.

MR. JOHANNSON: Yes, Mr. Speaker, I would like to say a few words on this resolution. I have listened with interest to the debate that has gone on so far and, the last debate, we had a rather concerted attack on the Minister of Mines by the Member for Fort Rouge and the Member for Lakeside. The Member for Fort Rouge made some very nasty personal statements about the Mines Minister. He used a style of argument that is generally described as *ad hominem* argument. He was attempting to discredit the arguments of the Mines Minister by discrediting him personally and, Mr. Speaker, that is a pretty basic logical error, it's not valid and not a valid form of argument. I think that the Minister of Mines is to be complimented for his handling of this particular problem. I think that the Minister of Mines has acted in a responsible fashion. He has been careful to be correct in his dealings with the Government of Canada and the American authorities, and he has been firm. And he has maintained a firm position over the years since this issue arose. He has maintained the same position since 1970. The one thing that he has not indulged in, Mr. Speaker, is grandstanding. He has . not

indulged in the kind of grandstanding that we're now getting from the Honourable Member for Lakeside and the Honourable Member for Fort Rouge. He has not tried to prove that he's tougher than anybody else. He has not tried to put on displays of public temperament in order to scare the North Dakota Government, or anyone else. I am very satisfied, and the members of this government are very satisfied with his handling of this issue.

There were statements made in the House that the Honourable Member for Inkster, the Mines Minister, was opposed to open government — didn't like to release information — and, Mr. Speaker, this is one of the most absurd statements that has ever been made in this House. You may differ with the Mines Minister on many things. I differ with him occasionally. But the one thing that he will always do is he will put the facts in the open, he will put the facts on the table and he is prepared to debate them. Because, Mr. Speaker, the Mines Minister is afraid to debate with no man. He is afraid to debate with no man.

MR. SPEAKER: Order, please. Order, please.

MR. JOHANNSON: The Member for Fort Rouge stated that information was not being provided to the public; was not being provided to the people who live in the areas that will be affected by the Garrison Diversion, if the components that would affect the Red and Souris Rivers go ahead.

I would like to read from a report to the Minister from his department which would simply put the lie to these statements. "In respect to a special taskforce this department made information available to the municipalities in the affected area prior to the IJC hearings in 1975. The presentation at the hearings represented a broad spectrum of municipal resource organizations, university and private individuals, which certainly demonstrates a public awareness of possible damage. And secondly, the study board report has been sent to each municipality by the commission as well as provision being made for distribution points in the affected areas. And with the continuing interest shown by the public . . ." Well, there are some other comments, but the fact is that information has been made available.

I would like to deal with that proposition that the Mines Minister does not make information available. That is pure nonsense. In fact, Mr. Speaker, as far as I'm concerned the Mines Minister makes too much information available, frequently. — (Interjection) — No, that is not true. I feel that on matters that affect the internal workings of a department, particularly where it involves individuals, where it involves, for example the question of who within a department takes a position I think that information should not be made available. When a position has been arrived at by the government, the government has a responsibility to make that position public and to defend it. And I am fully in favour of that. But, as far as I'm concerned, the internal workings, when it affects individuals, when it affects the advice that individual civil servants are giving to the Minister, it should not be made public because that begins to impair the confidentiality of information that is given to a Minister.

Now the Mines Minister, as I say, makes a great deal of information available. The opposition tends to forget, Mr. Speaker, very quickly. They tend to forget especially when it is convenient to forget. Prior to our coming into government, the Manitoba Development Fund did not report to this Legislature as the Member for Portage la Prairie is fully aware. In fact not only did it not report to this Legislature, but the Minister responsible for the fund told the members of this Legislature, including the Member for Portage la Prairie, that he could not tell information about the fund to the members of the Legislature because he was not privy to that information, the Cabinet was not privy to the information.

Mr. Speaker, who is being open? This government has opened the books of the Manitoba Development Corporation. The Corporation now must present an annual report before this Legislature. There are quarterly reports through the medium of the Gazettes to all members and to the public and in fact, virtually every dealing of the Corporation is now subject to public debate. We now have, for example, the Winnipeg Free Press running continual speculations on what junior executive or senior executive is preparing to resign from Flyer Industries. We have this kind of detailed discussion, public discussion of what's going on in a Crown corporation owned by the Manitoba Development Corporation.

The Mines Minister was part of the government that opened the books of the Manitoba Development Corporation. The Mines Minister is the man who piloted the Queen's Bench Act through this House. The Queen's Bench Act permitted individuals to picket publicly, to provide true information; and not only could they picket publicly in the case of a strike, but they picketed the Mines Minister's own house and he never objected, Mr. Speaker, because he believed in discussion of public believes in public discussion of matters of public importance. I don't think that the Mines Minister has grandstanded, I think that he has followed a firm, correct responsible line of behaviour in this question. He has followed a course of action that is designed to protect the interests of Manitoba while at the same time not indulging in irresponsible behaviour toward the authorities in the United States. It's very easy to make wild statements attacking the Americans. In fact, Mr. Speaker, we are the party who are generally accused of being unfriendly towards the United States. In this case, Mr. Speaker, we're being told that we're too nice to North Dakota; we're being told, Mr. Speaker, that

we're too nice to the Government of the United States. So we have a total flip-flop occurring in the ranks of the opposition.

What position have we taken? I think the position is a very reasonable one. (1) We asked that this matter be dealt with by the Government of Canada which has jurisdiction over external affairs. And, Mr. Speaker, what could be more reasonable than that. We're not presuming to have jurisdiction over external affairs; we are a provincial government. We are a government that has always stood for federalist policies so we asked the Canadian government in 1970 to act on this matter. The Canadian Government sent diplomatic notes advising the United States Government of Manitoba's concerns and requested the protection of the Boundary Waters Treaty. The third step was that the United States Government and the State of North Dakota assured Canada with whom it was communicating that no construction adversely affecting Manitoba waters would be proceeded with until they were satisfied that the Treaty was not being violated. Then there arose differences in interpretations of wordings and when this developed, the matter was referred by Canada and the United States to the International Joint Commission and we presented Manitoba's position with regard to the program and presented scientific evidence as to the harmful effects of the project on Manitoba waterways and the Winnipeg Tribune commented on the impressive nature of our presentation which was made by the Mines Minister. The Mines Minister who was acting in a responsible, correct and firm manner.

The Manitoba representatives participated in the study board report which was released this January and which confirmed some of the fears that our government had. Finally, as the Minister of Municipal Affairs pointed out, the Minister of Mines again appeared before the International Joint Commission and re-affirmed Manitoba's position and I quote again, "It is our view that the findings of the Study Board more than confirmed the anticipated problems of water quality deterioration which would be experienced in Manitoba waters if the Red and the Souris River, or either of them, are to be used to receive irrigation return flows associated with the Garrison Diversion. It is our view that the findings made by the Study Board should satisfy the International Joint Commission, that the program should not proceed to use the Red and Souris Rivers as presently envisaged as this would constitute a violation of the Boundary Waters Treaty."

Mr. Speaker, the Government of Manitoba has not acted like some Conservative MPs from this province have acted. We have not proceeded to interfere in the internal affairs which are properly handled by the State Legislature of North Dakota. We have not acted like buffoons as the Conservative MPs for Manitoba were acting. We have acted through the Mines Minister in a responsible firm and correct way and I think that the Mines Minister has to be congratulated for the able way in which he presented the position of Manitoba and he deserves the support not only of this side of the House but of that side of the House. Subsequently, Mr. Speaker, we are going to vote against the amendment of the Member for Lakeside and we intend to vote for the amendment proposed by the Minister of Mines.

QUESTION put on the sub-amendment and lost.

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

MR. SPEAKER: Call in the members.

The Motion before the House is the sub-amendment by the Honourable Member for Lakeside.

A STANDING VOTE WAS TAKEN the result being as follows:

YEAS: Messrs. Axworthy, Bilton, Blake, Brown, Einarson, Enns, G. Johnston, F. Johnston, Jorgenson, Lyon, McGregor, McKenzie, Minaker, Patrick, Sherman, Wilson.

NAYS: Messrs. Adam, Barrow, Boyce, Burtniak, Cherniack, Derewianchuk, Desjardins, Dillen, Doern, Gottfried, Jenkins, Johannson, McBryde, Malinowski, Miller, Osland, Paulley, Pawley, Petursson, Schreyer, Shafransky, Turnbull, Uruski, Uskiw, Walding.

MR. CLERK: Yeas 16, Nays 25.

MR. SPEAKER: In my opinion, the Nays have it and I declare the amendment lost. Are you ready for the further amendment?

QUESTION on the amendment put and carried.

QUESTION on the MOTION as amended put and carried.

MR. SPEAKER: Is it the pleasure of the House to call it 5:30? The Honourable Minister of Labour.

MR. PAULLEY: It seems that there is agreement on that, but while you're in the Chair, Sir, may I make a correction. I was talking of my honourable friend by the name of Wilson which you never use, of course, in this House, but I referred to him as the Member for Crescentwood. I would like to correct — he is the Member for Wolseley. It was during the debate on Sunday closure.

MR. SPEAKER: Thank you. The House will now adjourn until 8 p.m. when it will reconvene in Committee of Supply.